Export Control at MIT: What New Faculty Need to Know
Essential guidelines for faculty

What is an export?
- Anything that crosses the border (tangible items, technology, or software)
- Technology and software shared with a non-U.S. person, even in the United States

What is export control?
Export control laws regulate the transfer of certain materials, technologies, software, and technical data — **as well as services** — to foreign entities, foreign nationals and foreign countries for reasons of national security, economic protection, and foreign policy. Results of fundamental research are out of the scope of export control.

What is fundamental research?
Pursuant to MIT Policy and Procedure 14.2, research performed on MIT's campus is "fundamental research" as defined by the U.S. government. The government defines fundamental research as basic or applied research in science and engineering meeting the following criteria:
- Places no restrictions on publication, and is done with the intention to publish
- Places no restriction on who may participate
- (If ITAR-regulated) is performed at a U.S. institution of higher learning

Why should faculty care?
Even fundamental research can raise export control concerns. Although fundamental research results are not subject to export control laws, tools and data used in conduct of the research may be restricted. The Export Control team can assist in protecting restricted materials through Technology Control Plans and other mitigating steps. Violations can result in substantial fines, reputational damage to your career and MIT, and in the event of intentional acts, criminal charges resulting in incarceration.

Activities that can raise export control concerns
- Collaborating with foreign institutions or researchers
- Traveling internationally with devices or data *(not recommended – always check with the Export Control team)*
- Hosting international visitors in labs
- Using restrictive equipment to conduct research
- Transferring restricted technology to a foreign national in the U.S. is considered to be an export to their country of origin.

Common faculty activities that may trigger export controls
- Presenting at international conferences, seminars, colloquiums, meetings, workshops, lectures
- International visiting scholars and lab personnel

- Accepting gifts or honorariums from international persons or entities
- Shipping materials, software, or equipment overseas (*mandatory use of eShipGlobal (login required) for all international shipments*)
- Mentoring, advising or tutoring non-MIT enrolled students
- Restricted funding — industry or government grants with restrictions on access, approval, or publication of results

Red flags to watch for

- Collaboration with countries presenting added risk (*e.g., China, Iran, North Korea, Russia, Cuba, and Crimea and other Russia-occupied sections of Ukraine*)
- Contracts limiting who can work on a project
- Publishing with persons at restricted entities (this can impact future funding)
- Working with entities on U.S. restricted party lists (*Visual Compliance tool is used to screen)*

When in doubt, reach out!

The Export Control team is here to help you navigate these rules before issues arise. We can assist with:

- Screening collaborators or visitors
- Reviewing proposals and material transfer agreements (MTAs)
- International shipping (*mandatory use of eShipGlobal* (*Touchstone login required*) *for all international shipments)*
- Travel risk assessments
- Avoiding malign foreign talent recruitment programs

Required Research Security Training for Federally Funded Key Personnel

National Security Presidential Memorandum-33 (NSPM-33) requires key persons (PIs, Co-Is, other personnel making substantial contributions) to complete research security training. MIT has developed four modules that meet the government requirements, available to the MIT community in the Atlas Learning Center (*Touchstone login required*).

Resources

- Informal International Collaboration (IIC) tool
- Assessing and Mitigating Risk
- eShipGlobal website (eship@mit.edu)
- Restricted Party Screening: Visual Compliance
- CITI training course in Export Control
- Schedule an in-person Export Compliance workshop for your DLCI

Contact us: exportcontrolhelp@mit.edu

More info: MIT Export Control