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managed by Brookhaven Science Associates
for the U.S. Department of Energy

date: June 3rd, 2022

to: Photon Science Division Staff

from: John Hill

cc: Teresa Daniels

subject: NSLS-II User Access for National Security, Space Agencies and Defense Mission Related Research

Memo

As you know, BSA is actively implementing controls to ensure compliance with U.S. export regulations, including the receipt of EAR- and ITAR-controlled samples and technical data/technology.

In support of these compliance activities, NSLS-II requires that NSLS-II staff, joint appointees, users, or guests not supply, transmit, or ship anything related to national security, space, or defence research missions – including but not limited to samples, equipment, defence articles, technology, technical data, software, or any other item (“Items”), whether under an existing agreement, e.g., Interagency Agreement or User Agreement, or outside of such an agreement – to NSLS-II without:

- 1) Notifying me, John Hill, NSLS-II Facility Director, in advance and in writing of the proposal and of the applicable export jurisdiction and classification of the Items, and copying Teresa Daniels, on such notification; and
- 2) Identifying all staff, guests or users who may be involved with the work, including, but not limited to receipt of data from any approved work; and
- 3) Receiving written approval to proceed from me in response to the written notification. This requirement is applicable to proposals that already are approved for NSLS-II beamtime in the upcoming cycle, as well as for any feasibility testing. **All beamline staff are instructed not to proceed with any such work without direct confirmation by Teresa or me.**

Such research requires a detailed risk assessment to determine whether it can be approved for research utilizing authorized systems, policies, processes, procedures, and controls established at the NSLS-II.

The foregoing will be incorporated into the NSLS II proposal application process (i.e. PASS). NSLS-II is developing new screening questions for such research for the PASS system and is updating the User Access Policy. Additionally, such research may require a security plan that will require a longer review and approval process.

These steps are important to help ensure continued compliance with the U.S. export controls.

Should you require additional information, please feel free to contact me at x3736 or Teresa at x7504.