**US EXPORT AND TRADE COMPLIANCE POLICY**

**PURPOSE**

[EMPLOYER'S NAME] is committed to adhering to both the letter and the spirit of all applicable export and trade control laws, including those of the United States and other jurisdictions where the company operates. No export, reexport, import (whether involving a service, commodity, technical data, or technology), or any other transaction may be carried out in violation of these laws or contrary to the company's internal policies and procedures.

US Export and Trade Controls include, but are not limited to:

* Export Administration Regulations (EAR): Regulated by the U.S. Commerce Department’s Bureau of Industry and Security (BIS), the EAR governs the export, deemed export, reexport, and transfer of:
	+ Commercial (non-military) commodities, software, and technology.
	+ Items with dual-use applications (both commercial and military).
	+ Munitions transferred from the U.S. Munitions List to the Commerce Control List.
* International Traffic in Arms Regulations (ITAR): Managed by the U.S. State Department’s Directorate of Defense Trade Controls (DDTC), ITAR regulates:
	+ Manufacture, export, deemed export, reexport, retransfer, and brokering of defense articles.
	+ Access to technical data and the provision of defense services.
	+ Activities related to items specifically designed, developed, or modified for military applications or listed on the U.S. Munitions List.
* Foreign Trade Regulations (FTR): Enforced by U.S. Customs and Border Protection (CBP), FTR requires the submission of electronic export information for export shipments from the U.S.
* Foreign Assets Control Regulations (OFAC): Administered by the U.S. Department of the Treasury, these regulations prohibit exports to certain countries, governments, and individuals subject to U.S. economic and trade sanctions.
* Anti-Boycott Laws: Enforced by the U.S. Commerce Department's Office of Antiboycott Compliance (OAC) and the IRS, these laws prohibit supporting international economic boycotts in which the U.S. does not participate.
* Sanctions and Prohibited Transactions: Restrictions on exports to designated parties or countries engaged in activities such as weapons proliferation, terrorism, and narcotics trafficking.
* Anti-Corruption and Anti-Bribery Regulations: Including compliance with the Foreign Corrupt Practices Act (FCPA) and similar anti-corruption laws.

Furthermore, [EMPLOYER'S NAME] is committed to ensuring compliance with non-U.S. laws and regulations that apply to our international operations, which may include restrictions on:

* Imports, exports, reexports, and related activities.
* Transactions involving specific countries, governments, entities, or individuals.
* Acts of corruption or bribery.

**COMPLIANCE RESPONSIBILITY**

Every officer, director, agent, and employee involved in international business transactions at [EMPLOYER'S NAME] is required to understand the key aspects of export and trade laws and ensure compliance at all times. Adhering to these laws is essential to [EMPLOYER'S NAME] reputation and ongoing success.

[EMPLOYER'S NAME] export compliance policy and procedures will be communicated to all employees and provided to new hires upon starting their employment. The policy and procedures manual can also be accessed via: [DESCRIPTION OF MEANS TO ACCESS POLICIES AND PROCEDURES].

**ADMINISTRATION**

The [Export Compliance Officer/[OTHER POSITION(S)]] is responsible for administering the company’s internal controls and procedures, as well as overseeing day-to-day compliance. They will receive the necessary support from management to ensure continued compliance with evolving export regulations.

[EMPLOYER’S NAME] is committed to maintaining and updating its written policies and procedures to ensure full compliance with all applicable U.S. laws, rules, regulations, and policies. The [Export Compliance Officer/[OTHER POSITION(S)]] will oversee future updates to these policies and procedures.

Management is responsible for ensuring that employees have the necessary training and resources to perform their duties effectively. Additionally, all levels of management must inform senior management of any export or trade-related issues, developments, concerns, or investigations that could have legal significance for the company or its affiliates, or that may lead to such situations.

**CONSEQUENCES OF NON-COMPLIANCE**

International business is a key revenue driver for the company. Violations of any applicable law, rule, or regulation could impact the company's ability to operate globally. Specifically, violations of U.S. Export and Trade Controls may result in substantial civil penalties, criminal fines, imprisonment, suspension of export privileges, and damage to the company's reputation.

[EMPLOYER NAME] also ensures compliance with all relevant Michigan state laws and regulations related to export and trade activities.

For any questions related to these policies, or any export or import law, rule, or regulation, please contact the [Export Compliance Officer/[OTHER POSITION]]. If an employee discovers a non-compliance issue, they must immediately report the incident to the [Export Compliance Officer/[OTHER POSITION]]. For questions about the legitimacy of a transaction or potential violations, please consult the [Export Compliance Officer/[OTHER POSITION]] and, as needed, external legal counsel.

Employees who deliberately violate these internal controls and procedures may face disciplinary action, up to and including termination.

**ACKNOWLEDGEMENT OF RECEIPT AND REVIEW**

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (employee name), acknowledge that on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (date), I received and reviewed a copy of [EMPLOYER'S NAME]’s [NAME OF POLICY]. I understand that it is my responsibility to familiarize myself with the policy and adhere to its terms.

I also acknowledge that this policy is not intended to create an employment contract or alter my at-will employment status, unless otherwise specified in a written agreement signed by an authorized representative of [EMPLOYER'S NAME]. Any delay or failure by [EMPLOYER'S NAME] to enforce the provisions of this policy does not constitute a waiver of its rights to enforce them in the future.

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Signature

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Printed Name

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date