Export Control Red Flags

Information that arises during or results from fundamental research, and is intended to be published, is not subject to the Export Administration Regulations (EAR) or the International Traffic in Arms Regulations (ITAR) under the Fundamental Research Exclusion (FRE). There are certain situations where the FRE does not apply, including restricted inputs and outputs, as well as other factors.

Inputs

- Publicly Available Technology (not subject to the EAR or ITAR)
- Export-Controlled Technology (subject to the EAR or ITAR)
- Commodities (subject to the EAR or ITAR)

Research

Outputs

- Published Research (not subject to the EAR or ITAR)
- Research Withheld from Publication (subject to the EAR or ITAR)
- Commodities Resulting from Published or Unpublished Research (subject to the EAR or ITAR)

If your research involves any of the red flags below, please contact the Export Control Office: OR-export@exchange.uci.edu.

Controlled Technologies

Military, space, nuclear, and similar sensitive or dual-use applications.

Examples:
- Lasers and sensors
- Night vision equipment
- Select agents
- Navigation and avionics

Country Restrictions

Comprehensively sanctioned countries*:
- Cuba
- Syria
- Iran
- North Korea
- Ukraine (Crimea, Donetsk, Luhansk Regions)

*Restrictions are subject to change.

Sponsor

Sponsor works in sensitive technology end-uses:
- Military (DOD, DARPA) or other defense contractor
- Space agency (NASA, JPL)
- Nuclear agency (NETL, NNSA)

Export Control Language

- Publication or foreign national restrictions
- Receipt of controlled proprietary information
- Confidentiality or non-disclosure agreements
- Inclusion of end-use/user certification form

Physical Exports

- International shipments
- Items hand carried or packed in baggage during travel outside of the U.S.

Restricted Parties

Individual or organization is on a federally restricted list.

Examples:
- Entity List
- Specially Designated National (SDN)
- Denied Party
- Military end-user (MEU)