

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



EXPORT CONTROL ARTICLES



TWO DEFENDANTS SENTENCED TO PRISON FOR CONSPIRING TO ILLEGALLY EXPORT WEAPONS TO SOUTH SUDAN

Peter Biar Ajak, 42, of Maryland, was sentenced by United States District Judge Sharad H. Desai for the District of Arizona to 46 months in prison, followed by three years of supervised release. Ajak's co-defendant, Abraham Chol Keech, 46, of Utah, was sentenced by Judge Desai to 41 months in prison and three years of supervised release.

POLITICAL OPERATIVE SENTENCED TO 48 MONTHS IN FEDERAL PRISON FOR ACTING AS COVERT AGENT OF PEOPLE'S REPUBLIC OF CHINA

A San Bernardino County man, Yaoning "Mike" Sun, 65, of Chino Hills, California, was sentenced to 48 months in federal prison for acting as an illegal agent of the People's Republic of China (PRC), including while serving as the campaign advisor for a political candidate who was elected to the city council of a Southern California city.

CHEMICALS AND BIOLOGICALS

Some chemicals and biologicals, even those that are commonly used in the laboratory, are highly controlled under U.S. export control regulations. Whether or not these are export-controlled will depend on several factors, including amounts/mixtures used.

Two sets of regulations provide oversight for chemical and biological equipment, materials, and technology:

[United States Munitions List Chemicals and Biologicals Listing](#)

[Commerce Control List Chemicals and Biologicals Listing](#)

If you are using any of these agents, contact the Export Controls Office to aid you in determining whether or not your use of these agents is export-controlled and, if so, to implement the necessary controls.

FOREIGN TALENT PROGRAM

A foreign talent program is 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. The Department of Energy issued an order on 7 July 2019 with fairly clear explanations of Talents programs [DOE O 486.1](#).

Participation in such a program must be disclosed on the FCOI form, as well as any relevant forms related to any federal funding that you may be receiving, and on future federal funding proposals. Association with a Talents Program could potentially lead to ineligibility to receive Federal funding for your research.

MALIGN FOREIGN TALENT RECRUITMENT PROGRAM (MFTRP)

The federal government’s definition of a MFTRP or “malign” program includes three main elements: (1) Sponsored by a “country of concern” as defined by the Secretary of State, and currently (as of January 1, 2024) includes China, North Korea, the Russian Federation, and Iran; (2) There is some form compensation or benefit (which does not have to be monetary, including the promise of a future benefit including in-kind contributions or honorary titles); and (3) Includes one of more of the problematic indicators in the federal government’s definition of a “malign” talent program.

Participation in a MFTRP is prohibited for researchers applying for or receiving federal funding.

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.

- Underwater noise reduction technology** 8E002
- Underwater optical fiber cables & accessories** 5A001.c.2
- Underwater (propeller) noise reduction software** 8D002
- Underwater propulsion equipment** 8A992.k
- Underwater rebreathing apparatus** 8A018.a
- Underwater robots, computer controlled** 8A002.h
- Underwater sonar navigation systems** 7A008
- Underwater systems or equipment and parts, not controlled by 8A002.....**8A992
- Underwater television cameras** 8A992.a.2
- Underwater vehicles, industrial** 8A001
- Underwater velocity measurement equipment** 6A001.b
- Underwater vessel positioning systems, acoustic**6A001.a.1.d
- Underwater vision systems** 8A002.d
- Underwater vision systems** 8A992.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	Sudan	Belarus
Syria	China	Cuba	North Korea
Cambodia	Venezuela	Ukraine (Crimea Region)	

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)

SIU EXPORT CONTROLS WEBSITE

SIU EXPORT CONTROL COMPLIANCE MANUAL

SIU EXPORT CONTROLS CONTACT INFORMATION

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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.