Common Misconceptions, Mistakes, and Myths about Export Controls

“It’s commercial off-the-shelf, so it’s not controlled”
- Wrong! The following are just a few examples of commercial off-the-shelf items that are highly controlled for export:
  - CubeSat kits (available on the Internet)
  - Precision gyroscopes
  - Thermal Imaging Cameras

Another reason this is wrong:
- Everything in the U.S. (other than published information) is subject to U.S. export controls. For example, the following are all subject to U.S. controls:
  - Laptops, cell phones, smart phones, personal GPS
  - Network routers, modems
  - Software – Microsoft Office, iWork, etc.
  - Oscilloscopes, microscopes, telescopes
  - Field survey instruments

It’s a fundamental research project, so export controls don’t apply”
- Export controls don’t apply to the research, but do apply to the equipment and software being used
  - If foreign travel, or travel out into International Waters, is involved, then the equipment and software needs to be assessed prior to export
  - If a piece of hardware is created during the fundamental research, then that piece of hardware is subject to export controls
  - If software is created, unless it is made publicly available (available for download by anyone without charge) then it is subject to export controls

“If I carry it with me in my carry-on luggage, I don’t have to worry about export controls”
- Wrong! Anything that leaves the U.S. is being exported.
- There are some export license exemptions for commercial items (not applicable to military or space related items) taken out of the country for use as “tools of trade”
  - The use of these exemptions require documentation
  - Check with the Export Control Officer BEFORE travelling

The bottom line: Don’t assume, ask the Export Control Officer 704-687-1877 or jljacob2@uncc.edu

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