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DATA COMM FOR BUSINESS

United States Export Compliance

May 20, 2024

Some DCB products are controlled under the United States [Export Administration Regulations \(EAR\)](#) and [Wassenaar Arrangement](#) as telecommunications/networking equipment within the following ECCN classifications: 5A002 and 5D002.

General Export Overview

DCB tunnel products, with the exception of the FT-6632, XT-6632 and LLEA, may be delivered to most end users worldwide without a licensing requirement. XT-hEX, XT-3303, XT-3305, XT-3306, XT-6606, UT-Soft, FT-6602, FT-6606, FT-Soft, UT-6600, ET-6600, UT-6690, ET-6690, EST-9600, SM56, SSE, and SE-6600 products have undergone a self-classification and qualify as commodities and software described in 15 CFR Part 740.17 (b)(2)(i)(A) for License Exception ENC (15 CFR Part 740.17).

DCB products containing encryption have been self-classified as ECCN 5A992, 5A002, or 5D002, or reviewed and classified by the US government. Products classified as 5A992 are mass market. Mass market products normally do not require a license and are exported under the designation "NLR" (No License Required). Most DCB products classified as ECCN 5A002 or 5D002 meet the requirements for License Exception ENC. Please refer to the product data-sheet to verify each specific product's classification. At this time of this writing, the XT-6632, FT-6632, and LLEA products are not eligible for License Exception ENC.

Restricted and Unrestricted Encryption

Except for the FT-6632, XT-6632 and LLEA, DCB VPN tunnel products may be exported or re-exported to most civilian and commercial end users. This License Exception ENC does not authorize export, reexport to, transfer (in-country) in, or provision of any service in any country listed in Country Groups E:1 or E:2 in Supplement 1 to part 740 of the EAR. As of September 2020, the countries listed in Supplement 1 to Part 740-page 8, Country Group E are embargoed destinations requiring a license: Cuba, Iran, North Korea, Sudan, and Syria.

Export Compliance

These items are controlled by the United States Government and authorized for export only to the country of ultimate destination for use by the ultimate consignee or end-user(s) herein identified. They may not be resold, transferred, or otherwise disposed of, to any other country or to any person other than the authorized ultimate consignee or end-user(s), either in their original form or after being incorporated into other items, without first obtaining approval from the United States government or as otherwise authorized by United States law and regulations.

The United States Government maintains restrictions on certain exports, re-exports or transfers of items. The restricted parties are listed on the U.S. Bureau of Industry and Consolidated Screening List (Denied Parties, Unverified List, Entity List) located on the web at http://export.gov/ecr/eg_main_023148.asp



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Prohibited Uses

DCB products may not be directly or indirectly used for activities prohibited in Part 744, Control Policy:End-User and End-Use Based. Examples include: nuclear, missile, and chemical and biological proliferation activities, nuclear maritime activities, certain aircraft and vessels. Exporting to end-users involved in these activities is also prohibited. Refer to Part 744 for additional information. Part 744 is found at the following web link:

<https://www.bis.doc.gov/index.php/documents/regulations-docs/2343-part-744-control-policy-end-user-and-end-use-based-2/file>

United States Commerce Department Export Controls

The U.S. Commerce Department's Bureau of Industry and Security Website provides U.S. export guidance at <http://www.bis.doc.gov/licensing/exportingbasics.htm>.

A helpful starting point to more export information is found at this web link:

<https://www.bis.doc.gov/index.php/exporter-portal>

Re-export of DCB tunnel products

Non United States and United States companies re-exporting encryption products or technology must comply with both their local export regulations and with the United States re-export regulations. Guidance regarding re-exports and other offshore transactions involving United States origin Items can be found at <http://www.bis.doc.gov/index.php/licensing/reexports-and-offshore-transactions>.

To contact someone at the Bureau of Industry and Security, please call one of the following numbers:

Outreach and Educational Services Division, Washington, DC: (202) 482-4811
Western Regional Office, Newport Beach, CA: (949) 660-0144

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