

Export Control Policy

Boston College is subject to federal export control laws and regulations, and all members of the Boston College community must comply with export control laws, regulations, and all related University guidance and procedures. The Office of Research Security, Integrity and Compliance is responsible for establishing such guidance and procedures and overseeing compliance with this policy. Compliance is required of all Boston College faculty, staff, and students, as well as any other person or entity conducting research or providing services at or under the auspices of the University (*e.g.*, visiting scholars, contractors, and volunteers).

Export control laws and regulations apply to the oral, written, electronic, or visual transfer of certain items, technology, software, services, and information outside the United States, or any such transfer of an export-controlled item or technology to a non-U.S. entity or individual (a “deemed export” if such transfer is to a non-U.S. entity or individual located in the U.S.). In addition, certain individuals and entities are subject to U.S. government sanctions and U.S. persons are generally prohibited from dealing with such designated individuals and entities.

Export regulations include (i) the International Traffic in Arms Regulations (“ITAR”) implemented by the U.S. Department of State to regulate the export of military and space-related items, technologies and services; (ii) the Export Administration Regulations (“EAR”) implemented by the U.S. Department of Commerce to regulate the export of dual use (civilian and military) items and technologies; and (iii) the Office of Foreign Assets Control regulations (“OFAC”) implemented by the U.S. Department of the Treasury to regulate transactions with nations and entities subject to embargoes, boycotts, and trade sanctions.

Export control regulations are applicable to Boston College in a variety of research and administrative activities, including, but not limited to, international shipments, international travel, interactions with restricted or sanctioned individuals and entities, financial transactions with sanctioned persons or entities, international research and academic collaborations, and dissemination of proprietary technologies.

For University research activities, the “fundamental research” exemption may be applicable. Fundamental research refers to basic and applied research in science and engineering, the results of which are ordinarily published and shared broadly within the scientific community. In cases where the results of fundamental research may be exempt from export control, the application of the exemption can be limited and/or be nullified if the research is subject to publication or participation restrictions. Furthermore, the fundamental research exemption does not apply to the export of licensed controlled tangible items or if the export is to an embargoed country or to a sanctioned individual. Before relying on the fundamental research exemption, researchers should consult with the Office of Research Security, Integrity and Compliance.

Violation of export control laws can lead to significant criminal, civil, and administrative sanctions and penalties for Boston College as well as the individuals involved in the violation. Questions about the applicability of export control regulations should be directed to the Boston College Office of Research Security, Integrity and Compliance, which maintains training resources and other guidance materials, including the Boston College Export Control Compliance Manual.

Approved: William P. Leahy, S.J.

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