

IMPORTANT TERMS & DEFINITIONS

Export Control:

Regulation of the shipment or transfer, by whatever means, of certain items, technology, software, and services out of the United States.

Fundamental Research:

Research in science, engineering, or mathematics, the results of which ordinarily are published and shared broadly within the research community, and for which the researchers have not accepted restrictions for proprietary or national security reasons.

Foreign Person/Entity:

An individual who is not a citizen or legal permanent resident of the U.S. (foreign national), as well as companies and institutions not incorporated in the U.S.

Restricted Party:

Individuals and entities included on one of many government sanction lists prohibiting them from certain import/export activities.

Technology Control Plan:

A formally-agreed upon plan to prevent unauthorized access to export-controlled technology or software.

OTHER CONSIDERATIONS

- Sponsors and Collaborators
 - Are any parties domestic or foreign military, or acting on behalf of a military?
 - Are any parties located in a sanctioned country? *
- Are any parties included on a prohibited or restricted party list?
- Are there any indications that the work will, or could be, used for or in defense or nuclear applications?
- Does the project involve the use of a select agent or an otherwise export controlled substance?
- Does the project or your role at ECU involve travel to a foreign country?
- Does the project involve an individual, university, or other entity from a foreign country?
- Are you shipping equipment outside of the U.S.? If so, export documentation and reporting may be required regardless of your intended use.

*Sanctioned Countries: Cuba, Iran, North Korea, Syria

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Office of Export Controls & Customs

What We Do

The Office of Export Controls and Customs facilitates ECU's compliance with U.S. sanctions, export control and import regulations. The office aims to promote awareness of U.S. sanctions, export and import compliance requirements across the ECU community and facilitates, establishes and maintains core processes and procedures that effectively demonstrate compliance.

Contact Us

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Export Controls & Customs

ECU Division of Research, Economic Development & Engagement

WHAT'S COMING IN?

Incoming Information

- Publically available Information is not export controlled.
- Sponsors proprietary or confidential information may be export controlled.

Incoming Items

- Incoming items, including software, may be subject to export licensing requirements for Foreign Person access.
- Most basic, commercially available goods will not require a license for foreign person access and **use on campus**.
- Incoming items may also require permits for their import to the USA.

WHEN TO CONTACT OECC

Contact the Office of Export Controls & Customs when you are anticipating the receipt of equipment from a foreign entity so that we can make sure all necessary paperwork is completed to ensure compliance when importing the items.

WHAT ARE WE DOING?

Projects & Research

- **Are there publication restrictions?**
 - Allowing for temporary "review and comment" is ok and qualifies as Fundamental Research.
 - Allowing approval or editorial rights is not ok and could disqualify the project as Fundamental Research.
- **Are there any foreign national access restrictions?**
- **If a project is not Fundamental Research, then all project information is subject to export control regulations and may have licensing requirements.**

WHEN TO CONTACT OECC

Contact our office if your work/research collaborations and/or shipments may involve a foreign national or foreign entity so we can determine any export control requirements and work with you to create a Technology Control Plan, if necessary.

WHAT'S GOING OUT?

Exports

- All tangible items are subject to export control regulations and may have export licensing and/or reporting requirements.
- Software, including that sent electronically, is also subject to export control regulations.
- For information/data
 - If the data (i.e. research results) resulted from a Fundamental Research project, it is not subject to the export control regulations.
 - If from a non-Fundamental Research project, the data is subject to export control regulations and may be restricted or controlled.
 - If sponsor approval rights prevent the project from qualifying as Fundamental Research, once the sponsor approves the release of the information/data, it is no longer subject to export control regulations after publication.

WHEN TO CONTACT OECC

Contact our office if you are intending to ship items or share information/data with a foreign person/entity to determine if there are any export control requirements and to prepare necessary paperwork.