SIU EXPORT CONTROLS MONTHLY

A RESOURCE FOR CURRENT EXPORT CONTROL ISSUES AND EVENTS THAT COULD AFFECT SIU AND ITS FACULTY

EXPORT CONTROL VIOLATION HOTLINE

If you suspect an export control violation, call:
618-650-2476

Critical and Emerging Technologies Special Edition

EXPORT CONTROLS SPOTLIGHT

With the White House's recent release of the updated list of Critical and Emerging Technologies, this is an opportune time to release a special edition of the Export Controls newsletter. Please read the articles on the next two pages for important information about emerging technologies.

CRITICAL AND EMERGING TECHNOLOGIES LIST UPDATE

The White House has recently released an updated list of Critical and Emerging Technologies ("CET List") that are of particular importance to U.S. national security via the National Science and Technology Council (NSTC). The NSTC subcommittee included subject matter experts from 18 departments, agencies, and offices in the Executive Office of the President, who, over the course of a year, identified CET subfields that their home organizations determined may be critical to U.S. national security.

Departments and agencies may consult this CET list when developing, for example, initiatives to research and develop technologies that support national security missions, compete for international talent, and protect sensitive technology from misappropriation and misuse.

Please review the areas listed in the update and contact the Export Controls Office if you are involved in any of these areas so that we can perform an export controls assessment.

Critical and Emerging Technologies

NATIONAL COUNTERINTELLIGENCE AND SECURITY CENTER (NCSC) EMERGING TECHNOLOGIES FACTSHEET

In October 2021, the NCSC announced it is prioritizing its industry outreach efforts in a select few U.S. technology sectors where the stakes are potentially greatest for U.S. economic and national security.

These sectors include: artificial intelligence, bioeconomy, autonomous systems, quantum, and semiconductors.

CYBERSECURITY COMPLIANCE REQUIREMENTS MAY SURPRISE HIGHER ED

The Department of Justice (DOJ) launched its new Civil Cyber-Fraud Initiative in October 2021, targeting entities that fail to follow cybersecurity-related contract requirements.

Academic and research institutions are often repositories of myriad types of sensitive information and confidential data that could represent an enforcement risk if inadequately safeguarded or mishandled.

FACT SHEET: EXPORT CONTROLS AND HUMAN RIGHTS INITIATIVE LAUNCHED AT THE SUMMIT FOR DEMOCRACY

In December 2021, at the Summit for Democracy, the United States, Australia, Denmark and Norway announced the Export Controls and Human Rights Initiative to help stem the tide of authoritarian government misuse of technology and promote a positive vision for technologies anchored by democratic values.

FEDERAL REGISTER - COMMERCE CONTROL LIST: EXPANSION OF CONTROLS ON CERTAIN BIOLOGICAL EQUIPMENT "SOFTWARE"

In October 2021, the Bureau of Industry and Security (BIS) updated the Commerce Control List by adding controls on nucleic acid assembler and synthesizer "software" that is capable of designing and building functional genetic elements from digital sequence data.

FEDERAL REGISTER - REQUEST FOR COMMENTS CONCERNING THE IMPOSITION OF EXPORT CONTROLS ON CERTAIN BRAIN-COMPUTER INTERFACE (BCI) EMERGING TECHNOLOGY

While the time for comments on this proposed rule has passed, this is a good example of an item that could be a potential concern for export control purposes but is not yet listed on the Commerce Control List because it is an emerging technology.

THE U.S. EXPORT CONTROL SYSTEM AND THE EXPORT CONTROL REFORM ACT OF 2018

This document provides details about the U.S. export control system and the Export Control Reform Act of 2018 (ECRA).

The ECRA required the President to establish an interagency process to establish new controls on emerging and foundational technologies that are "essential to the national security of the United States."

"TALENT PROGRAM" FAQS

What is a foreign "TALENTS" program?

Any foreign state sponsored attempt to acquire U.S.-funded scientific research through recruitment programs that target scientists, engineers, academics, researchers, and entrepreneurs of all nationalities working or educated in the United States.

These recruitment programs are often part of broader whole-of-government strategies to reduce costs associated with basic research while focusing investment on military development or dominance in emerging technology sectors. The Department of Energy issued an order on 7 July 2019 with fairly clear explanations of Talents programs DOE O 486.1.

How does this affect SIU and me?

Association with a Talents Program can lead to ineligibility to receive Federal funding for your research. Currently there is no due process to challenge such a determination or limit to the time interval over which it is imposed. Past associations may also be concerning to the US Government.

CHINA DEFENSE UNIVERSITIES TRACKER

The Tracker is a tool created by ASPI's International Cyber Policy Centre to inform universities, governments and scholars as they engage with the entities from the People's Republic of China. It aims to build understanding of the expansion of military-civil fusion—the Chinese government's policy of integrating military and civilian efforts—into the education sector. The Tracker should be used to inform due diligence of Chinese institutions.
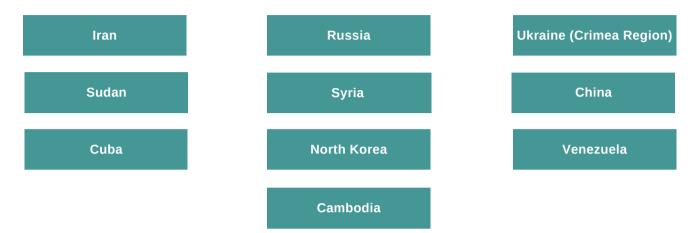
EQUIPMENT USED IN RESEARCH

If you use the following equipment/goods in your research or the below is your area of research, please call the Director of Export Controls at 618-650-2476.

Reaction vessels (chemical), reactors and prefabricated repair assemblies therefor 2B350.a

Read-out integrated circuits (ROICs) 6A002.f

Real time processing 2D002.b

Real time processing operating systems 4D993.c

Real time processing equipment operating system software 4D993.c

Real time processing proof and validation software 4D993

Rebreathing apparatus specially designed for military use 8A620.f

Receivers, microwave test 3A002.f

Receivers, radio .... 5A001.b.2, 3 or 4

Reciprocating diesel engine & component technology 9E003.e.1

**Reconstructed 1918 influenza virus (includes reconstructed replication competent
forms of the 1918 pandemic influenza virus containing any portion of the coding regions of all eight gene segments)** 1C351.a.40

Recording equipment, analog & digital tape recorders 3A002.a

SIU CLEAN LAPTOP PROGRAM

All SIU travel to the below countries WILL REQUIRE that an Informational Technology Services clean laptop be used during SIU business travel to those countries. Your SIU issued laptop computer SHALL NOT be transported to any of the below countries.

Iran	**Russia**	**Ukraine (Crimea Region)**
Sudan	**Syria**	**China**
Cuba	**North Korea**	**Venezuela**
	Cambodia	

U.S. EXPORT CONTROL REGULATIONS

- EXPORT ADMINISTRATION REGULATIONS (EAR) by the U.S. Department of Commerce Bureau of Industry and Security (BIS)

- INTERNATIONAL TRAFFIC IN ARMS REGULATIONS (ITAR) by the U.S. Department of State Directorate of Defense Trade Controls (DDTC)

- FOREIGN ASSETS CONTROL REGULATIONS (FACR) by the U.S. Department of Treasury Office of Foreign Assets Control (OFAC)

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SIU EXPORT CONTROLS WEBSITE

SIU EXPORT CONTROL COMPLIANCE MANUAL

NEWSLETTER CONTENT REQUESTS

If you find any articles, research, or other information relevant to export controls, or have a specific topic you think would be a great addition to this newsletter, please submit your ideas to bjmartin@siu.edu.