

# RCR Summer Seminar Series

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Export Control Overview  
Including an overview of Dual Use Technology

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Compliance (RISC)



# Reminders

- You must log in with UFL email in order to receive certificate credit
- Please take the survey after the class—we value your feedback
- In order to allow for free flow of ideas and questions, we will not record the session
- Slides and other materials will be sent to attendees after the class



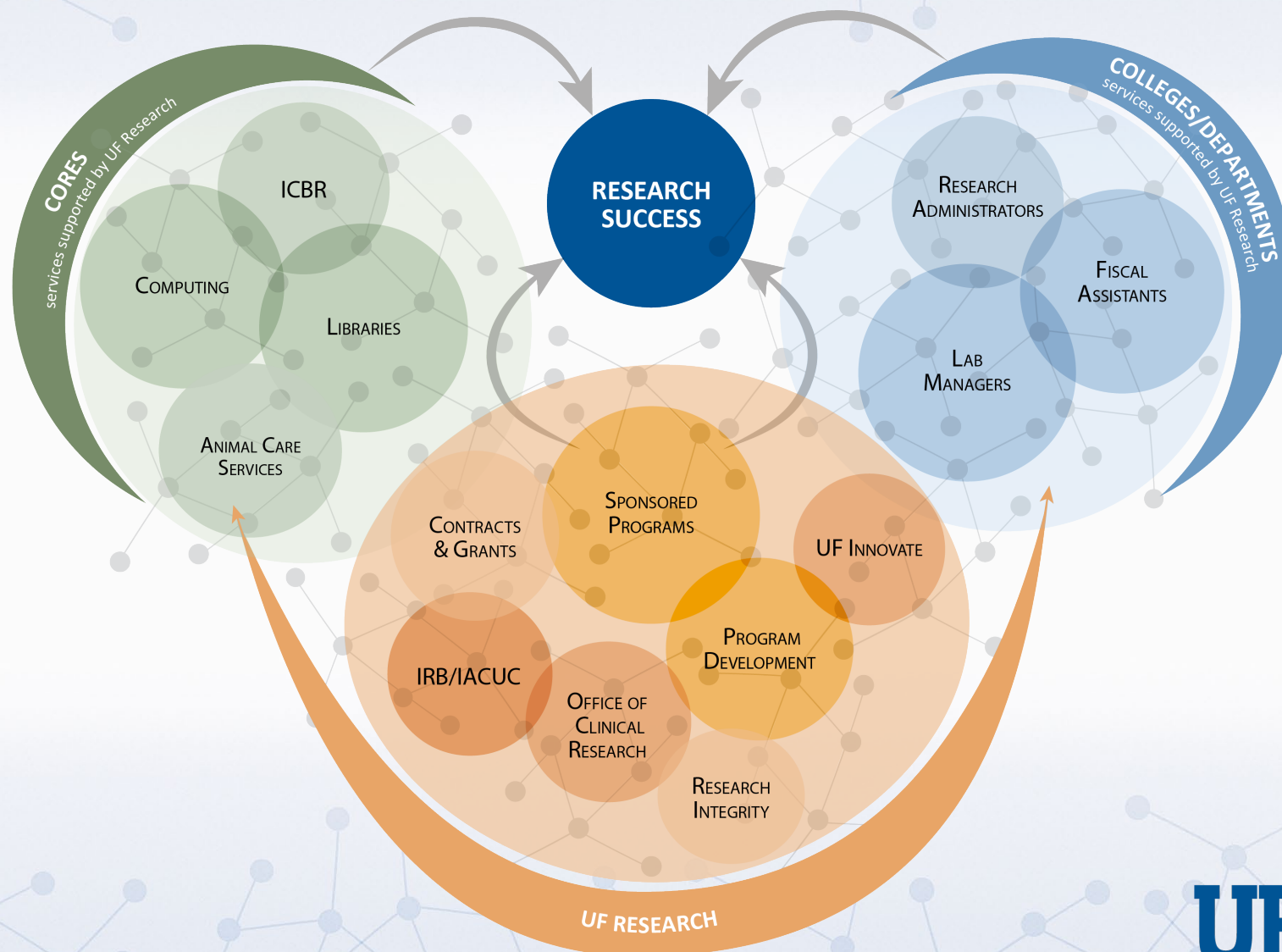


# RCR Certification

- Mentor/Mentee Relationships- Finding the Right Balance
- Collaborative Research
- Conflicts of Interest
- Data Management and Artificial Intelligence
- Compliance at UF &
- Research Misconduct Overview
- Research Misconduct: Plagiarism
- Research Misconduct: ORI: The Lab
- Ethics of Authorship
- Rigors of Peer Review
- Reproducibility & Replicability
- IRB & Informed Consent
- Export Control Overview Including an overview of Dual Use Technology
- Putting it All Together



# UF Research Enterprise





# Agenda

- Understand Export Control Basics
- Export Controls at UF
- Export Control Regulations
- Understand Key Definitions
- Dual-Use
- Important Exclusions
- Prohibited Activities
- Export Control Red Flags
- International Collaborations, Travel and Shipping
- How Export Controls Apply to RCR



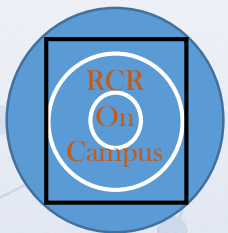
# Export Controls At A Glance

- United States Export Controls are a complex set of regulations in place to ensure national security, economic stability, prevent the proliferation of weapons of mass destruction, and further U.S. foreign policy.
- U.S. Export Control laws govern the transfer of commodities, software, and technical data (information) overseas or to a foreign national within the United States.
- Export controls primarily include three sets of regulations:
  - International Traffic in Arms Regulations (ITAR)
  - Export Administration Regulations (EAR)
  - Economic and Trade Sanctions governed by the Office of Foreign Assets Control (OFAC)



# Why Do I Need To Know About Export Controls?

- Conduct Research involving subjects or technologies listed on U.S. government controlled lists
- Research will involve exports outside of the U.S.
- Research sponsor indicates your project is controlled
- Collaborate with foreign researcher, student or entity, wherever located
