

Recent ITAR Case Sends Important Message For Small/Midsized Government Contractors

A recent State Department ITAR enforcement case involving a supplier of military spare parts sends a valuable message to small and mid-sized government contractors of every type, writes **Thomas B. McVey** of Williams Mullen.

In **an article** on the firm's website, he explains the case involves Bright Lights USA, Inc., a small New Jersey defense manufacturer. According to the Directorate of Defense Trade Controls Charging Letter, the company's business primarily consists of "manufacturing minor spare parts (including rubber stoppers, seals assemblies, and grommets) for both private- and public-sector customers." Many of these parts transitioned off of the U.S. Munitions list (USML) beginning October 2013 as a result of Export Control Reform.

When supplying military parts, the company periodically sought to obtain components from foreign suppliers. According to the DDTC Charging Letter, when ordering foreign-made parts the company sent drawings of export-controlled components to foreign suppliers to obtain quotations without obtaining the requisite export licenses. Similarly DDTC claimed the company posted drawings of controlled items online to solicit quotations, including posting on a manufacturing sourcing website where the drawings could be accessed by foreign persons. DDTC also stated that the Company misclassified certain components as being subject to EAR instead of ITAR.

DDCT concluded that Bright Lights had "significant training and compliance program deficiencies" and charged the company

with a number of violations.

Read the article.