

## Academic Export Controls Enforcement Case: 5 Things Universities Can Learn

*Dr. Jennifer Saak | 03/09/2021*

The Bureau of Industry and Security (BIS) under the U.S. Department of Commerce recently announced an administrative settlement of \$54,000 with Princeton University for potential export violations that the university self-disclosed. What can the research compliance and academic community learn from this case?

### **#1: It's Not Just Biologicals**

The root of the export controls enforcement case is that Princeton University did not have the required BIS export licenses before shipping various strains and recombinants of animal pathogens to various international destinations. These items were classified under export control classification numbers ECCNs 1C351, 1C352, and 1C353 on the Commerce Control List (CCL). Biological materials are on everyone's mind as international research collaborations continue with the mission of developing new COVID-19 vaccines to fight the pandemic. So the news of this enforcement case is indeed timely.

**However, universities and other exporters should be aware that the EAR's Commerce Control List does not only cover biological materials.** The CCL is quite broad and spans materials, chemicals, equipment, parts, components, and accessories across a wide range of industries and sectors – as well as certain associated technology and software.

To read the full article: <https://traliance.com/academic-export-controls-enforcement-case-5-things-universities-can-learn/>

## Senate Approves Bill to Tighten Controls on China-funded Confucius Institutes on U.S. University Campuses

*Christian Nunley | CNBC | 03/06/21*

The Senate on Thursday approved by unanimous consent — without a roll-call vote — a bill that would increase oversight on Confucius Institutes, China-funded cultural centers that operate on university campuses.

According to Human Rights Watch, Confucius Institutes “are Chinese government-funded outposts that offer Chinese language and culture classes.” However, some politicians, particularly Republicans, have accused them of spreading propaganda.

“Confucius Institutes are under the control of the Chinese Communist Party in all but name,” said Sen. John Kennedy, R-La., who introduced the bill. “This bill would give colleges and universities full control over their resident Confucius Institutes and restore freedom of thought on their campuses.

“In 2020, Sen. Marsha Blackburn, R-Tenn., introduced a similar bill. Sen. Marco Rubio, R-Fla., one of that bill’s co-sponsors, said, “For far too long, the Communist Chinese government has attempted to infiltrate American universities through the disguise of the government-run Confucius Institute.”

The bill approved by the Senate on Thursday, S-590, would cut federal funding to universities and colleges that have Confucius Institutes on campus that don’t comply with new oversight rules and regulations.

The bill will next be sent to the House for consideration.

To read the full article: <https://www.cnbc.com/2021/03/05/us-senate-approves-bill-against-china-funded-confucius-institutes.html>



## Universities Beware: Export Controls May Be Broader Than You Think

*Megan Gajewski Barnhill, Susan Kovarovics, Jennifer Kies Mammen, Brett Orren, Bryan Cave Leighton Paisner / 02/09/21*

On February 2, 2021, the Bureau of Industry and Security (BIS) of the U.S. Department of Commerce announced a settlement with Princeton University to resolve alleged violations of the Export Administration Regulations (EAR) in connection with the unlicensed export of various strains and recombinants of animal pathogens to other research institutions. This settlement highlights the need for research institutions to understand how export control laws apply to their activities and implement plans tailored to their particular risks under export control laws.

As most universities and other research institutions have come to appreciate, the fundamental research exclusion does not mean that all of their activities are excluded from the restrictions of U.S. export control laws and regulations. Similarly, many such institutions and their researchers appreciate that tangible items are subject to U.S. export controls and may require an export authorization when provided to other parties, including other researchers at similar institutions, in other countries.

To read the full article: <https://www.jdsupra.com/legalnews/universities-beware-export-controls-may-3199575/>

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