- Research involves travel, imports, providing something of value, or financial transactions with sanctioned entities or countries



# POLL: Who Does Export Controls Apply to at UF?

**EVERYONE !!!**

*Every Faculty Member, Staff Member, and Student play an important roll in ensuring compliance with U.S. Export Controls at UF.*





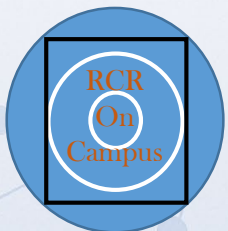
# Export Controls at the University of Florida

It is the policy of the University of Florida to comply with all federal and state laws pertaining to exports. All UF projects and programs must adhere to the [UF Export Control Policy](#) and all applicable laws.

The Export Control Officer within UF RISC serves as the institutional expert on export control laws and regulations. UF RISC is here to provide guidance to faculty, staff and students.

**Contact us anytime: 352-392-9174**

[exportcontrol@research.ufl.edu](mailto:exportcontrol@research.ufl.edu)



# Who Regulates Export Controls?

- **U.S. Department of Commerce, Bureau of Industry and Security**
  - Export Administration Regulations (EAR) Controls commercial, dual-use, and less sensitive military items
    - Controlled items are either described on the Commerce Control List (CCL) or designated "EAR99"
- **U.S. Department of State, Directorate of Defense Trade Controls**
  - International Traffic in Arms Regulations (ITAR) Controls military items
    - Controlled items are described on the U.S. Munitions List (USML)
- **U.S. Department of the Treasury Office of Foreign Assets Control**
  - Administers and enforces economic and trade sanctions
  - Comprehensively Sanctioned: Cuba, Iran, North Korea, Sudan, Syria, Crimea Region of the Ukraine
- *Note: Other agencies also have a role in limited circumstances, e.g., NRC and DOE.*



# Key Definitions

- Export – Shipment or Transmission of controlled items, technology, software or assistance to a foreign person either outside or inside of the United States.
- Export Examples –
  - Shipping items to other countries
  - Visual inspection of ITAR-controlled equipment or data
  - Emails of technical data
  - Visits
  - Phone calls or in-person conversations
  - Placing controlled information in public domain
  - Presenting at conferences
  - Hand-carrying controlled items during international travel
  - Webinar/shared screen with technical data
- “Deemed Export” – Release of “technology” or source code to a foreign person is a deemed export to the foreign person’s country of citizenship or permanent residence.





