MEMORANDUM

TO: All UCAR Staff
FROM: Antonio Busalacchi, UCAR President
RE: Reminder of UCAR's Commitment to Export Compliance
DATE: September 9, 2019

Annually, we remind all staff of the importance of complying with U.S. export control laws and regulations as well as management's commitment to provide the training, tools, and resources to do so.

It is UCAR policy to comply with all export laws and regulations of the United States. Export controls govern the transfer, distribution, disclosure, and shipment of certain controlled information, software code, and tangible items as well as the provision of certain services to foreign persons and countries. Although most of the work that UCAR undertakes involves fundamental research that may be shared freely, UCAR is occasionally involved in the export of controlled services, items, and/or technologies. UCAR takes its export control responsibilities seriously, and requires its employees to do so as well.

UCAR's export compliance program
Government agencies have significantly increased their enforcement of export control compliance to include universities and research institutions. In response, UCAR is renewing its commitment to training and increasing its centralized oversight of export controlled activities. President's Council has agreed that required export controls training shall include all scientists, engineers and software engineers.

Components of UCAR's export compliance program include:
- Centralized program management and oversight supported by lab/programs export compliance coordinators to assist PIs and research staff
- Written export compliance policies, procedures, and guidance
- Continuous risk assessments of activities
• Training – online and in person
• Guidance and tools for identifying controlled items, technical data, and services; screening of contractors, visitors, and collaborators; proactive identification of export issues during the procurement and proposal process; and procedures for physical shipments of items overseas
• Record-keeping requirements
• Escalation of compliance issues, including reporting export violations

Government regulation
The United States government strictly regulates all exports of U.S. products, technology, and software and the movement of U.S.-origin commodities between foreign countries. This includes access by or disclosure to foreign persons in the U.S., such as a visitor to UCAR, of controlled information or technology by any means (known as a “deemed export”). These controls are in place to prevent the distribution of technology that can compromise national security. Because of the nature of our organization, some of the tools used for research are strictly controlled to prevent diversion to individuals or organizations in certain foreign countries. The need for heightened awareness of this control and use of these types of items and technical data is more critical than ever before.

Penalties for export violations
Penalties can be imposed on both UCAR and individuals for violating U.S. Export Regulations. These may include partial or complete denial of export privileges, civil penalties (fines), and/or seizure of equipment. Criminal penalties for willful violations of U.S. Export Regulations may include substantial fines and imprisonment.

I ask each of you to take this matter very seriously and to support this effort. If you have any questions concerning export compliance issues, please contact:
• Your lab/program Export Compliance Coordinator (ECC) (https://president.ucar.edu/counsel/export-compliance/contacts),
• David Sundvall, Risk and Export Compliance Program Manager and Empowered Official (sundvall@ucar.edu), or
• Meg McClellan, Chief Legal Officer and UCAR’s Senior Export Control Officer (mmcclellan@ucar.edu).

Thank you for your attention to this important matter.

END OF MEMORANDUM