Export Compliance Guidelines
for
Hosting Foreign Visitors

Introduction

Principal Investigators working on export-controlled projects are responsible for ensuring that export-controlled technology or technical data are not released to visiting foreign nationals during their visits. Visitors include visiting researchers, company representatives, or members of the media. This guidance is primarily targeted towards short-term visitors, and projects involving export-controlled technologies.

What is export-controlled Technology or Technical Data?

- “Information...required for the design, development, production, manufacture, assembly, operation, repair, testing, maintenance or modification of defense articles.
- Specific information necessary for the "development," "production," or "use" of an item on the CCL (Commerce Control List) or USML (United States Munitions List).
- It does NOT include information concerning “general scientific, mathematical or engineering principles”
- It does NOT include information already in the public domain, such as that available through unrestricted publications, unlimited distribution at conferences, or libraries
- It does NOT include fundamental research “where the resulting information is ordinarily published and shared broadly in the scientific community.” However, equipment used to produce the fundamental research may nonetheless be controlled.

Technology is “released” when:

- it is available to foreign nationals for visual inspection (such as reading technical specifications, plans, blueprints, etc.)
- it is exchanged verbally, including by correspondence;
- it is made available by practice or application under the guidance of persons with knowledge of the technology.
Export Compliance Guidelines
for
Hosting Foreign Visitors

Escorts

The person in charge of the visit should ensure that non-US visitors are escorted when visiting facilities with controlled technologies, and are not given keys/keycards, combinations, passwords or other access to research facilities in which export-controlled research is being performed, or where export controlled items or technical data are kept. Escorts are responsible for ensuring that no technical data or controlled equipment are present when non-US visitors are in the area.

Restrictions

It may be necessary to restrict non-US visitors from participating in particular activities, meetings, or discussions that would expose them to export-controlled technology or technical data. An export license may be required.

For additional guidance, please contact the Export Compliance Program Manager at x8898, export@ucar.edu.