Export Control Update

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September 12, 2019
AGENDA

- Export Control Overview
- Sanctioned Countries –Cuba and Iran
- Huawei Moratorium
ANNOUNCEMENT!

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EXPORT CONTROLS
The federal laws and regulations that have been established by the U.S. government to control:

- The export of sensitive equipment, software, and technology
- Trade and financial transactions

These controls are in place to promote national security interests and foreign policy objectives.
REGULATING AGENCIES
U.S. Department of the Treasury
Office of Foreign Assets Control (OFAC)

- Enforces trade embargoes and economic sanctions
- Sanctions Programs and Country Information
- Specially Designated Nationals
COMPREHENSIVE SANCTIONS

Cuba
Iran
North Korea
Sudan
Syria

Contact RPC to discuss proposed transactions:
Collaborations, Conference, Research, Shipments, Travel
12 CATEGORIES OF AUTHORIZED TRAVEL

1. Family visits;
2. Official business of the U.S. government, foreign governments, and certain intergovernmental organizations;
3. Journalistic activity;
4. PROFESSIONAL RESEARCH AND PROFESSIONAL MEETINGS;
5. EDUCATIONAL ACTIVITIES;
6. Religious activities;
7. Public performances, clinics, workshops, athletic and other competitions, and exhibitions;
8. Support for the Cuban people;
9. Humanitarian projects;
10. Activities of private foundations or research or educational institutes;
11. Exportation, importation, or transmission of information or informational materials;
12. Certain export transactions that may be considered for authorization under existing Department of Commerce regulations and guidelines with respect to Cuba or engaged in by U.S.-owned or -controlled foreign firms.
CUBA GENERAL LICENSES

PROFESSIONAL RESEARCH AND PROFESSIONAL MEETINGS

- Authorizes attendance at professional meetings or conferences related to traveler’s profession, professional background, or area of expertise.
- NO free time or recreation allowed

EDUCATIONAL ACTIVITIES

- Authorizes faculty, staff, and students at U.S. academic institutions to engage in study abroad programs, academic exchanges, and joint non-commercial academic research.

- Traveler: Retain receipts and records demonstrating a full-time schedule of authorized activities.
Almost all direct or indirect commercial, financial, or trade transactions with Iran by U.S. persons or within the United States are prohibited.

Transactions require written authorization (license) from OFAC.

OFAC license takes more than 6 months.
HUAWEI: The Company

Huawei Technologies Co., Ltd.

- Headquarters: Shenzhen, China
- Operates in 170+ countries
- Global provider of information and communications technology infrastructure and smart devices
- 70+ subsidiaries/affiliates, including Futurewei Technologies
HUAWEI: The Issues

January 2019 - U.S. Department of Justice
- Two business practice indictments against Huawei
- Theft of trade secrets, wire fraud, obstruction of justice, money laundering, conspiracy to defraud the U.S., and sanction violations

May 2019 - U.S. Department of Commerce
- Put Huawei and 68 of its non-U.S. affiliates on the Bureau of Industry and Security’s Entity List
- Imposed controls on exports to Huawei
HUAWEI: The UC Moratorium

July 18, 2019 : UC Office of the President

University of California’s Systemwide Restrictions on Engagements with Huawei

- UC will not accept new engagements or renew existing engagements with Huawei.
- Prohibits:
  - Equipment or device purchases
  - Research grants or contracts
  - Gifts or membership agreements
  - MOUs
  - Technology transfers or licensing of UC IP
  - Exchanges of any technical information
Comply with UC Systemwide moratorium

OVCR will review each new engagement proposal with Futurewei and other Huawei subsidiaries on a case-by-case basis
CONCLUSIONS

- Contact RPC prior to activities with Cuba and Iran (and North Korea, Sudan, and Syria)

- Comply with UC Huawei Moratorium
CONTACT

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