



Colorado State University

VICE PRESIDENT FOR RESEARCH

# Export Basics Workshop

## Risk Management Symposium

November 5, 2015



## Panel Members

- Professor Steven Reising, ECE
- Grant Calhoun, General Counsel
- Claire Calhoun, Research Compliance
- Scot Allen, Export Control





# Agenda

- Export Basics
- Legal Concerns
- Faculty Perspective
- Safeguards at CSU
- Scenarios







# Export Compliance Basics

- CSU Export Control Policy: [Link](#)
- Depts. of State, Commerce, Treasury, FBI, DHS
- Definitions: Export, Deemed Export, Re-export, Technology Control Plan, Export License, Fundamental Research, Export Reform
- Areas Affected: Faculty, Research Staff, Hiring, Admissions, Visiting Scientists and Students, International Travel, and Shipping
- Actions: Educate, Advise, Screen, Protect Technology, Prior Authorization



## Legal Concerns



- Prof. John Reece Roth, University of Tennessee, [Four Years Prison](#), Co-PI Barred from Receiving Federal Grants

- Univ. Massachusetts-Lowell, [\\$100K Penalty](#): EAR99 to Pakistan Research Agency on Commerce/BIS Entity List



18-month sentence

- Iowa State Student Wentong Cai, Recruited by Cousin in China, [Exported ITAR Sensors in Speakers](#)



## Faculty Perspective

- CSU Export Compliance Background
- Technology Control Process
- Recommendations for Faculty and Staff





# Safeguards at CSU

- Travel Advice
- Restricted Party Screening
- Visa Reviews
- Canvas Learning Management System







# Hypothetically...

## SCENARIO 1

- Professor X is performing fundamental research on how penguins play underwater tag, using military sonar equipment and non-military GPS gear. He is on location in Chile and Antarctica.
- Professor X has three graduate assistants. The two with him on assignment are from Canada and China, although the Chinese student is now a citizen of the U.K. The third is back on campus crunching the numbers, and she is from Iran.
- The research is funded by National Geographic, which is withholding publication rights to the results in case there is something juicy, and they want to use it on their penguin reality television show.





# Hypothetically...

## SCENARIO 2

- Professor Y runs a lab where her undergrads do assigned lab work, and he graduate students do sponsored research. In particular, they use a high-powered electron microscope, which is controlled by the Commerce Department under the EAR.
- On the other side of the lab, another professor has a plasma thruster he uses to test materials, which is controlled by the State Department under the ITAR.
- Professor Y invites her colleagues from Germany, China, Pakistan, and Iran to campus for a visit. They visit the lab, looking at all the projects taking place. Professor Y gives a draft of her new research paper in development to all of her visitors on hyper-encrypted flash drives.
- The guests tour the local breweries and go home to their respective countries.



# Hypothetically...

## SCENARIO 3

- Professor Z visited the Harbin Institute of Technology and lectured on the blood sugar levels in cannabis users.
- Knowing it could be an issue, he skipped over the slides about his lab's use of EAR-restricted sensors that were typically part of the presentation.
- Professor Z's laptop was stolen from his hotel room in Weihai, but thank goodness, a colleague at Harbin loaned him a laptop so he could log into CSU systems and continue his work.



## Red Flags

- Publication Limits
- Nationality Restrictions
- Work outside the U.S.
- Sanctions and Denied Parties
- International Travel
- Requirement for Authorization Before Sharing Technology







# Questions

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