

Export Controls for Research Administrators

What are export control laws?

Export control laws are a complex set of federal regulations designed to protect United States (U.S.) national security; to prevent the proliferation of weapons of mass destruction; to further U.S. foreign policy including the support of international agreements, human rights and regional stability; and to maintain U.S. economic competitiveness. The export control regulations govern how information, technologies, and commodities can be transmitted overseas to anyone, including U.S. citizens, or to foreign nationals in the U.S. In addition to controlling exports to countries or individuals who are citizens of or located in those countries, the export control regulations ban exports to individuals and companies that have been involved in terrorist or drug trafficking activities as well as those who are barred from conducting exports because of previous violations of the export control laws.

How do they apply at Penn?

While often thought of being specific to research activities, the export control laws apply to many activities at Penn that do not involve research, and to which you might not expect these laws to apply. For example, just entering into a contract with people listed on certain government lists, or sending money to certain countries, may require a license from the U.S. government. As another example, shipping certain items, such as ancient artifacts from the Penn Museum to certain foreign destinations, or robots for a competition outside the U.S., or inert plasmids to a Ph.D. student writing her dissertation at a foreign university, might involve complying with the export control laws. (These are all real examples from Penn.)

Most research at Penn is free from export control law restrictions. However, if Penn accepts restrictions on publication of research results (other than limited time review) or on who may participate in a research activity, then the research may be subject to export controls. Additionally, research outside of the U.S. and even the presentation of research results at an international meeting may raise export concerns. Finally, some research equipment may be export controlled, regardless of how it is used at Penn.

What is the role of the RA?

Research administrators play an important role in helping to identify potential export control issues. Penn has implemented an export control checklist that RAs may use in evaluating proposed research activities. RAs can

- provide assistance to PIs in reviewing terms of sponsored program agreements, material transfer agreements and other non-monetary agreements to identify restrictions on

publication and dissemination of research results and flag such restrictions in agency requests for proposals;

- provide assistance to PI in identifying international components of sponsored program agreements, and in identifying potential export control issues in the proposed international component;
- communicate identified potential export control issues to the PI and the Director of Export Compliance;
- communicate with the Director of Export Compliance and ORS about any changes in awards that necessitate a re-review of the project for export controls.

Where can I get more information?

Please contact the Export Compliance Office if you have specific questions about export controls and a specific research activity at Penn. Contact information and additional general information on export controls at Penn are available at

<http://www.upenn.edu/researchservices/exportcontrols.html>.