

**Georgia Institute of Technology is excited to host the
Second Annual
*Impact of Export Controls on Higher Education
& Scientific Institutions***

May 5, 2014: 8am – 5pm

The Export Control 101 Workshop (EC101) is a full day basic level workshop. The intended audience consists of export control officers and other interested parties who are new to export controls or for those with more experience who want a refresher course.

- Section 1: An Overview of the Regulations
- Section 2: Is my Effort is Subject to Export Controls?
- Section 3: My Effort is Controlled, Now What?

May 6 & 7, 2014: 8am – 5pm

The *2014 Impact of Export Controls on Higher Education and Scientific Institutions* is a two day conference that will focus on US Export Controls for the academic and scientific community. A goal of this conference is to bring together representatives from various US Government Agencies, Universities, Outside Legal Counsel, Industry, and University related Associations to discuss export control issues that specifically affect universities, clinical research centers, and other nonprofit research institutions.



Export Control 101 Workshop (EC101)

The Export Control 101 Workshop (EC101) is a full day basic level workshop. The intended audience consists of export control officers and other interested parties who are new to export controls or for those with more experience who want a refresher course.

Export Control 101 Workshop (EC101) - Monday May 5, 2014			
Registration & Breakfast	GTRC Conference Team	Salons I-III: 7am - 7:55am	Continuous Feeding
Introductions & Welcome	Mary Beran, Georgia Institute of Technology Brandi Boniface, University of Florida	Salons I-III: 8am	
Section 1. Overview of the Regulations	Jennifer May, University of Missouri Jennifer Yucel, The Ohio State University	Salons I-III: 8:10am - 10:15am	
Section 2. Is my Effort is Subject to Export Controls	Wendy Epley, University of Miami Gretta Rowold, University of Oklahoma Mark Stomski, Duke University	Salons I-III: 10:30am - 12:50pm	
Networking lunch 1p-2p			
Section 3. My Effort is Controlled, Now What?	David Brady, Virginia Polytechnic Institute and State University (Virginia Tech) Kelly Hochstetler, University of Virginia	Salons I-III: 2:15pm - 4:30pm	Continuous Feeding
Wrap-up Q&A:		Salons I-III: 4:30pm - 5pm	

Post-Export 101 event: Atlanta Braves game - Turner Field - First Pitch at 7:10pm

Impact of Export Controls on Higher Education & Scientific Institutions Tuesday, May 6, 2014 - Conference Sessions

Registration & Breakfast	GTRC Conference Team	Lobby of Salons IV: 7am - 7:55am	Continuous Feeding
Best Practices for Breakfast	Kelly Hochstetler/UVA/AUECO	Conference Room A: 7am - 7:55am	
FBI Video	Video: Game of Pawns: The Glenn Duffie Shriver Story	Salon V & VI: Showing all day	
Greetings and Introductions	Dr. Stephen Cross/GIT	Grand Ballroom Plenary Session: 8am - 8:15am	
Plenary: Export Control Reform Updates	Matt Borman/BIS Joanna Sellen/NNSA	Grand Ballroom Plenary Session: 8:15am - 9:30am	
Plenary: Export Controls & Federal Contracts	Jilda Garton/GIT Bob Hardy/COGR Missy Peloso/UPenn/AUECO Robin Staffin/DOD	Grand Ballroom Plenary Session: 9:45am - 11:45am	
Networking Lunch 12noon - 1:15pm in the Conference Dining Room			
MOOC: Massive Open Online Courses	John Barker/APORTER Tena Z. Herlihy/edX David Liu/Corsera David Quimby/MIT/AUECO	Conference Room A Concurrent session: 1:30pm - 3:15pm	Continuous Feeding
Export Controls and Space Research	Adilia Koch/Caltech/AUECO Kevin Schmadel/USRA Chris Stagg/Goforth	Grand Ballroom Concurrent session: 1:30pm - 3:15pm	
Cloud Computing & Encryption	Scott Cowperthwait/ Shipman & Goodwin Will Metcalf/Univ of Louisville/AUECO Pat Schlesinger/UC Berkeley Chris Smoak/GTRI GIT Randy Wheeler/BIS	Grand Ballroom Concurrent session: 3:30pm - 5pm	
Counter Intelligence Briefing	Al Concord/GIT FSO Mary Beran/GIT/AUECO Justin Shanken/DSS	Salon I/II Concurrent session: 3:30pm - 5pm	
Biologicals: EAR, ITAR, DURC - & shipping	Brandi Boniface/UF/AUECO Kim Orr/BIS	Conference Room A Concurrent session: 3:30pm - 5pm	
Networking Reception	All Attendees, Speakers & Vendors!	Pre-function area: 6pm -7pm	
Dinner & Guest Speaker <i>Sponsored by eCustoms</i>	Lora Weiss/GTRI - Technical Director for Autonomous Systems and Lab Chief Scientist	Grand Ball room: 7pm - 9pm	

