Export Control Program

Introduction To Export Control

University of Wisconsin - Madison

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What is Export Control?

• **Export control consists of federal laws and regulations that control certain commodities, technologies, information and data**

• **Limits what can be shipped out of the country and to whom it can be shipped**

• **Can limit access to information for certain foreign nationals and/or organizations**

• **Determines when a license is required to ship items or information abroad**
Purpose of the Regulations

• To control the export of military and dual use products, technology and services to foreign persons or organizations

  • Dual Use: commercial items that could have military or proliferation applications
    • Ex: computer technology and software, sensors, lasers
  • Primarily for national security purposes
Purpose of Export Control Program

• To ensure that products, technology & services that are exported to foreign persons or organizations are transferred in compliance with United States export control regulations

  • Licenses: Appropriate export licenses are obtained prior to the transfer of items to foreign entities

  • Training: Organizations and staff affected by these regulations are being trained to identify issues of export control that may arise

  • Non-compliances: Non-compliances are reported & addressed quickly & effectively
Why Do We Care (about Export Control)?

- **It’s the law**
- **These regulations can affect:**
  - What type of research we do
  - Who we hire
  - Who we can share information with
  - Who we work with (collaborators / sponsors)
  - Where we ship items
  - What items we ship
  - Level of security for projects / labs
- **Fines and penalties can be very severe:**
  - Fines from $100s to $millions
  - Jail time
  - Levied against offending person and organization
### Current Regulations

<table>
<thead>
<tr>
<th>Parameter</th>
<th>ITAR</th>
<th>EAR</th>
<th>FACR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of Regulation</td>
<td>International Traffic in Arms</td>
<td>Export Administration Regulations</td>
<td>Foreign Asset Control Regulations</td>
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<tr>
<td></td>
<td>Regulations</td>
<td></td>
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<tr>
<td>Agency</td>
<td>State</td>
<td>Commerce</td>
<td>Treasury</td>
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<tr>
<td>What Does Regulation</td>
<td>Military equipment &amp; information</td>
<td>Dual use items &amp; information</td>
<td>Foreign assets (bank accounts)</td>
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<td>Control?</td>
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<tr>
<td>Control Listing</td>
<td>USML (United States Munitions List)</td>
<td>CCL (Commerce Control List)</td>
<td>Specially Designated Nationals List</td>
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<tr>
<td>Comments</td>
<td>Treats all foreign destinations the same</td>
<td>Need for license depends on commodity, destination country, reason for control &amp; exemptions</td>
<td>Depends on who (person or organization) you are communicating with</td>
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- Please note that other government agencies maintain export regulations but they have less of an affect on UW-Madison activities
- Different regulations, agencies, lists & means of implementation
- They can be very difficult to navigate
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UW Export Control Website:  
http://research.wisc.edu/respolcomp/exportcontrol/