

EXPORT NEWS

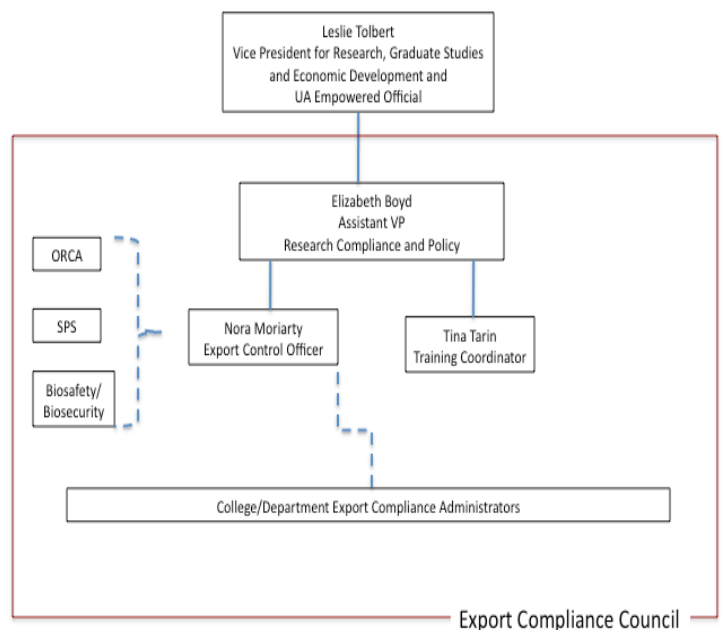
Export Awareness Important in University Environment

Over the last several years it has become increasingly apparent that export control regulations must be considered in the academic environment, particularly when conducting research. Government sponsors and contractors have added language in their contracts and grants with universities that restrict publication rights and may prohibit the involvement of foreign nationals. Beyond the obvious difficulties such restrictions create, acceptance of these restrictions nullifies the fundamental research exemption, which can lead to the need to obtain an export license. It is important for Principal Investigators (PIs) to be aware of these clauses and understand what they are committing to when they accept them.

UA has hired an Export Control Officer (ECO) to assist PIs, researchers and department business managers in navigating these regulations and to create an export compliance program with processes and procedures. The ECO will also be conducting Export Awareness Briefings across campus. If you would like to schedule a briefing for your department, please contact Nora Moriarty at 626-2437 or njm1@email.arizona.edu.

UA Export Organization

UA's export organization, depicted at right, is part of the Office of the Vice President for Research, Graduate Studies and Economic Development (VPR). Dr. Leslie Tolbert is the University's Empowered Official for export matters. Dr. Elizabeth Boyd is the Assistant Vice President for Research Compliance and Policy under whom export compliance falls. Nora Moriarty, the ECO, and Tina Tarin, the Training Coordinator, report to Dr. Boyd. Various departments have designated departmental export compliance administrators to work as liaisons between department faculty and the VPR's office and assist with implementing processes and procedures. Close coordination between the ECO, ORCA, SPS and Biosafety/Biosecurity representatives is required to ensure early identification of export issues. Finally, an Export Compliance Council is being established to address export concerns and campus-wide solutions.



Communication



In an effort to keep the UA community informed of issues and events related to export control, the Office for Responsible Conduct of Research will publish this newsletter on a monthly basis. Please contact Nora Moriarty at njm1@email.arizona.edu with feedback or particular topics of interest.

Don't forget to check out our webpage:
www.vpr.arizona.edu/export-control

Training



The Department of Commerce, Bureau of Industry & Security has an online training room with several training modules for exporters. To take these courses, go to: <http://www.bis.doc.gov/seminarsandtraining/seminar-training.htm>.

Federal Register Notices

The following are some Federal Register Notices of interest.

[73 Fed. Reg. 63540](#) - On October 11, 2008, the Secretary of State removed North Korea from the list of state sponsors of terrorism.

[73 Fed. Reg. 58042](#) - Effective October 3, 2008, ITAR Part 126.1 was amended to include Eritrea as a prohibited country. The others are Belarus, Cuba, Iran, North Korea, Syria and Venezuela.

[73 Fed. Reg. 58033](#) - This rule amends the Export Administration Regulations (EAR) to make revisions to the EAR as a result of a systematic review of the Commerce Control List (CCL) that was conducted by the Bureau of Industry and Security (BIS). The revisions in this rule include clarifications to existing controls, eliminating redundant or outdated controls, establishing more focused and rationalized controls, and adding additional controls for clarity or for consistency with international regimes. Click on link for details. Effective date is October 6, 2008.

[73 Fed. Reg. 55441](#) - The Department of State is removing Rwanda from its regulations on prohibited exports and sales to certain countries as a result of United Nations Security Council (UNSC) Resolution 1823, which terminated remaining arms sanctions against Rwanda. Effective date is September 25, 2008.

Technology Control Plans

UA has developed a Technology Control Plan (TCP) template for use on research projects that include export-controlled technology or equipment. Please contact Nora Moriarty at 626-2437 or njm1@email.arizona.edu for a copy of the template. The required elements of a TCP include the following:

1) Commitment

This element of the TCP shows departmental commitment to export controls. It should include the assignment of an export compliance administrator and list the responsibilities of the participants.

2) Physical Security

Equipment and data must be shielded from unauthorized persons. Relevant security systems such as key cards, escorts, visitor logs and other types of access controls should be included.

3) Information Security

Measures must be taken to ensure there are adequate information access controls. The data discard policy and relevant information technology policies and procedures should be included, as well as other plans for controlling access to controlled information.

4) Personnel Screening

All personnel with access to the controlled technology and their nationality should be listed. All personnel working on the project must be screened against the restricted party lists.

5) Communication and Training

All personnel working on the project must be trained on the plan requirements and refresher training should be scheduled as needed but no less than annually.

6) Periodic Evaluations

Evaluations of compliance with the TCP must take place periodically and the assessment documented. Any findings must be reported to department heads and the VPR's office.