

# **SIBC Supplier Days 2026**

## **Compliance Discussion – Foreign Supplier Involvement**

March 3, 2026

# Introductions

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- Who we are?
  - Ashley Barton – Supply Chain Organization Compliance, Process Improvement, & Training Manager
  - Brenda Maryeski– Supply Chain Organization Supervisor of Regulatory Compliance
- Why are we here?
  - Discuss the requirements for engaging with foreign entities, contracting with foreign suppliers, and utilizing foreign supplied material in performance of EB purchase orders / work.

# Agenda

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- Foreign Involvement, What and Why
- Foreign – Related Requirements
- Foreign Involvement Submittals
- Marking Requirements

# Foreign Involvement

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## Why is understanding and complying with foreign-related requirements important?

- Legal and Purchase Order Compliance
- ITAR Violations:
  - Criminal Penalties (fines, imprisonment),
  - Debarment
  - Forfeiture of assets
  - Reputational, Compliance oversight (more audits, etc.), Loss of Business
- National Security –
  - Ensure information is not disclosed to adversaries
  - Responsible stewardship of US Funds
- Logistical Coordination and Oversight

# Foreign Involvement

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## What is Foreign Involvement?

- Subcontracting with a Foreign Entity (to any extent)
- Having Foreign Person employees performing work under the Order, or privy to information relevant to the Order (i.e., foreign person company owners receiving purchase order information)
- Performing work outside the U.S.
- Foreign person employees of subcontractors (exposed to ITAR-controlled information)
- Buying a product or service from a supplier not located in the USA
  - Includes raw material
- Release of information relevant to the order to foreign persons (e.g., IT support contractors, foreign person auditors)
- Supporting a meeting with the Customer (EB or the Navy) with Foreign Persons in the room, this could require additional contractual flow down to your contracts, always clarify before the meeting starts if attendees are foreign nationals

# Regulations Governing Foreign Involvement

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In addition to the Agencies and Regulatory regimes governing import, export and foreign engagement in the US, there are also specific contractual requirements governing foreign involvement that EB and our Suppliers must comply with.

## Examples:

### Regulatory Bodies / Agencies:

- Office of Foreign Assets Control (OFAC)
- Department of Commerce: Export Administration Regulations
- Department of State: International Traffic In Arms Regulations
  
- Federal Acquisition Regulations / Defense Federal Acquisition Regulations
  - 252.225-7007, Prohibition on Acquisition of Certain Articles from Communist Chinese Military Companies
  - 252.225-7009, Restriction on Acquisition of Certain Articles Containing Specialty Metals
  - 252.225-7036, Buy American – Free Trade Agreements – Balance of Payments Program – Basic
  - 252.225-7048, Export-Controlled Items
  - 252.247-7023 Transportation of Supplies by Sea
  - Kaspersky Lab, Huawei, Tik Tok
  - Hand or Measuring Tools, Forgings etc.
  
- Takeaway: Read the terms and conditions of your Contracts. Read the content of the Clauses.

# Foreign Involvement – Purchase Order Requirements

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1. Inform your EB Buyer of any and all foreign involvement in your supply chain related to performance of an EB PO,
  - RFQ certifications and representations
  - Report at earliest awareness during PO performance if arising during performance.
  
2. Sellers MUST request in writing and obtain written EB approval PRIOR to exporting ITAR controlled information and/or services under an EB PO.
  
3. Seller's MUST receive EB Buyer concurrence prior to any import by Sellers that will be delivered directly to EB and or where EB is the importer of record
  - Allow time for review of import paperwork, and time to fulfill regulatory filing obligations

# Steps to Take at RFQ Stage

- Review the Terms and Conditions and all requirements of the RFQ
- Complete the Foreign Involvement Section of your RFQ
  - Located in the RFQ/RFP CERTIFICATION AND REPRESENTATIONS // **new electronic EB Oracle RFQ template**
  - You may also complete EB Form located at gdeb.com
  - This is your first opportunity to identify foreign involvement
  - If you determine foreign involvement post RFQ/RFP you must notify your EB Buyer

Requirements			
Expand All   Collapse All			
Focus	Title	Target Value	Quote Value
	▲ Requirements		
	▶ Electric Boat RFQ/RFP CERTIFICATION AND REPRESENTATIONS		
	▲ Terms and Conditions		
	I. EXCEPTIONS		
	1. Does the Offeror TAKE exception to any Technical Requirements set forth by this RFQ/RFP, including any requirements invoked by reference or attachment?	Yes	<input type="text" value=""/>
	2. Does Offeror TAKE exception to any of the contractual requirements set forth by this RFQ, including Terms and Conditions, logistical/operational (e.g. shipping, packaging), or quality requirements?	Yes	<input type="text" value=""/>

