

Export Controls - International Travel & Activities

Federal Export Laws and Regulations

Federal regulations and sanctions promulgated and enforced by various federal agencies ¹ prohibit the unlicensed export of specific technologies and items and payments to certain entities and individuals for reasons of national security or protection of trade. Most research conducted on U.S. university campuses is considered Fundamental Research and is excluded from these regulations. However, some university activities or research may require **prior** government authorization (e.g., working with certain export-controlled technologies; transactions and exchanges with designated countries; and collaborating with non-U.S. citizens or entities). The consequences of violating these regulations can be severe - ranging from loss of research contracts to monetary and criminal penalties for the individual and/or organization.

Travel Outside the United States

Travel outside the United States can trigger the need for a **federally-issued** license(s), depending on the proposed destination, what you plan on taking with you, the nature of the project associated with the travel, and whom you will be working with. The following should be considered prior to travel:

- Laptops, software, and other equipment should be vetted prior to travel for possible export licensing issues (this includes but is not limited to hardware, equipment, technology, technical data, schematics, blueprints or other project-related information, and encryption capabilities).
- Presentations to be given at a conference or meeting should be vetted for possible export control issues, including any accompanying materials or handouts.
- *In some cases* it is possible to use a license exception in lieu of a license.
- If a license or license exception is required, it must be in place **prior to** travel. If an exception is not applicable and a license is required, a license can take up to eight weeks to process once submitted. Thus, **planning is essential**.
- If the data or item is ITAR controlled, there is a policy of denial to export or take items to certain countries (e.g., China, Cuba, Iran, Iraq, Russia, Somalia, Syria, and Venezuela).

¹ Department of Commerce, Bureau of Industry and Security (BIS) administers the Export Administration Regulations (EAR) commonly associated with the regulation of dual-use commodities contained on the Commerce Control List (CCL).

Department of State, Directorate of Defense Trade Controls (DDTC) enforces the International Traffic in Arms Regulations (ITAR) regulating the export of military and space technologies contained on the United States Munitions List (USML).

Department of Treasury, Office of Foreign Asset Control (OFAC) oversees U.S. embargoes and economic sanctions on various foreign countries.

- The University of Arizona will **NOT** apply for an export license if the data, equipment, software, or information is ITAR controlled and is intended for export to a proscribed country or person.
- Agencies, entities, and individuals you will be collaborating with should be screened through Visual Compliance prior to travel to determine if they are on a “denied” list. A federal license would be required and could, in fact, be denied.
- All licenses and license exceptions will be processed by the University Export Control Program (UECP) staff in collaboration with the PI/employee requesting the license.

The OFAC Regulations

The purpose of the OFAC regulations is to enforce embargoes and economic sanctions. In general, the OFAC regulations prohibit exports to certain sanctioned/embargoed countries such as Iran, Cuba, Sudan, North Korea, and Syria. **OFAC considers providing anything of value or a service to Iran or the government of Iran would require prior government approval.** For example, giving a professional presentation, whether it contains materials controlled under ITAR or EAR, is deemed under OFAC to be a “service” and “something of value” provided to the recipient audience.

In addition to the points listed above there are other considerations which vary by country:

- Attending a conference in Iran (OFAC considers this to be an “import”) or speaking at a conference in Iran (providing a service or something of value) requires a license. An OFAC license for Iran generally takes six to nine months (or longer) to process once submitted.
- Any technical discussions, *formal or informal, could* require a license and would be prohibited **prior to** the receipt of the necessary license(s).
- Travel to Cuba has special considerations. For information on Cuba travel, see <http://www.treasury.gov/resource-center/sanctions/Programs/Pages/cuba.aspx>.
- The University of Arizona will **NOT** apply for an OFAC License for activities in Syria - no University travel to Syria will be approved. Travel to Iran will be approved on a case-by-case basis and only upon receipt of any required OFAC or other government licenses.
- If an employee travels to any sanctioned country on their own time, **the individual may not take or send anything university-owned** such as equipment, software, technology, or data, or represent the university in any capacity.

University Export Control Program

export@arizona.edu

<https://rgw.arizona.edu/compliance/export-control-program>