



EXPORT CONTROL PROGRAM

SERVICES TRAINING

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Topics

- ✓ **What Is A Service?**
- ✓ **Who Is The Solicitor?**
- ✓ **What Are You Providing?**
- ✓ **Is The Technology Controlled?**
- ✓ **Who Conducts The Service?**
- ✓ **What Is A Defense Service?**



SERVICES

What Is A Service?

- ❑ **Work done for hire that is not considered research**
 - **Services typically have specified procedures/processes**
- ❑ **Examples:**
 - **Analysis of unknown pharmaceutical substances**
 - **Running lab tests for hospital patients**
 - **Conducting air sampling in a factory after a chemical spill**
 - **Manufacturing items that are incorporated into another device**
 - **Providing materials for an outside university**
 - **Gene sequencing**
 - **Letting an outside company use your wind tunnel lab**



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Who Is The Solicitor?

- ❑ **Foreign Organizations - Be careful if a foreign government and especially a foreign military requests a service.**
 - They **MAY** be requesting something that would violate export control laws. Carefully review their request to determine if they are asking for something that would have any connection to export control.
 - The US government severely restricts the interactions US entities can have with anyone located in *Cuba, Iran, Syria, North Korea or the Crimea*
 - The US government limits interactions with a number of other countries, including:
 - Afghanistan, Balkans (western), Belarus, Burma, Central African Republic, Cambodia, China, Cuba, Cyprus, Democratic Republic of the Congo, Eritrea, Ethiopia, Haiti, Iran, Iraq, Lebanon, Libya, Mali, Nicaragua, North Korea, Russia, Somalia, South Sudan, Sudan and Darfur, Syria, Ukraine, Venezuela, Yemen, Zimbabwe



Who Is The Solicitor?

❑ Restricted Parties

- The US government keeps lists of persons, companies and universities with which interactions are significantly restricted.
- It's important to ensure that the solicitor does not show up on any list that restricts transactions. A violation can result in large fines and possibly jail time.



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What Are You Providing?

- ❑ General data analysis will usually not cause export control issues.
- ❑ Any work done under service agreements does not count as research. Therefore the fundamental research exception will NOT apply to that work.
- ❑ Building anything that could be considered a defense object will need to be screened for possible export control issues.
 - Examples could include building space tracking equipment, encryption software, biological/chemical containment equipment etc.



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Is The Technology Controlled?

- ❑ **Controlled technology can include:**
 - Nuclear, space-related, weapons or weapons accessories, encryption, or modeling/simulation software.
 - Dual use items (items that can have commercial and military uses).
- ❑ **Keep in mind that export controlled items and services are not always easily identified. “Dual use” items that COULD be used for a military purpose, such as oscilloscopes, select agents, lab equipment, telecommunications devices, etc. are also controlled.**



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Who Conducts The Service?

❑ Foreign Staff/Students

- A deemed export license may be required for a foreign person to conduct a service using controlled technology.
- Mere operation of a device that is controlled should not require a license.
- There is little difference between foreign staff and foreign students when it comes to export controls.



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What Is A Defense Service?

- ❑ “The furnishing of assistance (including training) to foreign persons, whether in the United States or abroad in the design, development, engineering, manufacture, production, assembly, testing, repair, maintenance, modification, operation, demilitarization, destruction, processing or use of defense articles or the furnishing to foreign persons of any technical data controlled under” the International Traffic in Arms Regulations.
- ❑ Examples include nuclear equipment, select agents, space-qualified equipment, troubleshooting failed rocket launches, etc.



Contact Information



SERVICES

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References:

- **UW Export Control Website:**
<https://research.wisc.edu/integrity-and-other-requirements/export-control/>