



Date: September 12, 2006

Re: Customer Request for Confirmation of Compliance with the Berry Amendment

Microsemi Corporation ("MSC") has retained the ability to supply Military Semiconductor (SC) Devices assembled in the U.S., which is an advantage for the U.S. Government, and its suppliers in the military manufacturing chain (OEM's), since most SC suppliers no longer have the capability to produce and supply Military SC Devices in the U. S. Thus, any Military SC Devices purchased from MSC's military production lines will conform to the requirements of the Berry Amendment, since assembly is done in the U. S. In this regard, MSC fully complies with the Berry Amendment, **DFARS 252.225-7014 (Alt 1)** and as further prescribed in **FAR 225.7002-3(b)(1)** and **FAR 225.7002-3(b)(2)**.

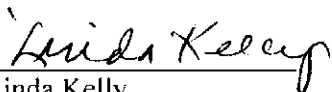
If the U.S. Government and its OEM's choose to purchase MSC Commercial SC Devices, vis-à-vis, MSC Military SC Devices, such commercial SC devices may be assembled offshore and may not conform to the requirements of the Berry Amendment. MSC's offshore private label suppliers and their suppliers may include specialty metals in the Commercial SC Devices sold to MSC. Thus, it is recommended that the U.S. Government and its OEM's buy MSC Military designated SC Devices to ensure compliance of the requirements of the Berry Amendment. Accordingly, MSC hereby discloses that MSC Commercial SC Devices may not meet the requirements of the Berry Amendment, **DFARS 252.225-7014 (Alt 1)** and as further prescribed in **FAR 225.7002-3(b)(1)** and **FAR 225.7002-3(b)(2)**.

It is respectfully noted that although MSC Commercial SC Devices may comprise some specialty metals, the quantity thereof would be a significantly low percentage of the customer's total metal content and therefore comply with the terms specified in applicable DFARS & FAR regulations.

MSC represents and warrants to the best of its knowledge and belief that the information provided herein is accurate as of the date hereof. MSC has taken reasonable steps to provide representative and accurate information with regard to the topic hereof, and shall not be liable for loss of use, revenue, profit, or for any special, incidental, or consequential damages arising out of, connected with, or resulting from, the information provided herein or otherwise

MSC will continue to assemble Military SC Devices that comply with the Berry Amendment and within the purview of **DFARS 252.225-7014 (Alt 1)**; **FAR 225.7002-3(b)(1)**; and **FAR 225.7002-3(b)(2)**.

MSC is committed to providing the highest quality products to our customers that comply with all applicable laws and regulations. Please contact the undersigned if additional information is required.


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Microsemi Corporate Center