

STEREO Export and Import Compliance

JHU/APL Status

Cheryl L. B. Reed

JHU/APL

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STEREO International Participation is Extensive

- Non-domestic principle and co-investigators
- Non-domestic hardware contributions
- Non-domestic procurement of select flight hardware

STEREO Export and Import of Technical Data, Defense Articles, and Defense Services

- Largely public domain technical data
- Largely import of technical data and defense articles to U.S. by non-domestic team members
- Non-domestic team members do need access to some export controlled data and technology at the “detailed” design level, e.g., spacecraft and related systems
- Exchange will generally occur through access to data on the project web site, during working group meetings, design reviews, integration and test, launch operations
- STEREO will comply with U.S. export laws and regulations as required (Phase B, C/D)
- Throughout project life there will be an active review process to separate export controlled information from public domain information for compliance

STEREO Export and Import Approach and Status

- Phase A - Concept Study
 - ◆ Public domain (fundamental research in science and engineering at accredited higher learning institutions), and information commonly taught at educational institutions (ITAR exemption 120.10 (5) and 120.11 (8))
- Phase B - Design Definition:
- Phase B - “Early stages”:
 - ◆ “Formalize” international participation plans by SRR/CoDR
 - ◆ Public domain (fundamental research in science and engineering at accredited higher learning institutions), and information commonly taught at educational institutions (ITAR exemption 120.10 (5) and 120.11 (8))
 - ◆ ITAR Exemption of General Applicability Applies up to the disclosure of design “details” (ITAR exemption 125.4 (b)(3):
 - ✦ Allows technical data to be exported by a contractor in furtherance of a contract between contractor and U.S. government, if the contract provides for this, and if “details” of design, development, production are not disclosed, i.e., NASA Letters of Agreement (LOAs) with foreign entities. LOAs must be included in prime contractor implementation contracts by reference - Draft and final versions
 - ◆ Prepare and apply for TAAs - to cover entire program activities (will not cover physical transfers of hardware or data products)
- Phase B - “Later stages”:
 - ◆ Place TAAs at least 6 months prior to PDR for disclosure of “design details”, technical data and access to technology

STEREO Export and Import Approach and Status

- Phase C/D - Design and Development
 - ◆ TAAs in place
 - ◆ Apply for hardware import and export licenses, as required at least 6 months before need date
 - Phase E - On-Orbit Operations and Data Collection
 - ◆ No licensing required for scientific data products, public domain
 - ◆ Amend TAAs for transfer of other data products, e.g., spacecraft health and status
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- Emergency fall-back position in event TAAs are delayed and impact milestone schedule, for later Phase B & C/D:
 - ◆ Design “details” may be allowable for disclosure, pursuant to a Government international agreement if the transfer directly implements the international agreement - exemption required in writing from ODTC with Government sponsor endorsement - (ITAR exemption 125.4 (b) (11))