

**EXPORT CONTROL PROCEDURE (ECP) # 1.2:
POLICY FOR EXPORT COMPLIANCE**

Release date: August 23, 2019

I. Purpose

The Trade Sanctions and Export Compliance Program (“Program”) at the Smithsonian Institution, through Smithsonian management, communicates the importance of sanctions and trade compliance throughout the Institution to ensure employee compliance with all required regulations. Since such regulations are fluid and often subject to change, it is critical that the Program employs as many venues of communication as possible to reach the widest staff audience.

II. Procedure

The Program’s written documentation consists of written policies, periodic internal notices, and in person or online training events. These resources developed for employee and affiliated persons reference an internal point of contact for further questions and guidance (Export Compliance Officer) relating to their international activities. In addition, they explain the need for compliance and the potential consequences for non-compliance. This information can include such topics as country sanctions, foreign involvement and import/export requirements of the following regulations:

- Export Administration Regulations (EAR - 15 CFR)
- International Traffic in Arms Regulations (ITAR - 22 CFR)
- Foreign Assets Control Regulations (FACR - 31 CFR)
- Federal Trade Regulations (FTR - 15 CFR).

The cornerstone of the Program is the internal Institutional policy, referred to as Smithsonian Directive 611, *Export Compliance and Trade Sanctions Related to Research, Export and Museum Activities*. In accordance with Smithsonian guidelines, this policy is reviewed for currency every 3 years (or sooner if needed), and approved by Office of General Counsel and the Deputy Undersecretary for Finance and Administration. It is then reviewed by a central administrative group to ensure clarity and applicability of all Institutional policies. The finalized policy is listed on the Program’s website, as well as a central policy website maintained by the Smithsonian’s Office of Policy, Management and Budget (OPMB).

All other notices, updates and institution-wide communications are also maintained on the Program’s website for easy and quick reference by employees.

Smithsonian Directives (SD) are reviewed and approved by the Directives Review Council (DRC), comprised of Smithsonian senior staff. Employees are expected to visit the SD site and be familiar with SDs that impact employee conduct.

III. References

- III. Questions should be referred to Natascha Finnerty at nfinnerty@cfa.harvard.edu or by telephone (617) 496-7557.

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SMITHSONIAN DIRECTIVE 611,
May 13, 2015

**EXPORT COMPLIANCE AND TRADE SANCTIONS
RELATED TO RESEARCH, EXPORT AND MUSEUM ACTIVITIES**

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1. PURPOSE

United States export control regulations govern the export of "items," conduct of certain scientific work with non-U.S. persons, engagement in activities with or in sanctioned countries, transfer of funds to designated sanctioned countries, and travel overseas with large amounts of currency. It is the Smithsonian's policy to comply with all export control and trade sanction laws, regulations, and policies of the United States. "Items" are hardware, production equipment for hardware, materials, software, and technology.

Many of the Smithsonian's research activities qualify as "fundamental research" and may be exempt from certain U.S. export control licensing requirements. As an institution with diverse undertakings, the Smithsonian recognizes that U.S. export control regulations continue to regulate a variety of actions that are outside of the "fundamental research" exception. These activities include research considered to be military and/or space related, which involve "defense" or "dual-use" technology, such as space-qualified optics, sensors, satellites, instrumentation related to infrared or solid state detectors, chemicals, pathogens, specialized analytical computer code, marine vehicles, and high-technology research techniques. For these activities, export licenses may be required.

In addition, research activities that take place in countries that are subject to trade sanctions, or involve persons from sanctioned countries, may be subject to specific licenses and reporting, regardless of whether the activities qualify as "fundamental" research; when in doubt, contact

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Smithsonian Directives

Instructions

- Searching tip: press **Ctrl + F**, type a word or SD number and press **Enter**.
- You can **sort and filter** the list below by hovering over a column heading and clicking the arrow that appears.

Directives Review Process

- Learn about the **Directives Review Council (DRC)** and how Smithsonian Directives are revised, reviewed and approved.
- Click on the **Smithsonian Directives Dashboard** to see current status and metrics.

Contacts

- Please direct questions about the substance of a directive to the office listed at the end of that directive.
- Please contact Maggie Stone (mstone@si.edu; 202-633-5217) or Paul Hasey (phasey@si.edu; 202-633-5224) with comments, suggestions or questions about the directives system or the currency of a particular directive.

Directives Library

Status	Type	Title Link	Date Last Declared	Current	Resp. Office
SDs 100-199, Management and General Administration					
		SD 100 - Smithsonian Directives	5/30/2017		OUSFA-OPMB
		— SD 100 - Directives Handbook	5/30/2017		OUSFA-OPMB
		— Appendix B - Listing of Current Smithsonian Directives by Number	7/29/2019		OUSFA-OPMB
		— Appendix C - Listing of Current Smithsonian Directives by Responsible Office	7/29/2019		OUSFA-OPMB
		SD 102 - Decoding, Protecting, and Commercializing Inventions	8/2/2005		USMRF
		— Appendix - Smithsonian Invention Disclosure Form	8/2/2005		USMRF
		SD 103 - Smithsonian Institution Standards of Conduct	8/19/2016		OGC
		— Appendix 1 - Fourteen Principles of Ethical Conduct for Smithsonian Employees	8/19/2016		OGC
		— Appendix 2 - Federal Laws Relating to Employee Conduct	8/19/2016		OGC
		SD 104 - Virtual Identity Program	04/1999		ASCEA
		SD 105 - Naming Museums, Research Institutes, Offices, Buildings, and Exhibition Areas	2/19/1996		OS
		SD 106 - Claims Filed By and Against the Smithsonian Institution	12/17/2014		OGC
		— Appendix - Waivers of Overpayments Made to Employees and Fellows	8/29/2011		OGC
		SD 107 - Office of the Inspector General	11/12/2014		OIG