Export Control of VPN Software and Authentication Tokens Used at UCAR

Introduction

UCAR uses VPN Client software (“software”), which it has procured from Cisco. For export control purposes, this software is classified in the U.S. Department of Commerce (DOC) Export Administration Regulations (EAR) under ECCN 5D002.c.1. This means that, because the underlying source code contains a strong level of cryptography, the U.S. Department of Commerce controls outbound exports of this software to recipients (individuals or institutions) located in five countries specifically controlled for Anti-terrorism (“AT”) reasons: Cuba, Iran, Syria, North Korea and Sudan. In addition, the Office of Foreign Assets Control (OFAC) places a parallel restriction on exporting U.S.-made products to these AT-controlled countries. Similarly, authentication tokens such as Yubikeys are controlled under ECCN 5A992 and should not be exported to the 5 AT countries of Cuba, Iran, Syria, North Korea, and Sudan.

Re-export of VPN Client software and authentication tokens by any person to Cuba, Iran, Syria, North Korea, or Sudan is strictly prohibited.

Following is the appropriate level of due diligence that UCAR will apply to comply with the export control regulations.

Guidance

Upon receiving a request for the VPN client software or authentication token, and after verifying through Visual Compliance that the recipient is not on any restricted list (screening is required for delivery of VPN client and tokens outside the USA), UCAR can, at its sole discretion, issue tokens or VPN client software along with a statement that re-export of tokens or VPN client software to the five AT-controlled countries (Cuba, Iran, Syria, North Korea, and Sudan) is prohibited. There is no need to determine citizenship as a part of the process. There is no need to re-screen for upgrades. Screening documentation is maintained within Visual Compliance; there is no export compliance documentation requirement for sysadmins.

Process

A request for a token or VPN access is received
When delivery is outside the USA, screen against restricted lists through Visual Compliance

If there is a match, VPN or token cannot be issued
If there is no match, VPN or token can be issued

Issue token or VPN client software along with the statement, “Acceptance of this VPN client software or token constitutes an understanding that the software or token is export controlled such that re-export to Cuba, Iran, Syria, North Korea, or Sudan is strictly prohibited.”