Impact of Export Controls on Higher Education & Scientific Institutions Wednesday, May 7, 2014 - Conference Sessions

Registration & Breakfast	GTRC Conference Team	Lobby of Salons IV: 7am - 7:55am	Continuous Feeding
Best Practices for Breakfast	Kelly Hochstetler/UVA/AUECO	Conference Room A: 7am - 7:55am	
FBI Video	Video: Game of Pawns: The Glenn Duffie Shriver Story	Salon V & VI: Showing all day	
Greetings and Introductions	Mary Beran/GIT Jilda Garton/GIT	Grand Ballroom Plenary session: 8am - 8:15am	
Export Control & The Scientific Community Dialogue	Bob Hardy/COGR Margaret Loper/GTRI/NAS Toby Smith/AAU John Young/JY Strategies	Grand Ballroom Plenary session: 8:15am - 10:15am	
Deemed export & Reexport - technology transfers	Nelson Dong/Dorsey & Whitney Mike Miller/UCF/AUECO Kim Orr/BIS Mark Peters/OHSU	Grand Ballroom Concurrent session: 10:30am -12pm	
International Campuses	Bob Roach/NYU Don Fischer/Fischer & Associates	Conference Room A Concurrent session: 10:30am - 12pm	
Networking Lunch 12noon - 1:15pm in the Conference Dining Room			
International Collaborations	Steven Hall/BIS Mark Stomski/Duke John Wellard/North American Liaison office of Australian University	Grand Ballroom Concurrent session: 1:30pm - 3:15pm	Continuous Feeding
Visiting Scholars: J scholars	David Brady/VT/AUECO Gretta Rowold/Oklahoma/AUECO	Conference Room A Concurrent session: 1:30pm - 3:15pm	
University & Industry Collaborations	Bill Bell/TDA Steve Eisner/Stanford/AUECO Martha Westbrook/LM	Salon I/II Concurrent session: 1:30pm - 3:15pm	
CCL 600 Series, 05y & specially designed: a year later	Kelly Hochstetler/UVA/AUECO Tim Mooney/BIS Tom Tierney/Los Alamos Nat Lab/DOE	Grand Ballroom Concurrent session: 3:30pm - 5pm	
Enforcement & VSD	John Johnson/BIS Rhonda Miller/GIT/AUECO Christine Savage/K&S	Conference Room A Concurrent session: 3:30pm - 5pm	

Impact of Export Controls on Higher Education & Scientific Institutions

Pre-Conference Session Descriptions

Monday, May 5, 2014

Export Control 101 Workshop (EC101)

Workshop: Monday 8-5p

The Export Control 101 Workshop (EC101) is a full day basic level workshop. The intended audience consists of export control officers and other interested parties who are new to export controls or for those with more experience who want a refresher course.

Breakfast & check-in

Monday 7am-8am

Section 1: An Overview of the Regulations

Monday 8am-10:15am

- a. International Traffic in Arms Regulations
- b. Export Administration Regulations
- c. Office of Foreign Asset Controls
- d. 10 CFR Part 810 (DoE)
- e. Export Control Reform Initiative
- f. Resources
 - i. DDTC
 - ii. BIS
 - iii. SIA
 - iv. AUECO
 - v. COGR and AAU

Section 2: Is my Effort is Subject to Export Controls?

Monday 10:30am - 12:50pm

- a. Fundamental Research including its limitation
- b. Contract Clauses
- c. US Government Awards
- d. The use of controlled materials, equipment, and information in the conduct of University efforts
- e. Technology Red Flags
- f. Restricted Party Screening
- g. Commodity Jurisdictions and Commodity Classifications

NETWORKING LUNCH & LEARN

Monday 1pm-2pm

Section 3: My Effort is Controlled, Now What?

