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

Memo

Date: January 14, 2025

To: NSLS-II Users

From: Elke Arenholz

Elke Arenholz

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

Brookhaven Science Associates, LLC (BSA) manages Brookhaven National Laboratory (BNL) on behalf of the U.S. Department of Energy (DOE). BNL staff are entrusted by DOE on the nation's behalf to safely build and operate facilities that house unique tools used by interdisciplinary teams comprised of researchers from BNL as well as those from other national labs, academia, and industry. Knowing who we collaborate with, understanding what export and import requirements impact our research, and integrating global trade compliance requirements into everyday activity at BNL is critical to ensuring the missions of DOE's Office of Science. In addition, having this awareness helps us operate in full compliance with all U.S. trade regulations in an ever-changing geopolitical environment.

As you know, BSA implements controls to ensure compliance with U.S. export regulations, including the receipt of Export Administration Regulations (EAR)- and International Traffic in Arms Regulations (ITAR)-controlled samples and technical data/technology. In support of these important activities, NSLS-II requires that NSLS-II staff, joint appointees, users, or guests not supply, transmit, or ship controlled items related to national security, intelligence, 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, Elke Arenholz (earenholz@bnl.gov), 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 (teresa@bnl.gov), 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 written 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 research screening questions incorporated into the NSLS II proposal application process (i.e. PASS) are used to determine if there are any export control risks associated with a proposal and/or sample material; setting security requirements for future allocated beamtime may require a longer review and approval process as well as additional controls and security plan.

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 earenholz@bnl.gov or Teresa at teresa@bnl.gov.