



A Primer on U.S. Export Controls

Export Control Regulations (ECR) are a complicated body of Federal laws that govern how items, technology, and data may be exported from the U.S. or shared with foreign persons within the U.S. The primary goals of the regulations are to protect national and economic security and advance U.S. foreign policy goals. The federal agencies and departments with primary jurisdiction are listed in the table below:

Regulations	Federal Agency with Oversight	Area of Oversight
ITAR - <i>International Traffic in Arms Regulations</i>	Department of State, Directorate of Defense Trade Controls (DDTC)	Technologies with inherently military properties
EAR - <i>Export Administration Regulations</i>	Department of Commerce, Bureau of Industry & Security (BIS)	Technologies with both commercial and military applications, most commercial items, and certain military items not controlled under the ITAR
OFAC - <i>Office of Foreign Assets Control</i>	Department of the Treasury, OFAC	Prohibits transactions of value with certain countries and individuals

What University activities may raise export control issues?

- Traveling overseas with high tech equipment, confidential, unpublished, or proprietary data
- International travel/fieldwork
- International shipping (including hand-carrying equipment)
- Using 3rd party export controlled technology or information
- Sponsored research containing contractual restrictions on publications or dissemination
- Providing financial support/International financial transactions
- Hiring of foreign nationals (*including students*)
- Collaborating with foreign colleagues in the U.S. or abroad
- Hosting international visitors/scholars
- Purchasing equipment/supplies controlled by EAR/ITAR

Why comply?

Individuals as well as the University/UMS can be prosecuted for violating export controls. The penalties for violating export control regulations can include:

- High fines (up to \$1,000,000 per violation)
- Loss of import/export privileges
- Debarment or suspension from government contracting
- Seizure of items being shipped
- Imprisonment up to 10 years

Investigator Responsibilities

At a minimum, PIs must be able to recognize that an export control issue might exist and know who to contact for assistance with export compliance. More information about export controls, including access to training can be found at: <https://umaine.edu/research-compliance/export-control/>

Questions may be directed to Amanda Ashe, Director of Research Compliance, Office of Research Compliance at Amanda.Lashe@maine.edu or 581-1480.