Monday 2:15pm-4:30pm

- a. Developing a Technology Control Plan and monitoring compliance
- b. Exemptions and Exceptions: how to use, when to use, and how to document
- c. Determining if a license is needed
- d. Applying for and receiving an export control license
 - i. ITAR
 - ii. EAR
 - iii. OFAC
 - iv. DOE
- e. Record Retention

Closing/Wrap Up

Monday 4:30pm-5pm

Impact of Export Controls on Higher Education & Scientific Institutions

Conference Session Descriptions

Tuesday, May 6, 2014

Breakfast & check-in

Tuesday 7am-8am

Best Practices for Breakfast

Tuesday 7am-8am

Grab a plate and share your thoughts on Best Practices over breakfast! Conference participants will be provided with a list of topics that will be covered prior to the conference. Come prepared to share your thought and learn from others what they do and why they do it the way they do. Nothing is wrong with recycling the best ideas from others!

Welcome and Opening Remarks

Plenary session: Tues 8am - 8:15am

Dr. Stephen Cross, Georgia Institute of Technology

Grand Ballroom

Export Control Reform Updates

Plenary session: Tues 8:15am-9:30am

Matt Borman, Bureau of Industry and Security (BIS)

Grand Ballroom

Jo Anna Sellen, Department of Energy, National Nuclear Security Administration (NNSA)

Over the past year and for the foreseeable future, the export control reform initiative has had and will continue to have dramatic implications for universities and nonprofit organizations. Not only are a number of ITAR items moving from State to Commerce jurisdiction, but a revamp of the EAR and are being proposed. How can universities best provide input? What will be the key areas of concern for universities that can be addressed in the initiative?

Export Controls & Federal Contracts

Plenary session: Tues 9:45am – 11:45am

Jilda Garton, Georgia Tech Research Corporation (GTRC)

Grand Ballroom

Bob Hardy, Council on Governmental Relations (COGR)

Missy Peloso, University of Pennsylvania

Robin Staffin, Department of Defense

Discussion of export controls as they apply to contracting with the federal government. What do the contract clauses mean, who is responsible for export compliance, and what happens if clauses are not properly flowed down? In view of the new ITAR language, what is the impact on FRE? How should universities and other research institutions interpret fundamental research in the context of export reform? How about the new DFAR 7012? How contracts are interpreted and who is responsible for export compliance? These topics and more will be discussed by the panel.

NETWORKING LUNCH 12PM – 1:15PM

Conference Dining Room

Massive Open Online Courses (MOOC):**Aspirations vs. Compliance**

John Barker, Arnold & Porter LLP

Tena Z. Herlihy, edX

David Liu, Coursera

David Quimby, Massachusetts Institute of Technology

Sanctions programs and export controls didn't envision Massive Open Online Courses, but educators are learning (the hard way) that they do apply. How do the EAR and ITAR education exclusions apply to MOOC course content? Is delivering a course to a sanctioned country allowed as "information" or prohibited as a "service"? Are some courses more of a problem than others? What about discussion among students on online forums provided by MOOCs? Can a MOOC provider certify a student who completes a course? Can a university certify a student who completes one of its courses through a MOOC provider? What if there's a fee involved? What if a US MOOC provider delivers a course from a non-US university? And when OFAC, State, or Commerce assert rules for MOOCs, how do these affect remote access education already in place that you thought was OK? We can't promise authoritative answers, but we hope to clarify the issues and shed light on regulatory direction.

Concurrent session: Tues 1:30pm-3:15pm**Grand Ballroom****Export Controls and Space Research**

Adilia Koch, California Institute of Technology/Jet Propulsion Laboratory

Kevin Schmadel, Universities Space Research Association

Chris Stagg, Goforth Trade Advisors, LLC.

Is this export controlled while on the ground or only when we send it into space? This session will look at a number of topics related to space research and the export control regulations and requirements that impact space related research.

Concurrent session: Tues 1:30pm-3:15pm**Conference Room A****Cloud Computing & Encryption**

Scott Cowperthwait, Shipman & Goodwin

Will Metcalf, University of Louisville

Pat Schlesinger, University of California, Berkeley

Chris Smoak, Georgia Tech Research Institute, Georgia Institute of Technology

Randy Wheeler, Bureau of Industry and Security (BIS)

The future is in the cloud – but what is the "cloud" and how safe is it? Can the cloud be used for export controlled data research? Is there guidance on the Cloud? This session will look at the cloud from various viewpoints and offer up guidance, resources and opinions of best practices when using the cloud.

Concurrent session: Tues 3:30pm-5pm**Grand Ballroom****Biologicals: EAR, ITAR, DURC - & shipping**

Brandi Boniface, University of Florida

Kim Orr, Bureau of Industry and Security (BIS)

This session will take a look at export controls related to biological research including controls on biological agents, toxins, genetic elements, and the development of related technology. The session will also provide an opportunity to explore the intersection of export controls and recent developments regarding Dual Use Research of Concern (DURC). Our panel will provide insights and discuss best practices around compliance and where additional challenges to compliance may come into play.