# New Oracle RFQ/Proposal Submittal Templates

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- EB is rolling out new RFQ Templates in its Oracle Procurement System which will replace the PDF 84-03-4000 Form “certs and reps” historically required for every PO over \$10k (now \$15k).
- These templated questions will allow for more accuracy in reporting foreign involvement and consistency in the obtaining required responses with a supplier’s proposal
- Specific foreign questions have been added to, over time, reduce the need for some additional information gathering/forms
- Did you identify "Foreign End Products" at line-item level? Note: Foreign End Products include end products manufactured in the United States that do not qualify as domestic end products, i.e., end products that are not COTS items and do not meet the component test in paragraph (ii) of the definition of "domestic end product".
- Foreign Involvement (Performance or Procurement)
  - Will any of the quoted work be performed in a non-US location?
    - If Yes, additional questions asked
  - Will any of the quoted work be subcontracted to a non-US entity?
  - Will any materials to be delivered be procured from a non-US company?
  - Will any materials to be delivered or incorporated in quoted deliverables be imported into the US?
    - 1. List of material to be imported (if different from above)
    - 2. Will you be submitting a request for duty free entry?
  - Will you or any other US entity provide Defense Services to a foreign entity (22 CFR 120.32)?

# Foreign Procurement Forms

- Current State: Upon identification to your EB Buyer of foreign involvement you will receive “Foreign Procurement Supplier Questionnaire” to be completed – identifying key facts about the foreign involvement (and codes associated with product imports).

**ELECTRIC BOAT CORPORATION (EB) FOREIGN PROCUREMENT SUPPLIER QUESTIONNAIRE**

Please fill out and return to your Buyer at your earliest convenience. Date: \_\_\_\_\_

PO No.: \_\_\_\_\_

1) Vendor Name: \_\_\_\_\_  
Address: \_\_\_\_\_

2) For each part coming from a foreign source or manufacturer, please obtain the following: Please complete the following for each part coming to EB: (If information is same as imported part number please state "same".)

Imported Part No.	Country of Origin Export Control Code	Harmonized Tariff Schedule (HTS) Number	Manufacturer Name & Address	Source Name & Address	Vendor Part No. Provided to EB	Export Commodity Classification No. (ECCN) or USML Category	Harmonized Tariff Schedule (HTS) Number

**NOTE:** For each item sourced abroad please obtain the Export Commodity Classification, Harmonized Tariff Schedule Number, Manufacturer Name and Address and Source Name and Address from the importer of record. As the source of the final product please also include the end item (part delivered to EB) for each item imported and include the Export Commodity Classification and Harmonized Tariff Schedule for each part.

Please use additional pages as needed to provide all part information.

	YES	NO
3) <b>Is/are the part(s) coming from a foreign source or manufacturer:</b>		
Commercially available off-the-shelf (COTS) defined in FAR 2.101?	<input type="checkbox"/>	<input type="checkbox"/>
Restricted under U.S. Export Laws and Regulations?	<input type="checkbox"/>	<input type="checkbox"/>
Designed or modified for EB or the U.S. Government?	<input type="checkbox"/>	<input type="checkbox"/>
4) Do you have an export license or other authorization in place for this procurement? If YES, please provide a copy.	<input type="checkbox"/>	<input type="checkbox"/>
5) I certify that no EB technical data or information that is derived from or based on EB technical data (including EB specifications/drawings) is provided to a foreign person or entity in support of this procurement.	<input type="checkbox"/>	<input type="checkbox"/>
<small>Explain if 'NO':</small>		
6) I certify that all parts and components are in compliance with: • DFARS 252.225-7001, Buy American and Balance of Payments Program & • DFARS 252.225-7009, Restriction on Acquisition of Certain Articles Containing Specialty Metals	<input type="checkbox"/>	<input type="checkbox"/>
<small>Explain if 'NO':</small>		
7) I certify that Seller has excluded from its sources of supply any items manufactured in International Traffic in Arms Regulations (ITAR) 126.1 proscribed or embargoed countries	<input type="checkbox"/>	<input type="checkbox"/>
8) Will Electric Boat Corporation be charged duty?	<input type="checkbox"/>	<input type="checkbox"/>

Supplier Questionnaire

Foreign Procurement Supplier Questionnaire

# Foreign Involvement – Action Requests

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- Submit requests for action related to foreign involvement as early as possible in the RFQ/PO process, such as:
  - End-User Certificates
  - DUTY FREE ENTRY:
    - EB Can request on your behalf for items that will be incorporated into deliverables to the USG, subject to the other restrictions in the Clause.
    - Submit the required information in advance of import.
    - EB is not liable for duties incurred if you do not submit for duty free entry, when eligible, and the shipment is made prior to waiting for DFE response.

## Start Early.

- Avoid Delays in receipt once imported;
- Avoid fees!

# Markings to indicate Security and Export Controls

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- Any information DERIVED from an EB source, generated by the Supplier, must maintain the security and export control markings from the source document (unless explicitly determined they are inapplicable to the derived information)
- Suppliers must comply with all markings
- If you believe something is incorrectly marked please contact your EB Buyer

Questions?

**Thank you**