Export Control Awareness and Your Research (distributed at award)

The United States is committed to encourage technology exchanges with universities that are consistent with U.S. national security and nuclear nonproliferation objectives. Although most of the research and technology development at the University of North Carolina at Charlotte is exempt from United States export control regulations, we must still consider the regulations and comply with them when applicable.

An export can occur through a variety of means, including
- shipping,
- oral communications,
- written documentation (including e-mails), and
- visual inspections of any technology, software or technical data to any non-U.S. citizen, whether here in the United States or abroad.

If you are doing fundamental research and the results of the research will be in the public domain, you probably will not have any export control issues unless you have any foreign nationals working with controlled proprietary technology in conjunction with your research project. More information can be found on the Commerce Control List at Export Administration Regulations or the U.S. Munitions List at International Traffic in Arms Regulations.

You may also be working on a project that has controlled proprietary technology or the government has placed access controls on the technology, but you do not have foreign nationals involved in your research. In this situation you must have a technology control plan (TCP) in place that limits access to only U.S. citizens and foreign nationals with a green card. The template TCP can be found on Export Control’s website.

If you are traveling with items (including your laptop) or shipping them outside the U.S. in conjunction with your project, there are export control issues to consider and a license could be required. In some cases, an exception or exemption to the license requirements is available; however, regulations require the exception/exemption to be documented, and records must be kept for five years. The documentation forms and a detailed explanation of the exception and exemption can be found on Export Control’s website.

In addition, a Material Transfer Agreement may be needed. Contact the Office of Technology Transfer at 704-687-8013.

More information about export controls related to research, travel, and shipping can be found on Export Control’s website. Please contact the Export Controls Officer, in the Office of Research Compliance at 704-687-1877 if you have questions about export controls related to your project and/or you need to implement the required documentation.

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