# What Do Universities Export?

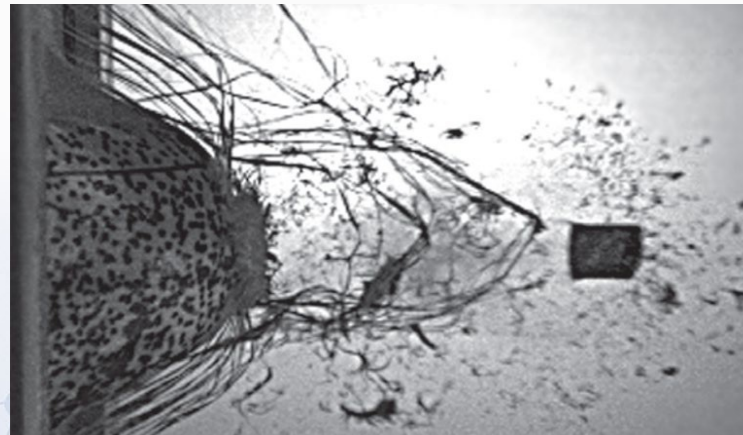
- Controlled technical data and information are the most common items university researchers export.
- Activities which may indicate additional controls are necessary:
  - International travel to sensitive countries especially when bringing any UF-owned item or data.
  - Transfer/disclosure of controlled items to a foreign national.
  - International research collaborations.
  - Participation by a foreign person on a controlled research project.
  - International shipments or temporary export of equipment, items or software.





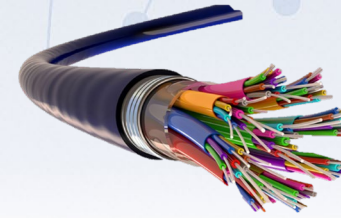
# Dual-Use

Dual-Use – BIS is responsible for regulating the export of most commercial items, often referred to as “dual-use” items, which are those having both commercial and military or proliferation applications.



# Dual-Use

- Electronics
- Computers
- Aeronautic Systems
- Energy Systems
- Software
- Optics
- Space
- Marine
- Materials
- Radar





# Dual-Use

Dual-Use Items and Technology may require a license in certain situations:

- National security
- Foreign Policy
- Short Supply
- Nuclear Non-Proliferation
- Missile Technology
- Chemical and Biological Weapons
- Regional Stability
- Crime Control
- Terrorist Concerns



# Important Exclusions

## *Fundamental Research Exclusion*

- Basic and applied research, AND
- At an accredited institution of higher learning in the U.S., AND
- Research results are ordinarily published and shared broadly within the scientific community
- As long as these conditions are met, the results of the research are not subject to the ITAR or EAR

Fundamental Research does not apply to agreements or awards containing publication, dissemination, or nationality restrictions.





# Important Exclusions

- Public Domain Exclusion –
  - Information which is published and generally accessible to the public
  - Examples include:
    - published papers
    - Through unlimited distribution at a conference generally accessible to the public in the United States
    - information found at libraries
- Educational Information Exclusion –
  - Educational information is defined as information released through catalog classes or labs at institutions of higher learning. Educational Information is not subject to the U.S. Export Regulations.



