

TRADE COMPLIANCE POLICY

1.0 SCOPE

The provisions of this Policy apply to all Brookhaven Science Associates LLC directors, officers, employees, visiting scholars, students, and any other non-employees (“Brookhaven Personnel”) working at the Brookhaven National Laboratory (“BNL” or “Lab”) or at any other Brookhaven facility. The foundation for this Policy is the BNL Management Commitment Statement regarding the organization’s commitment to complying with the U.S. export controls laws and regulations.

All Brookhaven Personnel are responsible for understanding this Policy and ensuring its uniform and effective implementation, as well as ensuring that their conduct and actions are wholly consistent with its requirements.

2.0 PURPOSE

Export control laws are in place to protect the national security, economic interests, and foreign policy objectives of the United States. Many of Brookhaven’s global endeavors are subject to the U.S. export control regulations. Penalties for violations of the regulations may include damage to the Lab’s reputation, loss of export privileges, criminal penalties, and civil penalties.

This Policy applies to a wide range of operational areas that are affected by the U.S. export controls regulations. This includes but is not limited to the following.

- Parameters of the Fundamental Research Exclusion
- Collaborations with Foreign Nationals
- Conferences, Meetings, and Seminars
- Contracts / Procurement
- Property Management
- Access Control for Export Controlled Items
- Data Management and Protection
- International Shipments
- Foreign Visitors / Assignments
- International Travel
- Document Release / Publication

The Export Control Office Website [BNL | Export Control Office](#) contains more detailed

resources and guidance to assist Brookhaven Personnel in complying with this Policy and all applicable U.S export controls regulations.

3.0 POLICY STATEMENT

Brookhaven Science Associates LLC complies will all applicable export control laws and regulations including, but not limited to, the following:

- Department of Energy (10 CFR Part 810)
- Department of State (International Traffic in Arms Regulations (ITAR), 22 CFR Part 120-130)
- Department of Commerce (Export Administration Regulations (EAR), 15 CFR Part 730-774)
- Department of Treasury (Office of Foreign Assets Control (OFAC) Regulations (31 CFR Part 501-599)
- Nuclear Regulatory Commission (10 CFR Part 110)

Compliance with U.S. export controls regulations is a shared responsibility owned by Brookhaven Science Associates LLC and all Brookhaven Personnel.

Brookhaven Personnel must be aware of and comply with all applicable U.S. export controls regulations and how they apply to Brookhaven activities. Some Brookhaven activities, even those occurring wholly within the U.S., may trigger export compliance issues and require appropriate export authorization from one or more federal agencies prior to initiating certain activities.

Furthermore, Brookhaven Personnel must be aware of and comply with BNL's Export operational procedures in SBMS, established to drive compliance across the Lab.

Any suspected or actual violations of the U.S. export control regulations must be promptly reported to the Export Control Office via export@bnl.gov, or by directly contacting the [BNL Export Control Staff](#). Anonymous concerns may be reported to the [EthicsPoint Website](#) (or [BNLMobile EthicsPoint](#) from a mobile device), or call (844) 975-2642 to speak with an EthicsPoint professional.

4.0 POLICY IMPLEMENTATION

The Standards Based Management System (SBMS) Export Control Subject Area outlines procedures that all Brookhaven Personnel are required to follow.

As the Export Compliance Management Program is continually improved at BNL, existing procedures will be adapted as needed and new procedures will be

implemented.

5.0 RECORDKEEPING REQUIREMENTS

Export or deemed export-related records must be maintained for a minimum of 5 years and in accordance with applicable export laws and any other BNL record retention policies.

6.0 CONTACT INFORMATION

This Policy is owned by the Export Control Office. Any questions or comments about the information contained should be directed to the Export Compliance Manager at export@bnl.gov.