



Trade Compliance Policy Version 1.0 Approved 21 September 2010

Purpose

The purpose of this trade compliance policy is to ensure compliance of The Software Defined Radio Forum, Inc. with US and International Law in allowing individuals or organization from countries that are under restrictions affecting international trade to join the Forum or participate in Forum events, including meetings, workshops and conferences.

Responsibility

The Forum CEO or his designee shall be responsible for maintaining and administering this policy.

Policy Hierarchy

This policy takes precedence over all other policies except for the Forum's Articles of Incorporation and Bylaws.

Membership

Through membership, the Forum is providing a service to its member organizations, and such services are generally prohibited for organizations in countries under trade restrictions. Accordingly, the Forum shall prohibit organizations from countries under US Comprehensive Sanctions, US Trade Restrictions, US Financial Sanctions or UN Sanctions from becoming members. Should the home country of an existing member organization come under such sanction, their membership will be revoked. Exceptions to this policy may be made on a case by case basis by appeal to the Forum's Board of Directors.

Events

While the Forum understands that certain transactions related to events with individuals and organizations from countries under such restrictions may be permitted, the goal of this policy to ensure compliance given the limited resources available within the Forum. Accordingly, the Forum shall prohibit participation in Forum events by all individuals who are residents of counties under US Comprehensive Sanctions, US Trade Restrictions, US Financial Sanctions or UN Sanctions. When the Forum hosts an event outside of the United States, the Forum shall also prohibit participation by individuals who are residents of counties under trade restrictions or sanctions of the host country. The Forum shall use best effort to ensure they are using the latest information on restrictions and sanctions at the time of the event. Exceptions to this policy may be made on a case by case basis by appeal to the Forum's Board of Directors.

Specially Designated Nationals (SDN)

The Forum shall further prohibit participation in Forum events by individuals on the Specially Designated Nationals List of the US Office of Foreign Assets Control (OFAC). No exceptions are allowed to this policy. In supporting this policy, Forum staff should take reasonable measures to ensure compliance and minimize the risk to the Forum in complying with the SDN requirements, and such procedures shall be briefed to the Board of Directors on an annual basis. Examples of such procedures should include, at a minimum:

- a) Responses to call for papers/presentations/tutorials: names of authors/presenters from non-member organizations shall be reviewed against the SDN, and if a match is found, the proposal shall be rejected

b) Online Registration:

- Staff shall create a custom approved countries list for use in forms
- Staff shall direct online payment companies to block IP addresses from sanctioned countries
- Staff shall rely upon the Forum's Bank to block financial transactions from sanctioned countries or individuals on the SDN List, as they are required to do by law
 - i. If transaction is denied by the bank then prior to notifying individual that bank has denied their credit card the Forum staff will check to ensure individual is not on the SDN List.
 - ii. If individual is on SDN List, Forum Staff will notify individual registration is not accepted. If individual is not on SDN List Forum Staff will notify individual to resubmit credit card.

c) Walk-in Registration

- The names of representatives of non-member organizations who register on site will be searched against the SDN List <http://www.treas.gov/offices/enforcement/ofac/sdn/t11sdn.pdf>
- If an individual's name appears on the SDN list staff will notify meeting facility security office and deny registration.

At no time will staff take any action that may endanger themselves or others. Should an SDN attempt to participate in a Forum event, Forum staff shall notify the proper authorities.

References

1. Letter from Arent Fox LLP dated 15 June 2010, with follow up email from Gesmer Updegrave LLP dated 19 July 2010
2. <http://www.ustreas.gov/offices/enforcement/ofac/programs/index.shtml>
3. <http://www.un.org/sc/committees>
4. http://ec.europa.eu/external_relations/cfsp/sanctions/index_en
5. http://www.bafa.de/bafa/en/export_control/index.html
6. <http://www.international.gc.ca/sanctions/index.aspx>
7. <http://www.customs.gov.sg/stgc/leftNav/san>
8. <http://www.thompsoncoburn.com>