Export Controls

BASICS

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What are Export Controls?

• Laws that control and restrict the release of equipment, chemical and biological materials, information, technical data, software, source code, and services to foreign persons or countries.

• Purpose of restrictions is to protect U.S. national security and promote U.S. foreign policy, anti-terrorism, and non-proliferation interests.
What’s an Export?

• The transfer of controlled goods, technology, software/source code, or assistance to a foreign person either outside or inside the United States

• Exports can occur through:
  – Shipping items to other countries
  – Visual inspection of ITAR-controlled equipment or data
  – Emails
  – Phone calls or in-person conversations
  – Presenting controlled information at conferences
  – Hand-carrying controlled items during international travel
Applicable Regulations

- **International Traffic in Arms Regulations (ITAR)**
  - Administered by the Department of State
  - Control technologies with military and space applications
- **Export Administration Regulations (EAR)**
  - Administered by the Department of Commerce
  - Control civil and dual-use (both military and civilian applications) technologies
- **OFAC Regulations**
  - Administered by the Office of Foreign Assets Control (Department of Treasury)
  - Control fiscal and trade transactions, travel, and other activities with sanctioned countries
Prohibited Activities

• Export of controlled goods, technology, or software/source code without a license or other authorization to prohibited destinations, end-users, or end-uses

• Certain activities with, or some travel to, U.S. sanctioned countries
  - Cuba
  - North Korea
  - Syria
  - Iran
  - Sudan

*And others with fewer sanctions
Which Technologies are Controlled?

• Items and information specifically listed on the United States Munitions List (USML) or the Commerce Control List (CCL)

• In general, items, information, and software related to the following areas may be controlled: (*Not All-Inclusive List*)

<table>
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<tr>
<th>Missiles, Rockets, Bombs</th>
<th>Materials Technology</th>
<th>Remote Sensing, Imaging, Reconnaissance</th>
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<tr>
<td>Navigation Systems</td>
<td>Space Related Technology</td>
<td>Astronomical Instrument Design</td>
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<tr>
<td>Circuits (MMIC, HEMT, Radiation Hardened)</td>
<td>Robotics</td>
<td>Autonomous Vehicles</td>
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<td>Telecommunications / Networking</td>
<td>Sensors and Sensor Technology</td>
<td>Nuclear Technology</td>
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<td>Optics</td>
<td>Laser and Directed Energy Systems</td>
<td>Information Security/Encryption</td>
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<td>Infrared Technology</td>
<td>Armor</td>
<td>Radar</td>
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Fundamental Research Exclusion

• Basic and applied research, AND
• At an accredited institution of higher learning in the U.S., AND
• Research results are ordinarily published and shared broadly within the scientific community
• No Foreign National Restrictions

As long as these conditions are met, the results of the research are not subject to the ITAR or EAR even if the research’s subject area appears on the USML or CCL
Travel & Conferences

• In general, travel to most countries and bringing typical/usual items with you will not require a license (e.g., standard laptop, cell phone, personal items)

• Caution: Comprehensively Embargoed Countries (Cuba, Iran, North Korea, Sudan, Syria)

• Caution: Hand-Carry or Shipping Special Equipment (e.g., infrared camera)

• Caution: Do not present or discuss any controlled information, even at domestic conferences
Visitors & International Collaborations

• Two main concerns: (1) access to ITAR or EAR information and (2) working with denied parties

• Foreign partners in U.S. on valid Visa may participate in any work within the scope of the Visa
  – But, still cannot access certain controlled equipment and information without a license or exemption
Visitors & International Collaborations

• The U.S. government has identified certain persons and entities with whom exports and collaborations are either prohibited or require special approval → **Denied Parties**

• Before you host an international visitor in your lab or begin an international collaboration, request restricted party screening from Division of Research Compliance
Export Control Compliance at UF

- DSP & DRC Grants/Contracts Review
  - Identify red flags
  - If controlled, develop TCP
  - Apply for licenses for foreign persons
- Review International MTAs, High-Risk OTL Disclosures
- Assist with approvals for travel to and hosting visitors from embargoed countries
- Obtain licenses or perform exception approval for exports of controlled equipment and technology
- Provide export control training
Contact Information

- Division of Research Compliance
  352-294-1632 or compliance@research.ufl.edu

- [http://research.ufl.edu/faculty-and-staff/research-compliance/export-controls.html](http://research.ufl.edu/faculty-and-staff/research-compliance/export-controls.html)