



U.S. Department of State
Directorate of Defense Trade Controls

**Template - Dual National/Third-Country National Non-Disclosure Agreement
(NDA)**

NON-DISCLOSURE AGREEMENT¹

For DTCL Case _____ (or § 126.18)

I, _____, acknowledge and understand that any technical data related to defense articles on the U.S. Munitions List and proprietary data that I will have access to or which is disclosed to me by (employer's name) are subject to control under United States law (the International Traffic in Arms Regulations (the "ITAR")).

I hereby certify that such controlled technical data will not be further disclosed, exported, or transferred in any manner not authorized under the ITAR, except with the prior written approval of the U.S. Department of State and [employer's name]. I certify that I will report promptly to [employer's name] and its security and export control officers any inquiry or request to provide controlled technical or proprietary data to any third person without authority.

I further certify that I have never acted for, represented, or provided ITAR controlled information to any country in contravention of the restrictions in the ITAR. I further certify that I do not currently act for, represent, or provide ITAR controlled information to any country, person acting on its behalf, or entity that is owned or controlled by such a country, in contravention of the restrictions in Section 126.1 of the ITAR. Furthermore, I certify that I understand and will comply with the notification requirements of Section 126.1(e) of the ITAR or any other U.S. law.

I make this certification voluntarily and understand and agree that it may be provided to the government of [employer's location] and the United States which have an interest in ensuring that controlled defense articles and technical data are not provided or transferred to persons without authority.

Signature & Printed Name & Address

Date

¹ When Re-Baselining an agreement, existing NDAs do not need to be re-executed to change the agreement number—the existing NDA will remain valid. DN/TCNs previously approved by DDTC for a given agreement are not required to re-execute an NDA with this new language if the DN/TCN request remains pursuant to § 124.8(a)(5). Previously approved DN/TCNs whose employers choose to re-vet an individual pursuant to § 126.18(c)(2) must re-execute an NDA with this language. Case numbers are not required for NDAs pursuant to § 126.18(c)(2) since the NDA may be used for a DN/TCN's work under multiple agreements. Case numbers are required for NDAs pursuant to § 124.8(a)(5). If the DN/TCN is working under multiple agreements, a single NDA may be used for the DN/TCN, but the NDA must list all applicable agreement numbers.