# Export Control Red Flags

Listed Technology  
USML or CCL

Foreign Travel,  
Collaboration, or  
Sponsor

Associated  
Agreements  
NDA or MTA

Military, Space-  
related sponsors  
NASA, DoD, DoE

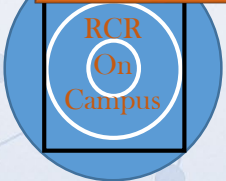
Contractual Issues  
Publication  
Restrictions

Contractual Issues  
FN/Citizenship  
Restrictions

Shipping or  
Physical Exports

Cuba, Iran, Syria,  
North Korea, Crimea  
Region, China, Russia,  
Venezuela

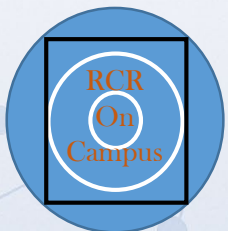
High-Risk  
Sponsors



# Why are Export Controls Important?

Export control violations can result in penalties and fines which may apply to an individual, the institution or both.

- Loss of Export Privileges
- Suspension/Debarment from Government Contracting
- Monetary Fines in excess of \$1 million per violation
- Jail time up to 20 years per violation

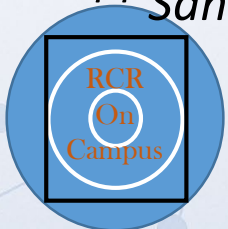




# Prohibited Activities

- Export of controlled goods, technology, or software/source code without a license or other authorization to prohibited destinations, end-users, or end-use
- Certain activities with, or some travel to, U.S. sanctioned countries (Balkans, Belarus, Burma, Burundi, Central African Republic, China, Cote d'Ivoire, Cuba, Congo, Iran, Iraq, Lebanon, Liberia, Libya, North Korea, Russia, Somalia, Syria, Crimea Region of Ukraine, Venezuela, Yemen, Zimbabwe)\*\*
- Import from, travel to and engagement with comprehensively sanctioned countries must be approved via either general or specific license.

*\*\* Sanctions regulations change frequently, call UF RISC for additional information.*





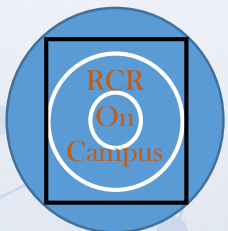
# International Collaborations and Partners

- Two main concerns: (1) access to ITAR or EAR information and (2) working with denied parties or Military End- Users
- Valid Visa holders requiring access to controlled equipment and information must have a license or exemption
- Denied Party? Request restricted party screening from UF Research Integrity
- Physical shipments of commodities, research samples, or equipment



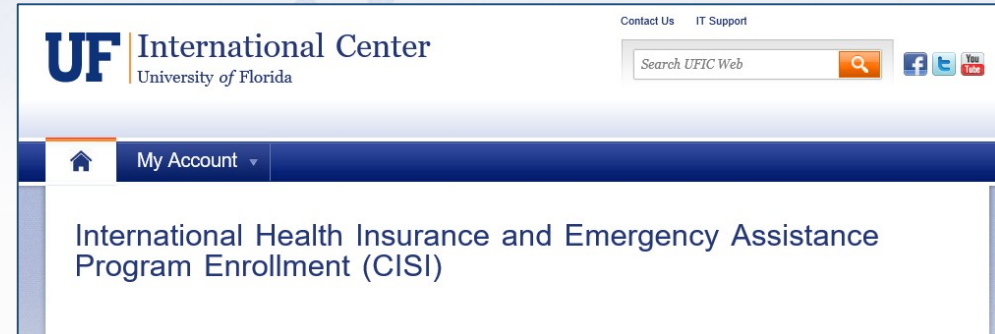
# Travel and Conferences

- Travel to most countries and bringing typical items with you will not require a license (e.g., standard laptop, cell phone, personal items)
- **Caution:** Comprehensively Embargoed Countries (Crimea Region of Ukraine, Cuba, Iran, North Korea, Syria)
- **Caution:** Countries of Concern (China, Russia, Venezuela)
- **Caution:** Hand-Carry or Shipping Special Equipment (e.g., valued >\$2500, infrared camera)
- **Caution:** Do not present or discuss any controlled information, even at domestic conferences



# Travel Reminders

- Travel Authorizations
  - myUFL
- UFIC Registration
  - <https://internationalcenter.ufl.edu/travel/online-travel-registration>
- Asset Management Registration
  - <https://myassets.fa.ufl.edu>





# International Shipping



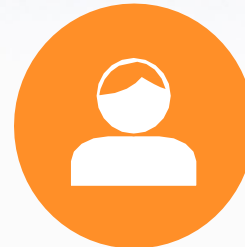
## WHAT

- What is being shipped?
- What is its Export Control Classification Number?
- What is the value of the item(s)?



