Export Control Compliance Policy

Document Governance

Function Owner	Department	Content Review Cycle	Department	Revision #	Date Last Revised/ Approval Date
Vice President, Risk Management & Compliance	Risk Management & Compliance	Yearly	Risk Management & Compliance	1.1.1	3/20/2023

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1. Policy Statement

It is the policy and practice of CRDF Global to comply strictly with all applicable laws restricting export or transmission of funds, products, software and technology

To this end, CRDF Global employees will not engage in any business activity or transaction, as detailed below, that is not expressly permitted by the governing regulations or duly licensed by the cognizant agency.

Employees are required to consult with the Vice President, Risk Management and Compliance, or a designated Compliance Officer

- For all determinations as to whether export control laws apply in certain situations .
- For all determinations as to whether specific items of technical data are controlled by the EAR or ITAR prior to the transfer of such items or technical data to foreign nationals.
- For all proposed transactions involving sanctioned countries.Employees are prohibited from doing business with sanctioned countries unless there is a valid exemption or authorized license for the specific activity.

In accordance with the "Know Standard" set forth in U.S. law, all CRDF Global employees are responsible for being familiar with, and adhering to, this policy and associated procedures. ***If anyone within CRDF Global is aware of a prohibited activity by a program participant, staff member, or any other party, CRDF Global as a whole is considered to "know" of such activity and is, therefore, liable for any violation of the regulations****. Employees should promptly report any possible prohibited activity to the Vice President, Risk Management and Compliance.*

Under no circumstances shall CRDF Global or its employees conduct any business contrary to this policy.

In addition, CRDF Global will comply with any host country restrictions that may be applicable where our offices exist or where our programs are executed.

2. Purpose

CRDF Global's activities, by their very nature, necessitate the transfer of technical data, equipment, and funds across borders. Consequently, it is incumbent upon all CRDF Global staff to be familiar with and to comply with applicable U.S. laws and regulations governing such international transactions. Failure to do so may subject the organization, and its employees, to serious legal, financial, and reputational consequences.

This policy ensures CRDF Global compliance with laws including, but not limited to:

- Export Administration Regulations (EAR) governed by the Bureau of Industry and Security (BIS)
- International Traffic in Arms Regulations (ITAR) governed by the Directorate of Defense Trade Controls (DDTC)
- Regulations issues by the Office of Foreign Assets Control (OFAC) of the U.S. Department of Treasury

3. Definitions

Anti-Boycott: U.S. Anti-Boycott regulations (EAR §760 and Section 999 of the Internal Revenue Code) prohibit cooperation by "U.S. persons" with unsanctioned foreign boycotts.

Bureau of Industry and Security (BIS): Bureau of Industry and Security, U.S. Department of Commerce. Administers U.S. export controls on dual-use products and technology, as defined in the EAR.

Commerce Control List (CCL): List of Items in the EAR that are controlled because they are dual use.

Compliance Officer: A CRDF Global employee, designated by the Vice President, Risk Management and Compliance, with the authority to provide guidance and direction related to this policy.

Defense Article: Any item or technical data that is specifically designed, developed, configured, adapted, or modified for a military, missile, satellite, or other control use listed in the U.S. Munitions List (USML).

Defense Service: The furnishing of assistance to foreign persons, whether in the U.S. or abroad, in the design, development, engineering, manufacture, production, assembly, testing, repair, maintenance, modification, operation, demilitarization, destruction, processing, or us of defense articles or the furnishing to foreign persons of any controlled technical data whether in the U.S. or abroad.

Directorate of Defense Trade Controls (DDTC): The Bureau of Political Military Affairs' Directorate of Defense Trade Controls (DDTC) is the organization within the U.S. Department of State responsible for enforcing the International Traffic in Arms Regulations.

Dual Use Items: These items have commercial and military applications.

EAR99: Covers any good or technology that is subject to the EAR as defined in 15 CFR §734.3(a), but that is not on the CCL. Items in the EAR99 category do not require a license for "list-based" controls, but may require a license based on embargoes, sanctions, receiving party or end use.

End-Use: A detailed description of how the ultimate consignee intends to use the commodities, technology, or technical data being exported.

End-User: The foreign person/entity that received and ultimately uses the exported or reexported commodities, technology, or technical data.

Export: The transfer of products, technology, or technical data to foreign entities.

Export Administration Regulation (EAR): Export Administration Regulations (15 CFR §§730-774) that regulate dual use items. The list of EAR-controlled items (the Commerce Control list, or "CCL") is published at 15 CFR §774, Supplement 1. An alphabetical list of CCL items is accessible at: http://www.access.gpo.gov/bis/ear/pdf/indexccl.pdf .

Foreign National: A natural person who is neither a lawful permanent resident (green card holder) nor a protected individual (citizen or national of the U.S., special agricultural worker, admitted refugee or person

granted asylum), a foreign entity (corporations, business associations, partnerships, etc.) not incorporated or organized to do business in the U.S., an international organization, a foreign government or an agency or subdivision of a foreign government.

Fundamental Research: Basic or applied research in science and engineering where the resulting information is ordinarily published and shared broadly in the scientific community, is excluded from export controls. Research will not qualify as fundamental research if: (1) the university or its researchers accept any restrictions on the publication of scientific and technical information resulting from the project or activity; or (2) the research is federally funded and specific access and dissemination controls protecting information resulting from the research have been accepted by the university or the researcher.

