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 in to 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 (512) 475-7963 or ivery@austin.utexas.edu