

Export Control Questions in Phoebe

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Questions? What Q's?

When submitting your proposal in Phoebe, there is a questions tab that will ask you a series of questions that relate to potential export control issues that might be in the proposed research.

Will this project involve any of the following potential compliance issues?

- Travel outside the U.S with scientific or technical equipment or technical data
- Travel to or involvement of any kind with [countries sanctioned](#) by the Office of Foreign Assets Control
- Shipping of equipment, materials, or software outside the U.S.
- Process design kit (PDK)
- *Drones/UAVs*

Will members of the project team be traveling outside the U.S. with scientific or technical equipment or technical data in the course of performing this project? If yes, please describe the scientific or technical equipment, including any manufacturer information, and destination country.



When you travel abroad, everything you take is an export, including high-tech equipment, confidential, unpublished, or proprietary information or data. Traveling with certain types of high-tech equipment including but not limited to advanced GPS units, scientific equipment, or with controlled, proprietary or unpublished data in any format may require an export license depending on your travel destination.

Will this project involve in any capacity: persons, entities, or institutions from any of the following countries/regions? Please refer to [Sanctions Programs and Country Information](#). If yes, please identify which country or countries, and the persons, entities, and/or institutions involved?

Belarus	North Korea
Burundi	Somalia
Central African Republic	South Sudan
Cuba	Sudan
Democratic Republic of the Congo	Syria
Iran	Ukraine (Crimea, Donetsk, and Luhansk Regions)
Iraq	Venezuela
Lebanon	Western Balkans (Bosnia, Herzegovina, Kosovo, Macedonia)
Libya	Yemen
Myanmar (formerly Burma)	Zimbabwe

Will this project include travel to any of the following countries (including scientific conferences)? If yes, have you already obtained the necessary license(s) from the U.S. Office of Foreign Assets Control?

Cuba
Iran
North Korea
Syria
Ukraine (Crimea, Donetsk, and Luhansk Regions)



These sanctions usually involve financial components, and can range from narrow restrictions to broad sanctions and embargoes, such as those involving North Korea and Iran. Because these sanctions can affect international research collaborations, researchers should check the OFAC website to confirm whether an activity involving a foreign collaboration might be subject to restrictions.

Will any equipment, materials, technical data, or software be shipped or transmitted to other countries? If yes, please describe the scientific or technical equipment, including any manufacturer information, and destination country.



The shipment of scientific equipment, technology or other export controlled items from the U.S. to a foreign national or to a foreign country could require an export license depending on the item, destination location, recipient or end-user, and the end-use.

Will this project use a process design kit (PDK)?

Process Design Kits (PDKs) are utilized by semiconductor design researchers to produce custom integrated circuits and other microelectronics. PDKs are typically licensed to UC under a nondisclosure agreement (NDA), as the PDK contains proprietary information about details of the manufacturer's process. Proprietary information and technology ("know how") is subject to export control regulations, and can require a license for certain foreign nationals.





Biological agents, pathogens, viruses

Export controls also apply to genetic elements and genetically modified organisms that contain DNA associated with the pathogenicity of these biological materials. Severe civil and/or criminal penalties apply to international shipments without an export license of ANY export controlled pathogen or genetic material containing the controlled DNA.

Will this project involve spacecraft or space technology including satellites, rockets, and space qualified scientific instruments?



The U.S. government regulates the transfer of technology or technical data to foreign nationals in the U.S. (i.e., a deemed export). You may need a license prior to sharing export-controlled technology or technical data. The terms “technology” and “technical data” mean specific information necessary for the development, production, or use of a commodity, and usually takes the form of blueprints, drawings, photographs, plans, diagrams, models, formulae, tables, engineering specifications, and documentation.



Will this project involve the use or purchase of a Drone/UAV?

UAVs (1) are specially designed to incorporate a defense article, or (2) have swarming capability and interact with each other to avoid collisions and stay together:

UAVs have a maximum endurance less than one hour but greater than or equal to 30 minutes, and designed to take-off and have stable controlled flight in wind gusts equal to or exceeding 46.3 km/h (25 knots):

UAV equipment or components are specially designed to convert a manned aircraft or a manned airship to a UAV" or unmanned airship:

UAV contains air breathing reciprocating or rotary internal combustion type engines, specially designed or modified to propel UAVs or unmanned airships, at altitudes above 15,240 meters (50,000 feet).

UAV contains pneumatic, hydraulic, mechanical, electrooptical, or electromechanical flight control systems (including fly-by-wire and fly-by-light systems) and attitude control equipment designed or modified for UAVs, and capable of delivering at least 500 kilograms payload to a range of at least 300 km.

Questions?

**Contact Export Control
at ec-team@berkeley.edu**



Thank you!