Our commitment to, and resources for supporting, export control

Dear Mines Community,

Export Control compliance is an essential obligation for everyone in our research and teaching community. In practice, Export Control regulations govern which research instruments, materials (including biologics), software and technology that we, as a U.S. institution, can transfer out of the country by any means; and which sensitive items and technology we can share with international parties and foreign national individuals. These regulations also inform which research and business partners we engage with, as we must avoid U.S. government-restricted or prohibited entities. Some transactions that are considered export controlled may surprise you, such as:

- Transferring gas monitoring sensors to a foreign national;
- Teaching a foreign national to operate an infrared camera;
- Presenting design documents for rocket nozzles at a conference outside the U.S.;
- Traveling to an OFAC (Office of Foreign Assets Control) sanctioned country to present research results;
- Registering a student located in an OFAC-sanctioned country for a Mines online course;
- Permitting foreign nationals to view certain laboratory instruments.

Why should Mines care?

U.S. Government export authorities strictly enforce these regulations through substantial civil and criminal penalties and sanctions, federal debarment and revocation of export privileges. In addition, because export control implicates national security concerns, liability for violations may be enforced against an individual separate from our institutional liability.

In a notable case of export enforcement action, the University of Massachusetts at Lowell was charged with violating export control laws in connection with the export...
of atmospheric testing equipment. The university failed to screen the foreign partner, and thus did not realize a license from the federal government was required to authorize the export. These violations resulted in a $100,000 civil penalty against the university and a two-year probationary period.

**What resources are there for help with Export Control?**

We are currently updating the content and usability of the export controls website and will be holding conversations with the Mines community in the coming weeks and months. In the meantime, do not hesitate to seek guidance on an export control matter. If you have any questions, or if you become aware of a potential export control problem, please contact Mines' Export Control Officer (exportcontrols@mines.edu) in the office of the Vice President for Research and Technology Transfer (Scot Allen will join Mines as the Export Control Officer on Sept. 23). The vast majority of export control violations are inadvertent, and timely reporting of a suspected problem is the best mitigation of an inadvertent violation.

Colorado School of Mines recognizes the importance of complying with all U.S. Export Control regulations and we are fully committed to compliance with these regulations. Thank you in advance for taking the time to understand your obligations and to protect yourselves and the university.

Sincerely,

Paul Johnson

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