

# **Policy Governing UMB Compliance with U.S. Export and Sanction Laws**

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### **1.0 Policy**

The University of Maryland Baltimore (UMB) is committed to full compliance with all applicable laws governing U.S. sanctions, embargoes, traffic in arms, and the export of goods, assets, technology and information (collectively, “Export Control”). All UMB Personnel (defined in Section 3.0 below) are subject to this policy.

### **2.0 Background**

This policy is designed to ensure that UMB complies with Export Control regulations.

Export controls are set forth in regulations administered by federal agencies including the U.S. Department of State, Directorate of Defense Trade Controls, the U.S. Department of the Treasury, Office of Foreign Assets Control, and the U.S. Department of Commerce, Bureau of Industry and Security. The controls restrict the export, re-export, transfer, retransfer, and disclosure of certain technical and scientific data, software, and tangible items. Sanctions and embargoes maintained by the U.S. restrict or prohibit financial and other transactions with sanctioned individuals, organizations and countries. The reach of the regulations is broad. Certain actions that might not be regarded as “export” in other contexts may constitute an export subject to regulations and embargoes. Violations of the regulations may lead to disciplinary action for individual UMB Personnel and may also result in civil or criminal penalties for individual UMB Personnel and for UMB itself.

### **3.0 Defined terms**

In this Policy,

**3.1 Empowered Official** means a person who is legally empowered in writing by

the university to sign export license applications or other requests for approval on behalf of UMB.

**3.2 UMB Personnel** means all UMB employees, full-time and part-time, including student employees; students; consultants; visitors; and others using UMB Resources.

**3.3 UMB Resources** means all resources owned, leased, or otherwise utilized by UMB Personnel within the scope of UMB activities including education, research, health care and service.

## **4.0 Applicability**

4.1 This Policy, its amendments and implementing procedures and guidelines, apply to all activities using UMB Resources and conducted by UMB Personnel that may result in an export or other transaction with a foreign national, entity, or country subject to Export Controls and requiring an export license or other government approval prior to the activity taking place (“UMB Activity”).

4.2 UMB Personnel are responsible for complying with this Policy and UMB procedures implementing this Policy.

4.3 UMB Personnel will comply with the provisions of any license, conditions of any other government approval, policy or UMB-directed certification, technology control plan, or procedure when it has been determined that a UMB Activity involves an export or other transaction with a foreign national, entity or country subject to Export Controls.

## **5.0 Authority**

5.1 The UMB President appoints one or more Empowered Officials for purposes of UMB compliance with export control regulations including those under U.S. Department of Commerce Export Administration Regulations (EAR, 15 C.F.R. 730-74) and U.S. Department of Defense International Traffic in Arms Regulations (ITAR, 22 CFR 120-130).

5.2 The Empowered Official is authorized to sign applications for export licenses and other requests for government approval on behalf of UMB. The Empowered Official has independent authority to: (i) inquire into any aspect of a proposed export, (ii) verify the legality of an export transaction and the accuracy of the information to be submitted; and (iii) refuse to sign any license application or other request for approval.

5.3 The Empowered Official may act through designees including the personnel of the UMB Office of Research and Development.

5.4 The Empowered Official has direct access to the President of UMB and to UMB's Office of University Counsel with regard to any matter concerning campus compliance with Export Control regulations.

## **6.0 Implementation**

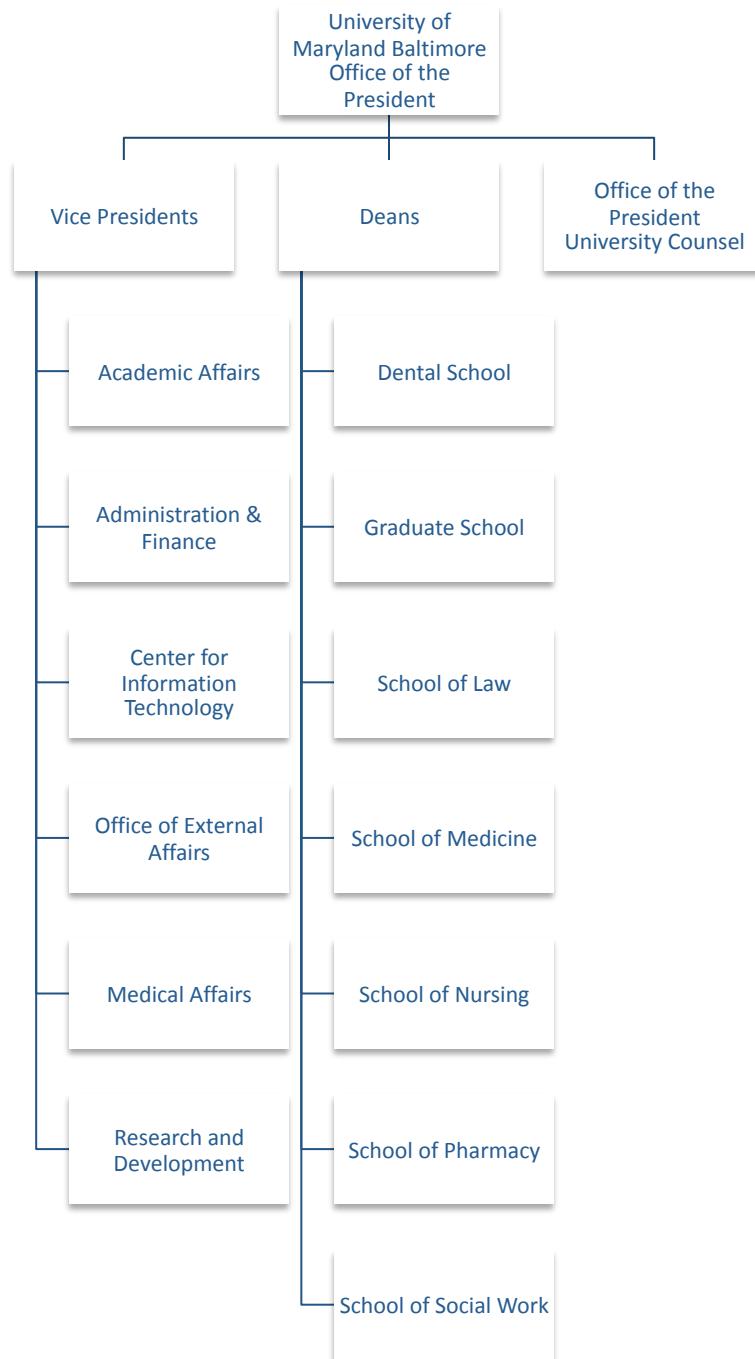
6.1 To implement this Policy, UMB will document and disseminate information on roles and responsibilities and procedures for identification, approval, and tracking of items or activities subject to Export Control laws. Record-keeping, awareness training, and procedures for self-assessments will be addressed by UMB.

6.2 The administrative unit at UMB that is charged with the responsibility for implementation of this Policy and development of related procedures is the Office of Research and Development.

6.3 The Office of Research & Development will implement this policy in a manner that is consistent with UMB's commitment to openness in research without restriction on dissemination of research results. (See University System of Maryland, IV-2.20 – Policy on Classified and Proprietary Work.)

## **7.0 Violations and Penalties**

In addition to civil and criminal penalties that may apply under applicable law to individual UMB Personnel and to UMB, violation of Export Controls by UMB Personnel may subject the violator to remedial or disciplinary action by UMB for misconduct, including termination or dismissal, in accordance with applicable UMB and school policies and procedures.



**Appendix A**  
 University of Maryland  
 Baltimore  
 Organization Diagram

## Key Offices for Coordination of Export Control-related Procedures