Concurrent session: Tues 3:30pm-5pm**Conference Room A**

Counter Intelligence Briefing

Al Concord, Georgia Institute of Technology (GIT)
Mary Beran, Georgia Tech Research Corp (GTRC), GIT
Justin Shanken, Defense Security Service (DSS)

Concurrent session: Tues 3:30pm-5pm
Salon I/II

In the world of export controls, not everything is what it appears. In this session, DSS will provide a briefing on the top counter intelligence threats to US universities and things to watch out for on your campus. University representatives will describe how they interact with federal agencies to better protect their campus.

Game of Pawns: FBI Video

Showing all Day in Salons V & VI

Glenn Duffie Shriver, an average college student, majoring in international relations at a college in Michigan and interested in seeing the world. During his junior year (2002-2003), he attended a study abroad program. Before long, Shriver found himself in a bad position making all the wrong decisions. Shriver, cited his naivety as a key factor in his actions that led to his arrest and imprisonment. The FBI, as the lead counterintelligence agency in the U.S., has ramped up efforts to educate American university students preparing to study abroad about the dangers of knowingly or unknowingly getting caught up in espionage activities. The FBI Video *Game of Pawns* will be on a loop all day for your viewing pleasure.

NETWORKING RECEPTION

Foyer of Grand Ballroom 6pm – 7pm

Dinner & Guest speaker

Grand Ballroom 7pm – 9pm

Dr. Lora G. Weiss in the Chief Scientist and Technical Director for Autonomous Systems at the Georgia Tech Research Institute (GTRI). As Chief Scientist, she is responsible for the entire portfolio of Internal Research and Development at GTRI. Her personal research focus is on the design, development, and implementation of technologies for unmanned and autonomous systems. For over 20 years, she has been responsible for advancing capabilities for unmanned systems spanning the domains of air, ground, sea surface, and undersea. Dr. Weiss was on the Board of Directors for the Association of Unmanned Vehicle Systems International (AUVSI), which is the world's largest unmanned systems organization. She was on the technical advisory board of the National Robotics Technology Consortium. She currently chairs the ASTM Committee on Unmanned Maritime Vehicle Autonomy and Control, and she is a member of the Information Science and Technology Study Group for DARPA. In 2012, she also received Georgia's Women in Technology Woman of the Year Award for Medium-Sized Businesses. She holds a provisional patent for an underwater vehicle, she has provided testimonial to the Science and Technology Committee of the Georgia House of Representatives, and she has been Principal Investigator on programs totaling more than \$10M of sponsored research since arriving at Georgia Tech in 2006.

Impact of Export Controls on Higher Education & Scientific Institutions

Conference Session Descriptions

Wednesday, May 7, 2014

Breakfast & check-in

Wednesday 7am-8am

Best Practices for Breakfast

Wednesday 7am-8am

Grab a plate and share your thoughts on Best Practices over breakfast! Conference participants will be provided with a list of topics that will be covered prior to the conference. Come prepared to share your thought and learn from others what they do and why they do it the way they do. Nothing is wrong with recycling the best ideas from others!

Welcome and Opening Remarks

Plenary session: Wed 8am - 8:15am

Jilda Garton, Georgia Tech Research Corporation (GTRC), GIT

Grand Ballroom

Mary Beran, Georgia Tech Research Corporation (GTRC), GIT

Export Control & The Scientific Community Dialogue

Plenary session Wed: 8:15am-10:15am

Bob Hardy, Council on Governmental Relations (COGR)

Grand Ballroom

Margaret Loper, Georgia Tech Research Institute, Georgia Institute of Technology

Toby Smith, Association of American Universities

John Young, JY Strategies LLC.

Representatives from the Association of American Universities (AAU), Council on Governmental Relations (COGR), National Academy of Sciences (NAS) will provide a dialogue about the recent impact of federal regulations, policies, and practices on the performance of research and other sponsored activities.

Deemed export & Reexport

Concurrent session: Wed 10:30am-12pm

Nelson Dong, Dorsey & Whitney

Grand Ballroom

Mike Miller, University of Central Florida

Kim Orr, Bureau of Industry and Security (BIS)

Mark Peters, Oregon Health & Science University

This session will present and discuss the export compliance requirements related to Deemed Exports and Reexports. Panelist from BIS, University, and private Attorney, will provide examples and the opportunity to focus on critical questions and interpretations of Deemed Exports and ReExports.

