

### **What are export controls?**

Export controls are the set of laws, policies and regulations that restrict the export of certain goods, software and technology for reasons of national security and foreign policy.

### **What is an export?**

A transfer of goods, software or technology to a foreign national (a person who is not a U.S. citizen or a green card holder) or a foreign destination. The transfer of technology or source code to a foreign national in the U.S. is deemed to be an export to that individual's country of citizenship.

The definition of technology includes information that can be used or adopted for the development, production or use of a good. Information may include both technical data and technical assistance.

Examples of exports include:

- sharing source code, technical data or technical assistance with a foreign national inside or outside of the U.S. by verbal, written, electronic and/or visual disclosure;
- shipping of physical items abroad; and
- carrying export controlled items abroad.

### **What activities are not subject to export controls?**

Many of the teaching, research and service activities at Appalachian are not subject to export controls. In particular,

- published information and software (except some encryption software);
- information generated through fundamental research where the resulting information is ordinarily published and shared broadly in the scientific community; and
- instruction in courses listed in course catalogues are not subject to export controls.

Even if an export is subject to export controls, the export may not require an export license. Consult the **Exports Controls webpage** for more information on export controls:

[www.orsp.appstate.edu/compliance/export-controls](http://www.orsp.appstate.edu/compliance/export-controls)

### **Restricted Parties and Sanction Programs**

It is illegal to conduct business (including the exchange of information, items, services or monies) with any entity or individual that is on a restricted party list or a country under sanctions. In order to determine if an individual or entity is on a restricted party list or a country is sanctioned by the U.S. government, please request a restricted party screening from [compliance@appstate.edu](mailto:compliance@appstate.edu) .

Violations of export controls laws carry monetary and/or criminal penalties, for both the individual committing the violation and for the University. For additional information, contact the **Research Compliance Officer, Robin Tyndall** at 262-2692 or [compliance@appstate.edu](mailto:compliance@appstate.edu) .

Important Note: The purpose of this briefing is to increase awareness of federal laws and regulations, including 15 CFR Parts 730-774 and 22 CFR Parts 120-130. The information provided is not complete and should not be considered legal advice. It is the responsibility of each individual to comply with existing laws and export control regulations.