

TEMPORARY CHANGE REQUEST

TCR NO. **TCR-P-101,R1-001**

(e.g., TCR-ENG-021,R0-001)

The Temporary Change Request (TCR) Form is to be used to process urgent or minor changes for PPPL Policies, Organization/Mission Statements and Procedures. The TCR should be used when changes are:
1) urgent, and can not wait the 2-4 week period for Department Head review/comment, or
2) minor, and do not warrant Department Head review.

Person Requesting Change: Robert Sheneman Phone Ext: 3392

Department Name: ESH&S

Document Number: P-101 Revision No.: 1

Document Title: Export Control

Reason for change:

Clarify information not subject to export controls and update regulatory references to be consistent with procedure MC-013.

Change description: (Summarize and attach changed pages, with changes clearly indicated)

Added publicly available information and technology to items that are not subject to export controls. Revised list of references for consistency with MC-013.

1. Does this TCR significantly alter the intent or scope of the document? YES: _____ NO: **X**

2. Does this TCR significantly impact **ES&H**? YES: _____ NO: **X**

If 1 or 2 is **YES**, Explain why the changes should not be routed for Department Head review:

R. Sheneman
Department/Division Head Approval

3/30/15
Date

J. DeLooper
Head, Best Practices and Outreach/designee

3/31/15
Date

Release/Effective date of this TCR: 3/31/15

Incorporate this TCR into next revision of this document? YES: **X** NO: _____

PPPL	PRINCETON PLASMA PHYSICS LABORATORY	POLICY		No. P-101, Rev. 1 page 1 of 2
		Subject:	Effective Date: February 29, 2012	Initiated by: Deputy Head, ES&H/Security Department
Export Control		Supersedes: TCR P-101, R0- 001 Dated June 26, 2009	Approved: Director	

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It is the policy of the Laboratory to comply with United States export control laws and regulations, including those implemented by the Department of Commerce through its Export Administration Regulations (EAR) the Department of State through its International Traffic in Arms Regulations (ITAR), and the Treasury Department through its Office of Foreign Assets Control (OFAC).

The Federal government has a responsibility to protect information and technology from disclosure when the release of such information could contribute to the military potential of U.S. international adversaries, impair U.S. foreign policy, or hamper U.S. economic vitality. U.S. export laws and regulations are the basis for restricting use and access to this information and technology.

PPPL employees, subcontractors, on-site collaborators, and students must comply with applicable export laws and regulations. In case of violations, criminal sanctions for both the laboratory and the individual (including substantial fines and imprisonment) can be applied.

Consistent with Princeton University policy articulated by the University Research Board, PPPL is committed to a policy of openness in research with unimpaired access by all interested persons to the underlying data, the research processes, and the final results of the research. PPPL typically does not accept classified research projects. While much of the scientific research conducted at the Laboratory is considered fundamental research under the export control regulations, in that it is "*basic and applied research in science and engineering where the resulting information is ordinarily published and shared broadly within the scientific community, as distinguished from research the results of which are restricted for proprietary reasons or specific U.S. Government access and dissemination controls*" (NSDD 189) certain aspects of our work may be export-controlled. Publicly available information and technology, as well as educational information released in catalog courses and teaching laboratories of academic institutions are not export controlled.

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PPPL employees, subcontractors, on-site collaborators, and students must consider whether export controls or embargoes may be applicable when undertaking any of the following activities:

- Initiating new research, or changing scope of existing research under a grant or contract (see PPPL Policy P-020, Policy for Research Sponsored by Non-DOE Entities);
- Shipping equipment, software, or materials to a foreign destination,
- Exporting, releasing, or transmitting information to foreign nationals, either in the U.S. or in a foreign country;
- Taking laptop computers, PDAs, GPS systems, etc., or their associated software to another country;
- Participating in research or training activities abroad;
- Traveling for any purpose to a U.S.-sanctioned country;
- Allowing foreign persons to participate in a research or training activity; or
- Taking receipt of export-controlled materials, equipment or information from a third party.

Compliance with export control rules and regulations rests with the employee responsible for the activity. PPPL employees must include appropriate export controls in collaboration projects, if applicable.

The Office of Export Controls, in the Environment, Safety, Health & Security Department, is responsible for the development and administration of laboratory-wide export control procedures, conducting and documenting export control reviews, maintaining current information on export control regulations, export control recordkeeping, and assisting employees in complying with the regulations. The Material Services Branch, in the Facilities & Site Services Division, is responsible for the shipment of all tangible items.

The Head of the Office of Export Controls is hereby designated as the Laboratory's Export Control Officer/Empowered Official.

References

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15 CFR, 700-799 – Export Administration Regulations (EAR)

22 CFR, 120-130 – International Traffic in Arms Regulations (ITAR)

31 CFR, 500-599 – Office of Foreign Asset Control (OFAC)

50 USC, Chapter 35 – International Emergency Economic Powers Act

National Security Decision Directive 189 (NSDD 189), *National Policy on the Transfer of Scientific, Technical and Engineering Information*, September 21, 1985

Princeton University Memorandum, William Happer to Science & Engineering Faculty, December 3, 2004, Subject: Export Controls

PPPL MC-013, Export Control