

# U.S. GOVERNMENT EXPORT CONTROLS



# REGULATORY AGENCIES

1. Treasury Department, Office of Foreign Assets Control (OFAC).
2. U.S. Nuclear Regulatory Commission (NRC).
3. Department of Energy (DOE).
4. Patent and Trademark Office (PTO).
5. Department of State, Office of Defense Trade Controls (DTC).
6. Department of Commerce, Bureau of Industry and Security (BIS).

# **ITEMS SUBJECT TO THE EXPORT REGULATIONS**

1. All items in the United States, including in a U.S. Foreign Trade Zone or moving in transit through the United States from one foreign country to another;
2. All US-origin items where ever located;
3. U.S. origin parts, components, materials or other commodities incorporated abroad into foreign-made products, software, and technology;
4. Certain foreign-made direct products of U.S. origin technology or software;
5. Certain commodities produced outside the United States that is a direct product of U.S.-origin technology or software;

# ITEMS **NOT** SUBJECT TO EXPORT REGULATIONS

1. Pre-recorded phonograph records reproducing in whole or in part, the content of printed books, pamphlets, and miscellaneous publications, including newspapers and periodicals;
2. Printed books, pamphlets, and miscellaneous publications including bound newspapers and periodicals;
3. Children's picture and painting books;
4. Newspaper and periodicals, unbound, excluding waste;
5. Music books and Sheet music;
6. Calendars and calendar blocks, paper;
7. Maps, hydrographical charts, atlases, gazetteers, globe covers, and globes (terrestrial and celestial);
8. Exposed and developed microfilm reproducing, in whole or in part, the content of any of the previous;
9. Exposed and developed motion picture film and soundtrack, and advertising printed matter exclusively related thereto;
10. Foreign made items that have greater than the minimum U.S. content based on the principles described in the regulations.

## 11. Publicly available technology and software such that:

- A. It has already published or will be published;
- B. It arises during, or results from, fundamental research;
- C. It is considered educational
- D. It is included in certain patent applications.

# General Prohibitions

EAR 736.2

1. Export & re-export of controlled items to listed countries
2. Re-exports and export from abroad of foreign-made items incorporating more than a de minimis amount of controlled U.S. content
3. Re-export and export from abroad of the foreign-produced direct product of U.S. technology and software
4. Engaging in actions prohibited by a denial order
5. Export or re-export to prohibited end-users or end-uses
6. Export or re-export to embargoed destinations
7. Support of Proliferation Activities
8. In transit shipments and items to be unladen from vessels and aircraft