

Export Controls Basics – Q&A

What are “Export Controls”?

The term “export controls” refers to regulations administered by three different federal agencies that set restrictions on the types of information and technology that can be shared with (i.e. “exported” to) foreign nationals and shipment of controlled physical items such as scientific equipment.

How do these regulations apply to university activities?

The good news is most university activities fall under exemptions such as the “fundamental research” exemption, the “public domain” exemption and the “teaching” exemption. Other activities such as taking a laptop out of the country, certain interactions with foreign nationals, or shipping controlled items may require licenses or special exclusions. If a researcher accepts a clause on a contract that restricts how the results can be distributed or who can work on the project, export control regulations may also apply.

Why are we dealing with this now?

The export control laws have existed since the 1940’s but have had increased attention since 9/11. Universities around the country are at different levels of implementing export control policies at their institutions. UNC-GA has instructed all campuses to develop plans for dealing with the export control regulations. Some campuses already have websites and policies (see NCState’s website <http://www.ncsu.edu/sparcs/export/index.html>) while others are just beginning the process.

What happens if we do nothing?

Educating our faculty and staff is the best protection against violations. Penalties for violations can be more than six figures and include jail time. These are assessed against the individual, and the university could be penalized as well by being barred from accepting federal funding.

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