**Export Controls? I do not export, so how does this apply to me?**

If you participate in any of the following activities, you may potentially export:

* International travel
* Host, attend or speak at conferences
* Email non-US colleagues
* Lease items in a foreign country
* Teach international students
* Host international visitors
* Ship or receive items
* Teach on-line courses
* Pay or receive an honorarium
* Make payments
* Purchase equipment and services
* Hire new employees
* Edit a peer-reviewed journal
* Participate in international collaborations
* Do research with foreign persons
* Hand carry laptop or cell phone internationally

**OK, I export. So What?**

The cost of non-compliance with export regulations is severe for UF and the individual involved.

|  |  |  |
| --- | --- | --- |
| Organization |  |  |
| International Traffic in-Arms Regulations (ITAR) | *Criminal:* Maximum $1,000,000 per violation | *Civil:* Maximum $500,000 per violation |
| Export Administration Regulations (EAR) | *Corporate* — Maximum $1,000,000 | *Individual* — Maximum $250,000 and imprisonment of up to 10 years  |
| Office of Foreign Assets Control (OFAC) | *Corporate* — Maximum $1,000,000 | *Individual* — Max. $250,000 or up to ten years in prison, or both |

**The Solution**

 As a leading research university, UF relies mainly on three exclusions to export regulations. The majority of our efforts are covered by the Fundamental Research Exclusion (FRE). Basically, the FRE is an exclusion for basic and applied research where the resulting information is published and shared broadly within the scientific community. Please note this exclusion only applies to the output from the research and is destroyed when publication or foreign person restrictions are accepted.

 The Publicly Available/Public Domain Exclusion is information that is already published or available in the public domain. This include books or publicly available technology. Public domain information is not subject to export controls.

 Educational Information Exclusion includes information normally taught or released by the university as part of a catalog course or associated teaching laboratory. Educational Information is not subject to export controls. While these exclusions will provide a safe haven for the majority of research at UF, there are many unique circumstances that can destroy these exclusions. If you have any questions or concerns, please contact the Division of Research Compliance at 392-2369.

**Common** **Myths**

**Myth #1**
I am a Principal Investigator at UF. Everything I do is fundamental research and therefore not subject to export controls.

**Explanation**
While most research at UF is not subject to export controls, the possibility of requiring access to or producing export-controlled information or items exists. Recent enforcement actions against other universities indicate it is no longer safe to assume that all work performed at a university is fundamental research.

**Myth #2**
I am editor of a peer reviewed journal. How is this export controlled?

**Explanation**
The Office of Foreign Assets Control (OFAC) has issued interpretive guidance related to publishing activities. If your journal accepts articles from Iran, Cuba, Sudan, Syria, or North Korea, contact DRC for additional information and guidance.

**Myth # 3**
I have a foreign national working on my research project who is a graduate student. I’ve heard that there’s an exception to all license requirements for foreign national graduate students.

**Explanation**
No such exception exists. There are certain specific license exceptions but there is no blanket exception for graduate students or post docs.

**Myth # 4**
I’m shipping my equipment to Canada. There shouldn’t be an export license requirement for our close neighbor.

**Explanation**
Export license requirements exist for every country in the world, including Canada.

 **Myth # 5**
I am hand carrying or shipping my equipment internationally through a freight forwarder. I do not have to worry about export licenses as they do not apply to my hand carried baggage or the freight forwarder is responsible.
 **Explanation**
Hand carried baggage is subject to export control and customs regulation. If you are exporting items valued more than $2500, there may be customs filing requirement. Using a freight forwarder does not alleviate your responsibilities, as you are the exporter of record. Bottom line: you are responsible for ensuring the export will not violate any export control or customs regulations.