## WHERE

- Where are you shipping to?
- Is the destination permissible for receipt of this item and its end use?
- Is a license required?
- Are there Import restrictions at the destination?



## WHO

- Who are you shipping to?
- Are they the ultimate end user?
- Have the individuals and their organization(s) been screened against lists for excluded parties?



## WHY

- What is the end use of the item and is the end use permissible without a License?





# Export Control Scenarios to Consider

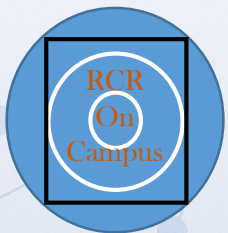
Before collaboration begins, consider the following:

- Are my collaborators on the U.S. denied entity/persons lists?
  - Contact UFRI for a restricted party screening (RPS).
- Will I travel to, import from or interact with a comprehensively sanctioned country or a country of concern?
  - Severe restrictions will apply and a license may be required in advance.
- Will foreign persons come work with me at UF or in foreign countries?
  - Contact UF RISC for a RPS and license, if needed.
- Will I present my research results at domestic or international conferences?
  - Ok as long as controlled information is not presented and not in a comprehensively embargoed country.
- Does my funding contract or grant place restrictions on publications or participation by foreign persons?
  - If yes, will nullify certain exemptions to export control laws.
- Will I ship or hand-carry anything, including data or software?
  - If controlled or \$2500 or more, may require license and Customs filing.



# What if My Project Is Export Controlled?

- Technology Control Plan (TCP) – An internal UF plan ensuring protection of export controlled articles, software, and technical data.
  - Commitment to Compliance
  - Identifies Controlled Articles and Technical Data (CATD)
  - Categorizes CATD on the USML or CCL
  - Contractual Terms
  - Defines Physical Security Requirements
  - Defines Information Technology Requirements
  - Certifications



# How Does Export Control Apply to RCR

- Export Control regulations are an important to all aspects of research.
- Shipping internationally may have requirements, no matter what your field of expertise.
- Sanctions apply to all individuals on campus who may engage with or travel to countries of concern.
- Export Controls does not only affect military research.
- While UF RISC manages the export control program, it may have implications to many aspects of UF business.





# Need Help? We Are Here!

## UF RISC

[exportcontrol@research.ufl.edu](mailto:exportcontrol@research.ufl.edu)

352-392-9174

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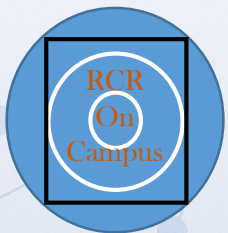
## William Bucha

Compliance Specialist  
[wbucha@ufl.edu](mailto:wbucha@ufl.edu)



# Thank you!

- Please take the survey at:  
[https://ufl.qualtrics.com/jfe/form/SV\\_1WVLQUcrykr7YFM](https://ufl.qualtrics.com/jfe/form/SV_1WVLQUcrykr7YFM)



# If You Suspect Research Misconduct...

Research Misconduct means **fabrication, falsification, or plagiarism** in proposing, performing, or reviewing research, or in reporting research results.

Questionable Research Practices are reports of **careless, irregular, or contentious research practices**, as well as authorship disputes, may not meet the standard for research misconduct but may be a research integrity violation.

Make a **confidential report** to the UF Research Integrity Officer (RIO)

**Cassandra C. Farley**  
(352) 273-3052 | [cfarley@ufl.edu](mailto:cfarley@ufl.edu)

You may also report anonymously  
UF Compliance Hotline: 877-556-5356



*Still not sure if it is Misconduct or a QRP?* The RIO can help you better understand the situation. You can speak in hypotheticals as you consider making an official allegation.

