Examples of information in the public domain includes information included in published patents, websites freely accessible by the public, Books, newspapers, pamphlets, Publicly available technology and software.

8) **Penalties for Violating Law and Regulations** - Violations could result in substantial fines, seizure of items, revocation of import/export privileges, and imprisonment for willful (intentional) violations of the law. An individual and NDSU can be held liable for violations.

9) **Export Controls Training** - Training can be obtained through the Export Controls Office. You may also register for export control courses at https://www.citiprogram.org/. Other courses can be accessed at http://www.bis.doc.gov/ and clicking on the compliance and training tab.

10) **Export Controls Office** - The Export Controls Office is here to help you with any export controls questions. You can get further information at NDSU Export Control Website.

**Contact:**

Export Controls Office:
Lynn Titus Jr., MCJ, Export Control Office
701-231-6455, lynn.titusjr@NDSU.edu
1) Export controls are laws and regulations that govern the transfer of goods, technologies, services, data, and money to non-U.S. persons in the United States and Abroad. Export controls are designed to protect the national security, economic interests, and foreign policy of the United States. Most exports fall under three categories:

A) International Traffic in Arms Regulations (ITAR) - State Department - Regulates Defense Articles, Technical Data, and Services

B) Export Administration Regulations (EAR) - Department of Commerce - Regulates equipment, materials, software, and technology with a "dual" civilian/military use

C) Office of Foreign Asset Controls (OFAC) - Department of Treasury - Regulates transactions with sanctioned countries and barred entities

2) Export Controls apply to everyone but the following disciplines or offices are more likely to trigger export controls:

A) Sciences, Technology, and Engineering

B) Sponsored or Non-Sponsored Research

C) Contracts, Agreements, and Purchasing

3) International Travel - An international travel request must be completed well in advance of international travel. The export control office will ask the following questions:

A) Where are you going?
B) What are you taking with you?
C) What will you be doing?
D) Who will you be interacting with?

Keep in mind that the export controls office is required by the federal government to maintain records, conduct screenings, and may be required to obtain a license for the proposed travel.

4) Purchasing - If you want to purchase items from a foreign person or entity, you must notify the export control office in advance. The federal government requires the export control office to maintain records, conduct screenings, and the transaction may require a license. The following will determine the need for a license:

A) Item Classification
B) Location of the Items
C) Info about Company Selling Item

5) Shipping - Prior to shipping or receiving anything internationally, the export controls office must be notified. The federal government requires the export controls office to maintain records, conduct screenings, and the transaction may require a license.

6) International Collaboration - Prior to collaborating with a foreign person or organization, the export controls office must be notified. The Federal government requires the export controls office to maintain records, conduct screenings, and a license may be required.

7) Exclusions

A) Fundamental Research - Fundamental Research is "any basic or applied research in science and engineering, the results of which are ordinarily published and shared broadly within the scientific community..." In order to qualify as Fundamental Research, the research must be conducted free of any publication restrictions or dissemination restrictions. The Fundamental Research Exclusion can be lost in certain circumstances.