



# Bowdoin Finance Policy Manual

## Export Controls Policy

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1. Traveling abroad;
2. "Sharing" (broadly defined and includes emails) science or technology-based research with a non-US citizen, whether on U.S. or foreign soil; or
3. Entering into a contract (including a grant) related to science or technology.

Compliance with export controls must be considered and achieved before traveling, engaging in science or technology-based research, or engaging in any other activity that may be export controlled. In most cases, this will simply involve confirming that the travel/research falls within an exception to the export control laws. In the few cases where the activity does not fall within an exception, the Dean for Academic Affairs, as the College's "empowered official" (see below) will determine whether the College will pursue an export license from the relevant governmental agency or whether it is not feasible to engage in the export. The license process can take up to six (6) months - therefore it is wise to plan ahead.

### 3. Travel to Certain Countries

If you are traveling abroad, the first thing to know is whether you are visiting a country that has been sanctioned by the U.S. Office of Foreign Asset Control ("OFAC;" see list here: <http://www.treas.gov/offices/enforcement/ofac/programs/index.shtml>). Travel to these countries is heavily regulated, and in some instances prohibited. Anyone seeking to travel to one of these countries on College-related business or research should consult with the Treasurer's Office.

### 4. Travel With Laptops, GPS, Cell Phones, and other Common Items

Generally speaking, and provided that you are not traveling to an OFAC-sanctioned country, you may likely take laptops, GPS devices, cell phones, and other common, personal use technological items as long as:

- The device, including any software installed on it, does not contain encryption technology (be aware that encryption is becoming more and more common on certain devices and software programs);
- You own the device or are using a Bowdoin-owned device;
- You will return to the U.S. with the device within one year;
- The device is for personal use or is a type of device that is usual and reasonably used within your profession;
- You will maintain control over the item at all times (e.g. by keeping in your possession or locking in a hotel safe);
- The device, its software, and underlying technology will not be put to military use, used in outer space, or used to develop weapons of mass destruction.

If any of the above conditions do not apply to you, or if you have any questions, contact the Treasurer's Office for an individual assessment of your travel situation.

### 5. Research

Most research conducted at Bowdoin will fall within an exception to the export control laws. Generally speaking, if the resulting research is published and generally accessible to the public (or shared broadly within the scientific community), the research is likely exempt from export control laws. However, be aware that these exceptions are lost if you accept certain contractual terms concerning:

- Foreign nationals;
- Publication restrictions or pre-publication review; or
- Access or dissemination controls.

Thus, it is imperative that you carefully review any contract - including a grant - you might sign in connection with your research. If you see terms addressing any of the above issues, you are advised to contact the Treasurer's Office.

In the context of research, the roles of each individual/office listed below are as follows:

1. *Faculty Member*

a. Identify potential applicability of export control laws to the research/project; if it is determined that export control laws might be applicable:

- Contact the Treasurer's Office;
- Understand that acquiring any necessary license from the government may take up to six (6) months, and, even with a license, exporting will not be feasible in some instances;
- Identify the names, country of origin, and country of citizenship of anyone who will be involved in the research/project;
- See that access to and distribution of technologies and information related to the project are restricted to those persons and destinations that are not export controlled; and
- Report any suspected violations of export control laws to the department chair, the Dean for Academic Affairs, and the Treasurer's Office.

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c. Make the ultimate determination as t