



Export Control and Trade Sanctions Concerns for International Projects

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What constitutes an export?

Any release of controlled technology, data, software or other item to a foreign national. Such release is **deemed** to be an export to the home country or countries of the foreign national, even if the person is currently residing in the United States. This rule does not apply to persons lawfully admitted for permanent residence in the United States.



What are export controls?

- A group of laws and regulations that restrict ability to freely send or share certain goods, technology or information outside the U.S. or with non-U.S. nationals inside the U.S.
- These laws are intended to promote U.S. national security and other policy goals
- They have broad extra-territorial reach
- Violations carry significant penalties, fines and both University and individual liability



Export control concerns for international travel

- Traveling abroad with high tech equipment or with controlled, unpublished, or confidential information/data
- Traveling abroad with laptop computers, cell phones or other equipment
- Shipping Items Overseas



What are trade sanctions?

- The Office of Foreign Assets Control ("OFAC") of the **U.S. Dept. of the Treasury** enforces economic and trade sanctions based on foreign policy, economic and national security goals. OFAC blocks interaction with terrorists, international narcotics traffickers and weapons violators, among others, as well as denying dealings with certain foreign entities.

(Partial list of sanctioned countries: Balkans, Burma, Cuba, Iran, North Korea, Sudan, Syria, Zimbabwe)



Trade Sanctions concerns for international travel/support

- Financial support via subcontracts
- In-country Payments/purchases
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Licenses?

- In certain situations, the University may elect to apply for a license for export but:
 - They take time (months)
 - They can be expensive
 - They can be turned down

Fundamental Research

Fundamental research is basic or applied research at an accredited institution of higher learning in the U.S. where the resulting information is not restricted in the form or content of its release to the public and is ordinarily published and shared broadly in the scientific community.





Publication & Fundamental Research

The fundamental research exclusion does not in general extend to the for-profit sector (export controls sometimes flow down to a university as a subcontractor when the for profit, as prime contractor, is required to accept the controls).

The fundamental research exclusion does not extend to research performed outside the University even if the research is fundamental at MSU.



Export Control Worksheet

- May be found at: <http://forms.exportcontrols.msu.edu>
- May be filled out at proposal stage or at the award stage.
- PI signs, dean/associate dean/chair signs (unit preference), forward to Office of Sponsored Projects.
- OSP signs on contract terms, forwards to ECTS for review and signature.



Some other thoughts

- MSU has a site license to “Visual Compliance” - searchable listings of items on the ITAR and EAR lists and restricted parties (please contact ECTS for an ID).
- MSU has a site license to online export control training through CITI (access information may be found at <http://exportcontrols.msu.edu/training>).



Contact Export Control and Trade Sanctions at:

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Thank You!
(Questions?)