

Export Control

What is Export Control?

The U.S. government regulates the transfer of information, commodities, technology, and software considered to be strategically important to the U.S. in the interest of national security, economic and/or foreign policy concerns. There is a complicated network of federal agencies and inter-related regulations that govern exports collectively referred to as “Export Controls.” In brief, Export Controls regulate the shipment or transfer, by whatever means, of controlled items, software, technology, or services out of U.S. (termed an “Export”). Perhaps of even more consequence to The Research Institute, is that the government also restricts the release of certain information to foreign nationals here in the U.S. (referred to as a “Deemed Export”). Export Controls have the potential to severely limit the research opportunities of university faculty and their students and staff, as well as to prevent international collaboration in certain research areas. Non-compliance with export controls can result in severe monetary and criminal penalties against both an individual as well as the university, and can result in the loss of research contracts, governmental funding, and the ability to export items.

What do Research Institute personnel need to do?

In order to ensure compliance with export controls, it is critically important for research personnel to identify when their activities may trigger export controls. When export controls apply, individuals must take the appropriate steps to obtain any required governmental licenses, monitor and control access to restricted information, and safeguard all controlled materials.

What kinds of activities might trigger export control issues?

Research in export restricted science and engineering areas – examples include:

- Military or Defense Articles and Services
- High Performance Computing
- Dual Use Technologies (technologies with both a military and commercial application)
- Encryption Technology
- Missiles & Missile Technology
- Chemical/Biological Weapons
- Nuclear Technology
- Select Agents & Toxins (see [Select Agent/Toxin list](#))
- Space Technology & Satellites
- Medical Lasers

Traveling overseas with high tech equipment, confidential, unpublished, or proprietary information or data – Traveling with certain types of high tech equipment including but not limited to advanced GPS units, scientific equipment, or with controlled, proprietary or

unpublished data in any format may require an export license depending on your travel destination. See [International Travel](#) for more information.

Traveling with laptop computers, web-enabled cell phones and other personal equipment – Laptop computers, web-enabled cell phones, and other electronics containing encryption hardware or software and/or proprietary software can require an export license to certain destinations. In general, an export license will be required to take any items to or through any U.S. sanctioned country (e.g., Iran, Syria, Cuba, Sudan, and North Korea).

Use of 3rd Party Export Controlled Technology or Information – The Research Institute activities involving the use of export controlled information, items, or technology received from outside the university are not protected under the [Fundamental Research Exclusion](#) and all research involving the use of export restricted technology is subject to all export controls. For help in determining export control issues see [Incoming Export Control Information Questionnaire](#).

Sponsored research containing contractual restrictions on publication or dissemination – The vast majority of research done at The Research Institute is shielded from export controls under the [Fundamental Research Exclusion](#). However, this protection is lost whenever the university or the researcher agrees to allow any restrictions on the publication, dissemination, or access to the research by foreign nationals.

Shipping or Taking Items Overseas – The Research Institute activities that involve the transfer of project information, equipment, materials, or technology out of the U.S. by whatever means will be subject to export controls and may require export license(s) depending on the item, destination, recipient, and end-use.

Providing Financial Support/International Financial Transactions – The Research Institute activities that involve the international payment of funds to non-U.S. persons abroad need to be verified to ensure that the university is not inadvertently providing financial assistance to a blocked or sanctioned entity. Examples include providing support via a subcontract to a non-U.S. university or providing payments to research subjects in other countries. Contact Jaclyn Rohaly if your activity involves payment to persons or organizations outside the U.S.

International Collaborations & Presentations – The Research Institute activities that involve foreign national faculty, students, staff, visiting foreign scientists or collaborator(s), or other foreign entities (e.g., non-U.S. company, university or other organization) or research that will include travel to international conferences to present unpublished results may be subject to export controls especially if any of the foreign nationals are from embargoed or sanctioned countries. See [International Collaborations](#) for more information.

International Field Work – Research projects where any part of the research will take place outside the U.S. (e.g., field work outside the U.S.) may not qualify under the [Fundamental Research Exclusion](#) and may be subject to export controls. For help in determining potential export control issues see the [International Research Export Control Questionnaire](#).

International Consulting – Providing professional consulting services overseas, especially to embargoed or sanctioned countries (e.g., Iran, Syria, Cuba, Sudan and North Korea) is, in most cases, strictly prohibited.

This document has been designed to help you understand and comply with the export control regulations. Information on various export control topics can be found by clicking on links within the document.

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