

**OFFICE OF RESEARCH & DISCOVERY - RESEARCH PARTNERSHIP SERVICES**

**UNIVERSITY EXPORT CONTROL PROGRAM**

The University of Arizona (UA) recognizes that a critical component of its mission is supporting fundamental research as well as developing relationships and participating in the worldwide academic and business community to further the pursuit of knowledge. As a participant in such a diverse academic, research, and business community, UA is committed to complying with U.S. export controls laws and regulations that apply to its activities, including the **Department of State’s International Traffic in Arms Regulations (ITAR) - 22 CFR Parts 120-130; the Department of Commerce’s Export Administration Regulations (EAR) - 15 CFR Parts 730-774; and the Department of Treasury’s Office of Foreign Assets Control (OFAC) regulations – 31 CFR Parts 500-599**. All individuals affiliated with UA who work with, or have access to, export-controlled technical data, information, materials and equipment are required to be familiar with and fulfill the requirements of the U.S. export controls laws and regulations by following applicable UA policies and procedures.

The ITAR and EAR govern the shipment or transfer of export-controlled technical data, information, materials and equipment to destinations outside the United States, as well as the provision of access to certain export-controlled technical data, information, materials or equipment to non-U.S. persons **within** the United States (a “deemed” export). In addition, the OFAC regulations impose sanctions and embargoes on transactions or exchanges with designated countries, entities and individuals.

Penalties for export control violations are substantial, including significant fines, debarment from participation in federal contracting, loss of export privileges, and in some cases imprisonment. In addition to these severe penalties, the potential reputational damage to an institution from violation of these laws could be difficult to repair, possibly resulting in lost opportunities for attracting world-class researchers and/or decreased access to research funding through private industry and government sources.

The following are examples of how the ITAR, EAR, and OFAC can affect university research:

**Research**

Some research projects, especially those sponsored by private industry or government defense agencies, may involve the exchange of export controlled data or the use of export controlled equipment. If participating in an export controlled project, certain processes and considerations must be taken into account to remain compliant with U.S. Export Regulations and UA procedures:

* TCP (Technology Control Plan) –The purpose of the TCP is to protect export controlled equipment, software, materials, and technology / technical data from access by unauthorized personnel, which may include non-U.S. persons (an export license/exemption may be needed). TCPs must be in place before the research project can begin. All project personnel are required to take on-line export control training and receive a TCP briefing by the University Export Control Program (ECP) team prior to start of project.
* Collaboration with scientists outside the U.S. – Some research projects may involve collaboration with scientists who reside outside the U.S. and are citizens of other countries. The information to be shared must be evaluated for possible export control issues prior to the exchange of information, data, technology, software, or equipment. Prior licensing approval may be required.

* Collaboration on-campus with non-U.S. citizen visitors/scientists – Before a foreign visitor or visiting scientist is allowed access to a lab or research project, an export control evaluation

must be conducted to make sure the foreign visitor does not have access to export controlled materials, equipment, software, or technology that would require prior licensing approval.

* Shipments of items outside the U.S. - If shipping export controlled items outside the U.S. is applicable to the project, shipping must be coordinated with ECP. ITAR controlled items will require prior licensing approval from the Department of State and cannot be shipped until license is received. The ECP will apply for all export licenses.

**Note:** All sponsors, project personnel, foreign collaborators and foreign visitors are screened using Visual Compliance (a web-based screening tool) to make sure the individuals/companies are not on a denied party/entity list.

**Travel Outside the U.S.**

All UA personnel traveling internationally on UA business are required to register and complete the questionnaire within the University International Travel Registry System (<http://ua-risk.terradotta.com/>) and receive approval prior to travel. Potential export control issues must be addressed before departure. The following are some questions to consider before traveling outside the U.S.:

* What type of equipment, data or software do you plan to take with you? UA personnel should travel with a “clean” laptop and not take *any* information related to an export controlled project (an export license could be required).
* Who will you associate with or do business with during your travel? Are the entities on a denied party/entity list as determined by a Visual Compliance screening?
* Will you be providing any assistance or services applicable to an ITARcontrolled project or article? This would require prior Department of State approval in the form of a Technical Assistance Agreement.
* What country are you traveling to? **Travel to Iran, Cuba, Syria, Sudan, and North Korea are the most restrictive. Travel to and projects in Iran most likely will require an OFAC license. Although Cuba is no longer a terrorist country, OFAC and other licenses could be required.** Note: For travel to Iran, it can take up to a year to receive a license from OFAC! Licenses for Cuba take 2-6 months to receive.

**Export Control Management**

Each College and Administrative Unit has a part in managing export control compliance. Export Control Liaisons have been appointed in various units and colleges. UECP, under the Senior Vice President for Research, has institutional management and oversight of the export control compliance program. The Director of UECP has been designated as UA’s primary Empowered Official for export controls with the authority to make export controls determinations and government license submissions on behalf of the institution. More information about export controls including procedures, training, forms, and additional resources can be found at <http://orcr.arizona.edu/ec> and by contacting UECP at [export@email.arizona.edu](mailto:export@email.arizona.edu).