Export Control

Compliance Tools II:

Commodity Classification Techniques

ECAS Webinar Series July 10th, 2013

Visual Compliance:
Strengthened Compliance Process

The **VISUAL COMPLIANCE™ RESEARCH EDITION** gives you tangible benefits that include:

Positive screening returns emailed directly from the RESEARCH EDITION to all who need to know, including university administrators and legal counsel

Strengthened compliance system with up-to-date and efficient export classification and Restricted Party Screening processes

Usage Audit Reporting features to prove compliance

Raises the level of compliance at your university as well as enhances your ability to make your export compliance workflow an efficient and sophisticated process

Visual Compliance:
Comprehensive Restricted Party Screening

The **VISUAL COMPLIANCE™ RESEARCH EDITION** can screen entities who have dealings of any kind with your university. These entities include students, faculty staff, researchers, sponsors and their associates, suppliers and vendors, even visiting scholars.

With the **RESEARCH EDITION**, you can maintain a high level of compliance with laws that further the national security objectives of the U.S. Government. The solution does have other uses such as finding out if suppliers have been blacklisted by the authorities, if individuals are wanted by law enforcement agencies, or if students have delinquent educational loans.

Visual Compliance: Proving Your Compliance to Federal Authorities

Proving that your compliance system is effective and reliable across your entire organization is as important as performing the screening process on a particular individual or classifying specific items according to ECCN and/or ITAR rules.

Being able to provide such proof demonstrates to federal government agencies that key university staff – from administrators and legal counsel to research project supervisors and associates – are strictly following the compliance procedures that have been laid down for them.

Record Keeping: EAR762
https://www.visualcompliance.com/bis_ear/762.pdf
http://www.access.gpo.gov/bis/ear/pdf/762.pdf

Visual Compliance:
Efficient "Deemed Export" Classification

The **VISUAL COMPLIANCE™ RESEARCH EDITION** provides universities with a Deemed Export classification process that allows you to determine which of your research projects and educational activities should be considered "controlled," right down to specific items of equipment, materials and substances, and technology.

The solution offers multiple search options, with pertinent results on your controlled items returned in seconds, together with such details as export license requirements and exceptions, and reasons why controls are needed.

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Tools of the Trade License Exception (TMP): refer to Reasons for Control icon in Visual Compliance
http://www.bis.doc.gov/encryption/lechart1_sec508.htm

Please be careful as you can use this as a license exception BUT, you need to understand what "effective control" means.

Effective control. You maintain effective control over an item when you either retain physical possession of the item, or secure the item in such an environment as a hotel safe, a bonded warehouse, or a locked or guarded exhibition facility. Retention of effective control over an item is a condition of certain temporary exports and re-exports – See EAR772 for Definition of Terms.

You cannot leave it in your hotel room when you go to dinner, for example BUT you also need to classify the item first, before you can determine if you can use this as a license exception.

Laptop Inspections Legal, Rare, Essential by U.S. Customs
http://www.cbp.gov/xp/cgov/travel/admissibility/labtop_inspect.xml

Dell Laptops (for example): Contact Manufacturer for Assistance

http://www1.ca.dell.com/content/topics/global.aspx/about_dell/values/regulatory_compliance/reg_compliance?~ck=ln&c=ca&cs=cabsdt1&l=en&lnki=0&s=bsd

Contact Details for Regulatory Compliance Website
For any questions related to Product Safety, EMC or Ergonomics, please send an e-mail to Regulatory_Compliance@dell.com.

Additional Compliance Information
The World Wide Trade Compliance Organization (WWTC) is responsible for managing Dell's compliance to import and export regulations, including product classification. Classification data for Dell manufactured systems is provided within the product-specific, system Product Safety, EMC and Environmental Datasheet.

For any questions related to import/export classification of Dell products, please send an e-mail to US_Export_Classification@dell.com

Classification Example #2
Engineering Export to Canada

Item: Molecular Beam Epitaxy Unit
Destination: Canada
Department shipping: Engineering
ECCN: 3B001
Outcome: No controls for the destination of Canada

Key Word Search Used: Molecular
(4) ECCN's Returned When "Exact" Search Used

Item: Digital Signal Processor (DSP 56309 – Motorola), speed of 100 million instructions per second, 200 Mhz clock rate, greater than 40 MHz allowed

Destination: China

Department shipping: Physics and Astronomy

ECCN: 3A001

Outcome: Item is available for purchase in China, advised PI to purchase it there instead of shipping.

Key Word Search Used in VCRE: Digital Signal
(5) ECCN's Returned When "Exact" Search Used

Libraries & Classification Archive:
Upload Equipment Inventory

eCustoms can upload any list of equipment to the classification archive (libraries) at no charge, if you subscription to this feature.

ITMC_ECCN ECCN Classification	ITMC_USMLCat USML Classification	ITMC_PartNo Part Number	ITMC_AddInfo Manufacturer	ITMC_ShortDesc Short Description
14 Character Limit	10 Character Limit	30 Character Limit	60 Character Limit	60 Character Limit
For Dept of Commerce classification information i.e.. 6A108 b.2.	For Dept of State classification information i.e.. II 4i	Manufacturer part number information	Manufacturer details	This is for you to describe the item that you have classified. I.e.. Anthrax (Bacillus Anthracis) Vaccine. You can always add/edit information after you create any entry.

Above is a sample template of <u>some</u> of the information that is to be received in an excel spreadsheet. A copy of the template to perform an upload is available upon request.

WHO
Can You Call
With
Questions?

UC System Export Control Points of Contact

- LBNL Nancy M Ware NMWare@lbl.gov
- UARC Nasa Ames: Scott Fong scott.fong@uarc.ucsc.edu
- UCB Patrick Schlesinger pschlesinger@berkeley.edu
- UCD Craig Allison ccallison@ucdavis.edu
- UCI Marci Copeland marci.copeland@rgs.uci.edu
- UCLA: Claudia Modlin cmodlin@research.ucla.edu
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Ethics Compliance and Audit Services

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