International Campuses

Concurrent session: Wed 10:30am-12pm

Bob Roach, New York University

Conference Room A

Don Fischer, Fischer & Associates

As universities establish overseas campuses that include scientific research and collaboration, what are the export control considerations? This panel we will discuss export compliance, due diligence and institutional liability issues relating to international campuses and research conducted on our international campuses.

NETWORKING LUNCH 12PM – 1:15PM

Conference Dining Room

International Collaborations

Steven Hall, Bureau of Industry and Security (BIS)
Mark Stomski, Duke University

Concurrent session: Wed 1:30pm-3:15pm

Grand Ballroom

John Wellard, North American Liaison office of Australian University

As federal funding continues to tighten and the international sector continues to expand, universities find international collaboration becoming more important. What are the export considerations when research involves international collaboration and do all international collaborations have the same risk? This session will look at issues your university should consider when considering international collaborations.

Visiting Scholars - J scholars

David Brady, Virginia Polytechnic Institute and State University
Gretta Rowold/Oklahoma/AUECO

Concurrent session: Wed 1:30pm-3:15pm

Conference Room A

The U.S. State Department's J-1 Visa program for exchange visitors is designed to "promote mutual understanding between the people of the United States and the people of other countries by educational and cultural exchanges." J-1 visas can be used by foreign professors, research scholars, and international visitors, but these visa beneficiaries to raise unique issues. Should J-1 visa holders be treated as students, employees, or neither? What are the legal ramifications of sponsoring J-1 visas? Are there deemed export or other issues to consider? How does a university evaluate the issues, and what strategies to be used to mitigate risk?

In this session participants will be introduced to authorized activities of the J-1 visa category. We will review what export and sanctions regulations govern visiting scholar activities, even for 'fundamental research only' universities. We will discuss export and sanctions compliance due diligence and institutional liability issues relating to visiting scholar actions, as well as federal agency guidance regarding foreign visitors export and sanctions compliance. Using case studies, participants will learn reasons for reviewing foreign visitor credentials and best practices for accommodating the visit of their international scholars to ensure compliance. Special attention will be given to addressing the challenges of hosting a visiting scholar from a sanctioned country or embargoed entity, and additional compliance measures that may be necessary to accommodate their visit.

University and Industry Collaborations

Bill Bell, TDA Research
Steve Eisner, Stanford University
Martha Westbrook, Lockheed Martin Mission Systems and Integration

Concurrent session: Wed 1:30pm-3:15pm

Conference Salon I/II

In a tight federal environment, universities are increasingly seeking collaboration with the Industry partners. What are the export considerations for industry collaboration? This session will look at university and industry perspectives of the export control implications and issues in industry/university research and contracting.

CCL 600 Series, 0Y5 and specially designed

Kelly Hochstetler, University of Virginia
Tim Mooney, Bureau of Industry and Security (BIS)
Tom Tierney, Los Alamos National Laboratory

**Concurrent session: Wed 3:30pm-5pm
Grand Ballroom**

This session will provide a brief overview of those items and technologies that have transitioned from the US Munitions List into one of the new 600 series Export Control Classification Numbers on the Commerce Control List and the implications for university research. The panelists will also discuss how Commerce is using the new 0Y521 ECCNs and explore the application of “specially designed” in the Export Administration Regulations. Illustrative case studies will be used to provide additional context for these discussions.

Enforcement & Voluntary Self Disclosures

John Johnson, Bureau of Industry and Security (BIS)
Rhonda Miller, Georgia Tech Research Corp (GTRC), GIT
Christine Savage, King & Spalding

**Concurrent session: Wed 3:30pm-5pm
Conference Room A**

Enforcement and Voluntary Self Disclosures (VSD) are terms everyone hopes to avoid having associate with their institution. Does it make a difference if you submit a VSD or if you wait for Enforcement to find the disclosure? This session will look at recent enforcement activities using case examples to explain how and why violations occur. Panelist will discuss how and why VSD are submitted and how mitigating circumstances may impact the review of an unlawful disclosure.

Game of Pawns: FBI Video

Glenn Duffie Shriver, an average college student, majoring in international relations at a college in Michigan and interested in seeing the world. During his junior year (2002-2003), he attended a study abroad program. Before long, Shriver found himself in a bad position making all the wrong decisions. Shriver, cited his naivety as a key factor in his actions that led to his arrest and imprisonment. The FBI, as the lead counterintelligence agency in the U.S., has ramped up efforts to educate American university students preparing to study abroad about the dangers of knowingly or unknowingly getting caught up in espionage activities. The FBI Video *Game of Pawns* will be on a loop all day for your viewing pleasure.

Showing all Day in Salons V & VI