



*Accelerator-Driven Sub-Critical Systems and  
Thorium Utilization Workshop:  
Compliance with US Export and Foreign Assistance Laws*

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# US Export and Foreign Assistance Laws

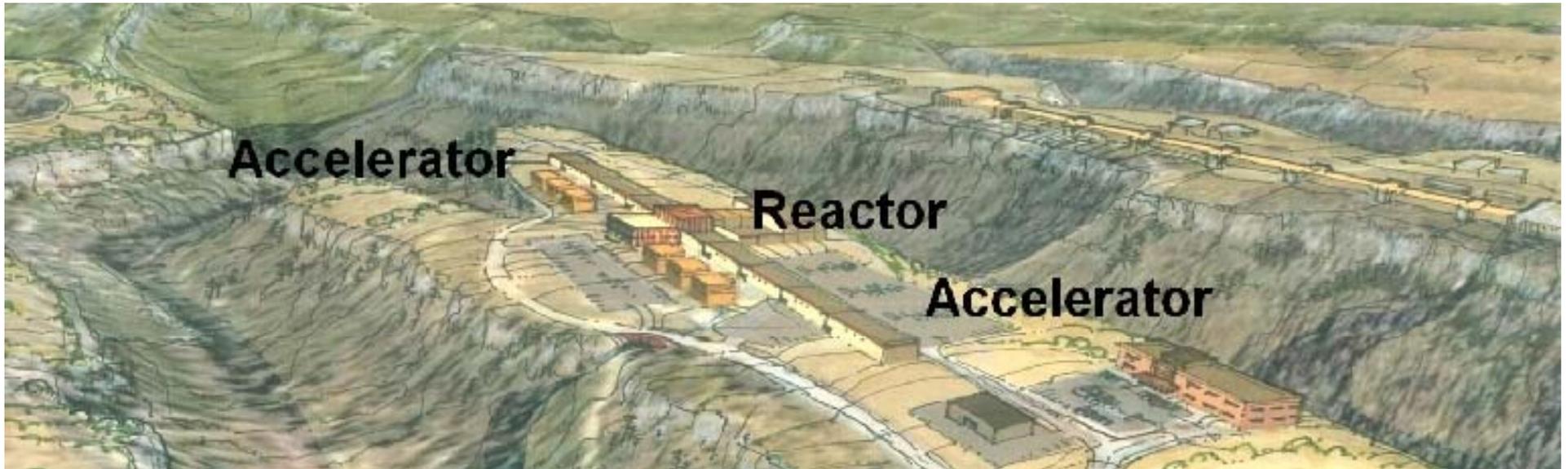
The following US laws regulate release of technology and technical assistance to foreign persons, directly or indirectly, related to production of special nuclear materials:

## Export Administration Act

Export Administration Regulations (15 CFR 730-774)

## Atomic Energy Act

Assistance to Foreign Atomic Energy Activities Regulations  
(10 CFR 810)



Regulated technology and technical assistance include but are not limited to:

- Accelerator Systems
- Fast spectrum and thorium-based systems
- Thermal spectrum systems



# US Export and Foreign Assistance Laws

The scope of these laws can include technical discussions, training, and other activities *in the United States or abroad*

*Licenses or other U.S. government authorizations may be required for activities outside of open meetings and exchanges of information other than public domain information*



## Open Meeting

To comply with US export and foreign assistance regulations:

***The scope and intent of this workshop is for fundamental science where the attendance is open and materials may be published in electronic or printed format without restriction except for standard copyright provisions. Export controlled, proprietary and other sensitive materials will not be included in the workshop.***

September 27, 2010



## Public information does not include:

- **Proprietary information**
- **Sensitive Nuclear Technology**
- **Export controlled information**
- **Information with restrictive markings other than copyright provisions**



## Office of Export and Secure Research Compliance

# Questions?!

[www.oesrc.researchcompliance.vt.edu](http://www.oesrc.researchcompliance.vt.edu)

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# Restricted Data (10 CFR 810.3)

- Restricted Data means all data concerning (1) design, manufacture or utilization of atomic weapons; (2) the production of special nuclear material; or (3) the use of special nuclear material in the production of energy, but shall not include data declassified or removed from the Restricted Data category pursuant to section 142 of the Atomic Energy Act.



# Sensitive Nuclear Technology (10 CFR 810.3)

- Sensitive nuclear technology means any information (including information incorporated in a production or utilization facility or important component part thereof) which is not available to the public [see definition of "public information"] which is important to the design, construction, fabrication, operation, or maintenance of a uranium enrichment or nuclear fuel reprocessing facility or a facility for the production of heavy water, but shall not include Restricted Data controlled pursuant to Chapter 12 of the Atomic Energy Act. The information may take a tangible form such as a model, prototype, blueprint, or operation manual or an intangible form such as technical services.



# Publicly Available Information (15 CFR 734.3)

Publicly available technology and software, except software controlled for “EI” reasons under ECCN 5D002 on the Commerce Control List and mass market encryption software with symmetric key length exceeding 64-bits controlled under ECCN 5D992, that:

- (i) Are already published or will be published as described in § 734.7 of this part;
- (ii) Arise during, or result from, fundamental research, as described in § 734.8 of this part;
- (iii) Are educational, as described in § 734.9 of this part;
- (iv) Are included in certain patent applications, as described in § 734.10 of this part.