**PENALTIES FOR NON-COMPLIANCE**

What are the penalties for non-compliance?
Violations of export control laws can result in severe criminal (prison) and civil (fines to $1M) penalties for the investigators involved. Additionally, the University can be fined and lose export and government contracting privileges.

**PENALTIES FOR NON-COMPLIANCE**

Where do I go for help?
Contact the Office of Research Integrity and Assurance staff. Export Compliance Specialists are available to assist with export compliance issues.

**REPORTING VIOLATIONS**

What should I do if I suspect there has been a compliance issue?
Violations of export control laws can result in severe criminal (prison) and civil (fines to $1M) penalties for the investigators involved. Additionally, the University can be fined and lose export and government contracting privileges.

**CONTACTS FOR EXPORT CONTROL**

Research.Integrity@asu.edu
480-965-6788

Arizona State University Export Controls
http://researchintegrity.asu.edu/security

Bureau of Industry & Security
http://www.bis.doc.gov/about/index.htm

Directorate of Defense Trade Controls
http://www.pmddtc.state.gov/

Office of Foreign Assets Controls
http://www.ustreas.gov/offices/enforcement/ofac/

http://researchintegrity.asu.edu
It is the policy of the University that research, instruction, and public service will be accomplished openly and without prohibitions on the publication and dissemination of the results of academic and research activities to the fullest extent permitted by law. However, while research in a university setting generally is, and normally can be conducted openly and without restrictions, we recognize that there are certain conditions under which the export of information or technology is either prohibited by law, or requires a license from the U.S. Government. Thus, it is also the policy of the University to comply with all United States export control laws and regulations, including those implemented by the Department of Commerce through its Export Administration Regulations; by the Department of State through its International Traffic in Arms Regulations; and embargo regulations imposed by the U.S. Treasury Department through its Office of Foreign Assets Control.

WHAT ARE EXPORT REGULATIONS AND WHERE DO THEY COME FROM?

Export regulations control the transfer of items and technology to foreign nationals in the US and abroad. ITAR covers items that are inherently military in nature. These regulations are administered by the Department of State and contain the U.S. Munitions List, which delineates the types of items and technology controlled. EAR covers “dual-use items”, which can be used for either a military or civil purpose. These regulations are administered by the Department of Commerce and contain the Commerce Control List, which delineates the types of items and technology controlled by the regulations. In addition, other agencies also control exports such as the U.S. Department of Treasury’s Office of Foreign Assets Control (“OFAC”), which administers and enforces economic and trade sanctions.

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<td>Arms Export Control Act (AECA)</td>
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<td>U.S. Department of State, Bureau of Political Military Affairs, Center for Defense Trade, Directorate of Defense Trade Controls (DTTC)</td>
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<td>U.S. Munitions list (USML)</td>
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WHAT DO UNIVERSITIES EXPORT?

University researchers mostly export information and knowledge. Under the export regulations, the transfer of technology or technical data is considered an export even when it occurs inside the U.S. to foreign nationals (deemed exports). Because universities are diverse and open and encourage collaborative environments, there are many avenues for exports. However, more information in the university environment is considered within the public domain and is therefore not subject to the regulations. However, exporting items like samples, prototypes, and material are always considered an export and are subject to the regulations that may require a license. Export controls become a concern when researchers and staff work on projects that are considered controlled or have publication restrictions that include foreign persons or foreign collaborators.

WHY ARE EXPORT CONTROLS NECESSARY?

Although federal laws restricting exports of goods and technology have been in existence since the 1940’s, the federal government has increased its scrutiny of export control compliance by colleges and universities due to concerns about unauthorized releases of technology to U.S. economic competitors, homeland security, proliferation of weapons of mass destruction, and terrorism. Export control regulations cover shipments of controlled physical items, such as scientific samples, materials, and equipment that may require export licenses from the United States to a foreign country as well as transfers of controlled information, including technical data. The university must also comply with federal regulations when faculty and students travel to certain sanctioned or embargoed countries for purposes of teaching or performing research.