General License: General licenses constitute blanket authorization for transactions set forth in the relevant regulation and are self-selecting and self-executing.

International Traffic in Arms Regulations (ITAR): Regulations from the U.S. Department of State that control the export of articles, services, and related technical data whose predominant application is defense.

License: Formal written authorization from the responsible government authority to conduct specific export transactions.

Office of Foreign Assets Control (OFAC): The office within the U.S. Treasury that administers and enforces economic embargoes and trade sanctions.

Primary Compliance Representative: The CRDF Global individual responsible for overseeing compliance policy for CRDF Global.

Publicly Available Information: Applies only to Export Administration Regulations. Software and technology (except 5D002 encryption software) that:

a. is or will be published,
b. arises during, or result from, fundamental research,
c. is educational,
d. is included in certain patent applications.

Re-Export: The transmission or shipment of an item or technical data subject to export control from one foreign country to another foreign country.

Restricted Party: An individual or entity that is placed on a denial list by the U.S. Government.
Sanctioned Country: Countries designated by OFAC as having trade sanctions imposed by the United States for reasons of anti-terrorism, non-proliferation, narcotics trafficking, or other reasons. Sanctions vary among the countries.

Specially-Designated National: A person or entity determined by the Department of Treasury to be subject to U.S. sanction. OFAC publishes a list of individuals and entities owned or controlled by, or acting for or on behalf of, targeted countries. It also includes individuals, groups, and entities such as terrorists, narcotics traffickers designed under programs that are not country specific.

Technical Data: As defined in 22 C.F.R. § 120.10: (A) Information, other than software, which is required for the design, development, production, manufacture, assembly, operation, repair, testing, maintenance of modification of defense articles. This includes information in the form of blueprints, drawings, photographs, plans, instructions, or documentation. (B) Classified information related to defense articles and defense services. (C) Information covered by an invention secrecy order. (D) Software directly related to defense articles.

Technology: As defined in 15 C.F.R. § 772: Information necessary for the development, production, use, operation, installation, maintenance, repair, overhaul, or refurbishing of an item. Technology may be in any tangible or intangible form, such as written or oral communications, blueprints, drawings, photographs, plans,

diagrams, models, formulae, tables, engineering designs and specification, computer-aided design files, manuals, or documentation, electronic media or information revealed through visual inspection.

U.S. Person: U.S. Citizens, Persons lawfully admitted for permanent residence in the U.S. (Green Card), any entity (corporation, business association, partnership, etc.) incorporated in the U.S., any federal, state, or local governmental entity, or Protected individuals under the immigration and naturalization act (Admitted Refugees, Persons Granted Asylum, or Special Agricultural Workers)

4. Scope

This policy applies to all CRDF Global business conducted internationally including;

- Conducting business transactions (including the issuance of grants, execution of contracts, or the provision of financial or material support) with foreign nationals, particularly of items designed as dual use.
- Purchasing, shipping, or otherwise providing commodities to foreign end-users, including re-export transactions.
- The transmission of technical data or technology to foreign end-users via any means including deemed exports.
- The purchase of goods, services, technology, or other items from foreign nationals for CRDF Global use. This includes serving as broker for the provision of such goods, services, or technology.
- Travel to sanctioned countries.
- Engaging in business transactions with entities supporting unsanctioned boycotts (see Anti-Boycott definition above).
- The provision of defense services or defense articles to foreign nationals.

5. Exclusions

In accordance with applicable U.S. export control regulations, the following business activities *may* be exempt from this policy:

- Activities solely involving U.S. persons and entities not involving the direct or indirect transfers of funds, commodities, or technology for or to a foreign national.
- Transfers of commodities classified as EAR99 per the Commerce Control List (CCL) except to the extent that the end users of the commodities are subject to restrictions under other regulations.
- Transfers of information subject to the fundamental research exemptions and that is designated as publicly available information.
- Transfers of goods, services, commodities, or financial resources authorized under a General License.

6. Additional content

The Vice President, Risk Management and Compliance, has been designated the Primary Compliance Officer responsible for organizational compliance with this policy and related procedures.

To ensure compliance with this policy and its associated regulations and procedures, CRDF Global will conduct an review audit in coordination with Legal on an annual basis.

7. Related Documents

CRDF Global Policies, Processes, and Procedures

Related Policies	Related Processes	Related Procedures
	Export Control Compliance Process	Export Control Compliance Procedures

	Restricted Parties Screening Process (link pending)	OFAC Licensing Procedure (forthcoming)
		BIS Licensing Procedure (forthcoming)
		ITAR Licensing Procedure (forthcoming)

External References

External Reference	Description
Export Administration Regulations (EAR) – U.S. Export Regulations	International Trade Administration's webpage related to U.S. Export Regulations.
Directorate of Defense Trade Controls (DDTC) ITAR	DDTC's main homepage within the U.S. Department of State website that includes resources for accessing relevant regulations and other information.
Office of Foreign Assets Control (OFAC) – Sanctions Programs and Information	OFAC's Sanctions Programs and Information webpage with resources relevant to sanctions programs.
Specially Designated Nationals and Blocked Persons List (SDN) Human Readable Lists	Resources for accessing OFAC's SDN and related sanctions lists.
Bureau of Industry and Security (BIS)	Bureau of Industry and Security's main homepage within the U.S. Department of Commerce website.