“Export Control Training: Who, What and When?”

IMPACT OF EXPORT CONTROLS ON HIGHER EDUCATION AND SCIENTIFIC INSTITUTIONS

MAY 23-24, 2016
Export Control Training: Who, What and When?

STEPHEN HALL, U.S. BUREAU OF INDUSTRY AND SECURITY
ADILIA F. KOCH, CALIFORNIA INSTITUTE OF TECHNOLOGY
Challenges of Implementing an Export Compliance Awareness Program

What are the challenges of rolling out export training in a university setting?
Who should take the training?
Should training be required for all faculty and researchers?
What’s your hammer?
How much upper management support do you have?
What’s your training budget?
What should the awareness training module include?
How do you stay current with new and changing regulations?
What training is available to university export control officials?
How do other universities tackle these issues?
Content: Export Awareness Module

- What’s your campus risk?
- How do export controls affect your researchers?
- Are you an FRE only institution?
- What is the PI’s responsibility?
- Who’s your audience – upper management or researchers?
On-line training tools, must have . . .

- Ability to record and report who has taken the training
- Quiz and pass score
- Glossary
- Report of slides viewed
- Easily to change when updates occur
- Training materials should be relevant to your campus
- Video and interactive capabilities
- Tip: Use every opportunity to train your researchers
- Tip: Be concise, be relevant
Content: What to include

Welcome
Click any box to navigate. Click Next when you're ready for the quiz.

Highlights:
- Glossary
- Basics for the Researcher
- How to Stay out of Trouble
- Travel Abroad
- Quiz
Content: Glossary – Keep it Short
Make it relevant
Content: Use a quiz
On-line tools: recordkeeping

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On-line tools: tracking records
Tools: On-line tools and videos

Oracle Learning Management:
http://www.caltech.edu/

Caltech Red Flags Video:
http://www.researchadministration.caltech.edu/export

Caltech Shipping Video:
http://www.researchadministration.caltech.edu/export/shipments
How to get support for your program

1. Get Upper Management Commitment
2. Define your training $ budget. Can you use existing tools?
3. Use Metrics, and the Nunn-Wolfowitz Task Force Report
4. Benchmark other universities
5. Analyze your campus risk and the potential fines and risks
6. Provide progress updates of your training program
7. Maintain a database of who has taken the program
Use data to support your program
Metrics: Training

UPPER MANAGEMENT REPORTING
Projects Reviewed that were designated ITAR or EAR with High Controls

Years:
- 2008
- 2009
- 2010
- 2011
- 2012
- 2013
- 2014
- 2015

Projects Reviewed (for the year):
- 2008: 5
- 2009: 10
- 2010: 15
- 2011: 20
- 2012: 25
- 2013: 30
- 2014: 35
- 2015: 40

Projects Reviewed (cumulative):
- 2008: 5
- 2009: 15
- 2010: 30
- 2011: 50
- 2012: 75
- 2013: 105
- 2014: 140
- 2015: 180
Outreach and Campus Export Compliance Awareness Program Summary

Individual Attendees

- 2008: 350
- 2009: 400
- 2010: 275
- 2011: 350
- 2012: 275
- 2013: 275
- 2014: 175
- 2015: 225
Campus Awareness Training, Focused Training, Briefings & RA Forums by Session

- Faculty & Researchers
- Staff (OTT, ISS, OSR, Procurement)
- Campus (Annual Export Training)
- Forums (Campus)
- IPAC
- LIGO
- Mail Services
- Shipping & Receiving
- TMT
Do Export Controls Work?

New York Times, April 17, 2014
“Russia Economy Worsens Even Before Sanctions Hit”

JPMorgan to Pay $88.3 Million for Sanctions Violations ... “The civil settlement resolves a number of OFAC allegations dating back to 2005, ... (NYT, 8/25/2011)

“Iran Staggers as Sanctions Hit Economy”
“U.S. Eases Sanctions to Allow Good-Will Exchanges With Iran ... “(NYT, 9/10/2013

“Easing Sanctions [on Iran] Can Provide Leverage”

Esterline fined $20M for unauthorized defense-related exports (3/7/2014)
seattletimes.com/.../2023076742_esteirlinesitarxml.html/The Seattle Times
Export Control Training- AUECO May 23, 2016

Are You Getting the Right Training from your University on Export Controls?
Export Control Training- AUECO May 23, 2016

Issue: how can you train on all of the EAR and ITAR?

- Know key sections of the rules- e.g. EAR-
  - 734.5- Activities of U.S. and Foreign Persons
  - 734.7- Published Information and Software
  - 734.8- Fundamental Research
  - 734.9- Educational Information
  - 734.11-Government-Sponsored Research
- Supplement 1 to Part 734- has FAQ’s on situations- very useful.
Issue: Keeping current on changes

- Have the latest copy of the regs--
  - Web site is the best for most recent changes esp. Cuba, Iran, Russia
  - Note proposed changes to the EAR- send in comments; confer with research departments- think ahead
  - Impact of changes to your university- definitions rule, TPM exception
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Issue: Getting up to speed when there is just you

- Use the online training tools
- BIS web site provided Interactive Tools- on ECR, Exceptions etc.
- Policy Guidance section of BIS website useful
- Export 101 Training Videos- classification EAR 99, embargoes
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Issue: Training for Deemed Exports situations

◦ Use the deemed export site under “Policy Guidance” on BIS website

◦ Topics: re-export, FAQ, Guidelines for Preparing Licenses for Foreign Nationals
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Issue: Need to discuss specific issues/concerns

◦ With AUECO members here today

◦ Attend export control seminars offered by private firms, SIA (for State Dept. licenses) BIS sponsored events and NCURA

◦ BIS website has upcoming seminars done nationwide with AES/OFAC and Enforcement

◦ Specific and general topics (technology, ECR)

◦ Seminar FAQ’s found on BIS website
Contacts

Bureau of Industry and Security  www.bis.doc.gov

Outreach & Educational Services
14th St. & Pennsylvania Ave. NW   Tel:   (202) 482-4811
Washington, DC 20230
Stephen Hall
Tel:   (202) 482-5619
E-mail: stephen.hall@bis.doc.gov

Western Regional Offices
Irvine, CA   Tel:   (949) 660-0144
San Jose, CA   Tel:   (408) 998-8806

Regulatory Interpretation and Transition Guidance
Regulatory Policy Division   Tel:   (202) 482-2440
E-mail: rpd2@bis.doc.gov