

Frequently Asked Questions

1. How do I know if my research or project involves ITAR or EAR?

- a. Read the Request for Proposal (RFP) very carefully and look for indicators that may imply that the result of the research or project will be applied to defense equipment or weapons, or to develop new technology that may be controlled by US Government agencies. Indicators within the wording of the RFP could be statements like: "...no foreign personnel should be allowed...", or, "... measures must be implemented to avoid unauthorized access..." Once you have a clear understanding of what you'll be expected to do if you were awarded the contract, you should contact the Research Security Office (RSO) immediately to obtain initial guidance as of what measures to implement within your department to ensure that the facility, faculty, staff, and students meet requirements to work on the project. The State and Commerce Departments have websites full of information that provide guidance as to what are controlled items that require export licenses and what can be exempt from licensing as fundamental research.

2. What do I do if in fact my research or project involves ITAR or EAR?

- a. Contact the RSO right away for guidance on how to continue with your project while staying within compliance at all times.

3. What if my project involves controlled items or information but I still want foreign students to participate?

- a. In this case, the RSO must initiate the process to request an export license from the State Department. Foreign Nationals are not allowed access to any aspect of the project in question until the final Deemed Export License is received. Requesting an export license is a long and meticulous process, and it takes into consideration the type of item, equipment or information involved in the project, and the country of origin of the foreign student(s).

4. What would happen if I realize later that an export violation was committed unknowingly?

- a. Inform the RSO immediately! The RSO will conduct a preliminary inquiry with all parties involved and submit a report to the concerned US Government agency as "voluntary disclosure". Keep in mind that "ignorance" is seldom an excuse and the penalty for export violations can be serious, depending on the circumstances. However, a timely and honest report is always positively considered.

5. If foreign students have visas to legally study and obtain a degree in AU, why can't they participate in certain research projects?

- a. A student visa is not a license to access US Government proprietary information. Only "US Persons" are exempt from export licensing requirements, and these are:
 - i. Persons born in the US or US territories.
 - ii. Naturalized citizens
 - iii. Registered aliens and/or permanent US residents (green card holders)
 - iv. Persons under refugee status or asylum.

6. What is CITI Training?

- a. The Collaborative Institutional Training Initiative (CITI) Program is a subscription service providing research ethics education to all members of the research community. To participate fully, learners must be affiliated with a CITI participating organization.

7. Why do I have to register and complete export control education in the CITI Website?

- a. The Export Control Training module in CITI is a very comprehensive and detailed training tool, which has been adopted by hundreds of educational institutions across the US (including AU) and corporations involved in exports. The Office of the Vice-President for Research (OVPR) at AU has endorsed, and enforces the mandatory registration and completion of the CITI Export Control Training module by all faculty, staff, and students involved in research determined to have ITAR and/or EAR applicability. The CITI certificate of completion serves as proof of awareness of export control laws, requirements, and consequences of violations.