What do I need to know about Export Controls?

Smithsonian Institution
Export Control Compliance

Smithsonian Astrophysical Observatory
60 Garden Street
Cambridge, MA 02138
617.496.7557 ph
617.496.7692 fax

IF YOU HAVE ANY QUESTIONS:
Contact:
Natascha Finnerty
Export Compliance Officer (ECO)
export@si.edu
(617) 496-7557

Visit the Export Control website:
http://www.cfa.harvard.edu/spp/ec/
COLLABORATION WITH NON-U.S. PERSONS:
If you are hiring (including fellow, research associate or intern appointments) or collaborating with non-US persons for scientific research, there may be special requirements to complete. U.S. persons include U.S. citizens, permanent residents and individuals approved under asylum or refugee status. All others are non-U.S. persons.
Foreign visitors should be screened against the SPECIALLY DESIGNATED NATIONALS’ (SDN) lists of people or companies in foreign countries identified and blocked by U.S. Law. U.S. persons are generally prohibited from dealing with them.

Instructions on how to use our screening tools, mkdenial.com, can be found under the policies and procedures tab of our export compliance website. Your unit or the Office of International Relations, who assists in the preparation of visa applications for your visitors, may screen the SDN list.

EXPORTING /SHIPPING CONTROLLED ITEMS OR INFORMATION:
The export of items, information (if not encrypted) or software may require an export license from the U.S. government depending on to whom it is being exported or disclosed, where it is going, and what is being shipped. To illustrate, a license is required to export to foreign countries certain historic military or space items that qualify as strategic dual use or defense hardware, materials, technology or software.

Contact the ECO before you export OR before making equipment available to non-US persons.

WHO? Recipients should be screened against the DENIED PERSONS LISTS (see Commerce Dept. website.)
WHAT? Many different goods or information are restricted. See the U.S. Munitions list (State Dept.) and Commerce Controlled list (Commerce Dept.) for detailed lists of restricted technology. The ECO maintains a current combined list for SI.
--ITEMS: biological, chemicals, lab equipment, inferred instruments, underwater marine, GPS, or space/satellite items, hazardous items (e.g. magnetic, x-ray, batteries, chemicals)
--INFORMATION: presenting restricted information at conferences with international persons present, carrying sensitive info on laptops

EMBARGOED COUNTRIES:
Cuba, Iran, North Korea, Sudan, Syria are under comprehensive embargo. Travel to these is restricted, as well as shipping items, information, or funds to, and collaboration with individuals from these countries.
Countries with partial embargoes include Afghanistan, Balkans, Belarus, China, Colombia, Congo, Democratic Republic of Congo, Iraq, Ivory Coast, Lebanon, Liberia, Libya, Mexico, Myanmar (Burma), Russia, Somalia, Ukraine and Zimbabwe.
Embargoes are subject to change, so check the Office for Foreign Assets Control (Treasury Dept.) website. Specific sanctions vary by country.

TAKING ITEMS OVERSEAS:
Tools of the trade (e.g. computers, tools, unrestricted test equipment that is coming back) are exempted from reporting. However, if you wish to leave behind anything at the overseas location, we are required to file the export with the Bureau of Census - for anything valued more than $2500 – ask the ECO how, if you are not using a freight forwarder (hand carry, courier).

BOYCOTT PROVISION (ISRAEL):
Some Middle Eastern countries may attempt to require SI to participate in their boycott of Israel by including boycott language in written agreements. U.S law prohibits SI from accepting such clauses. Ask your sponsored projects contact or the ECO for more information.

INTERNATIONAL PROCUREMENT QUICK TIPS!
If your answers to the questions below are yes, contact the ECO for further guidance. If the procurement international THEN:
• Is the item an instrument, chemical or biological item on the control list? If so:
  • Do you need to send drawings or technical data?
  • Is the vendor in an embargoed country?
  • Is the Vendor on the Denied Persons List?

SHIPPING RECORDS:
Records of all exports (procurement, shipping, hosting non-U.S. persons, etc.) must be kept for 5 years.