



EXPORT LICENSE REVIEW AND APPROVAL

POLICY STATEMENT

Consistent with the University's [Export Control Policy](#), Harvard is committed to complying with all applicable U.S. laws and regulations pertaining to export controls. Harvard personnel may travel or have interactions outside of the United States, for example, to conduct field research or to collaborate with an international partner. U.S. export control regulations may apply specifically to such interactions or when items are hand-carried or shipped outside of the United States. In these instances, an export license may be required. [School or Institute Export Control Administrators](#) are responsible for making licensure determinations, in consultation with the Office of the Vice Provost for Research ("OVPR"). All proposed license applications must be submitted to and reviewed and approved by OVPR. Additionally, OVPR must be contacted to review and approve ANY export (transmission, shipment, hand carry) of Harvard-owned or controlled property, services or export-controlled information when:

- The export is to Iran, Cuba, Syria, North Korea, or the Crimea Region of the Ukraine¹, or
- The export involves a Restricted Party on a U.S. Government export or trade sanctions list.

An export license MAY be required when:

- Tangible items (equipment, biological samples, reagents, components, materials, etc.) including laptops and smartphones are being sent or hand-carried outside of U.S. borders;
- Regulated ("controlled") technical information or software code is shared with foreign persons or entities in the U.S. or transferred physically, visually or orally to foreign persons abroad;
- When items, information or software are intended for a person or organization identified on a U.S. Restricted Party List;
- Travel to Iran, Cuba, Syria, North Korea, and the Crimea Region of the Ukraine is contemplated;
- Financial transactions with, or provision of services to, a Restricted Party on a U.S. Government export or trade sanctions list or with individuals/entities in or from Iran, Cuba, Syria, North Korea or the Crimea Region of the Ukraine are contemplated.

DEFINITIONS

EXPORT: any oral, written, electronic or visual disclosure (via email, phone, tours, etc.), shipment, transfer, or transmission of commodities, technology, information, assistance or software codes to a foreign person.

¹ As of the effective date of this policy, these are the countries that are comprehensively sanctioned by the U.S. Government. For up to date information about the U.S. Government sanctions programs, see:

- [OFAC's Sanction Program and Country Summaries](#)
- [EAR's Country-Specific Guidance Pages](#)
- [ITAR Prohibited Countries](#)



DEEMED EXPORT: a transfer of controlled technology or information to a foreign person within the United States.

FOREIGN PERSON: Any of the following would be considered a foreign person:

- A foreign government
- A foreign corporation
- Anyone who is **NOT a:**
 - U.S. citizen
 - U.S. lawful permanent resident
 - Person granted refugee or asylum status

RESTRICTED PARTY LISTS: U.S. Government lists maintained by the U.S. Departments of Treasury, State, and Commerce of individuals and/or entities subject to export or trade sanctions.

WHO MUST COMPLY

All Harvard personnel, including faculty members, visiting scientists, postdoctoral fellows, students and staff at, employed by, or affiliated with Harvard University.

ROLES AND RESPONSIBILITIES

Faculty, Visiting Scientists, Postdoctoral Fellows, Students and Staff: Contact your [School or Institute's Export Control Administrator](#) if you are planning to:

- Travel to Iran, Cuba, Syria, North Korea, or the Crimea Region of the Ukraine, or
- Ship or hand-carry equipment, components or materials (e.g. biological samples, chemicals or other research materials) outside of U.S. borders.

School or Institute Export Control Administrators:

- Conduct preliminary license reviews:
 - For hand-carry or shipment of items, identify whether tangible items (equipment, components, materials,² etc.) to be hand carried or shipped outside of U.S. borders are controlled:
 - Determine what the item is, where the item is going (individual, entity and country) and what the proposed use of the item is.
 - Review against the control lists to determine if a license is required

² Please note that the shipment or hand-carry of certain chemicals, biologicals or radiological materials or equipment may also be subject to additional safety-related permitting and regulatory requirements. For more information, consult EH&S: <https://www.ehs.harvard.edu/programs/shipping-transporting-research-materials>.



- Conduct restricted party screens of potential recipients.
 - For travel to Iran, Cuba, Syria, North Korea, or the Crimea Region of the Ukraine:
 - Determine the nature of the travel and proposed activities.
 - Conduct restricted party screens of proposed individuals and entities prior to the researcher's travel.
 - Consult with OVPR.
 - When financial transactions with, or the provision of services to, a Restricted Party on a U.S. Government export or trade sanctions list or with individuals/entities in Iran, Cuba, Syria, North Korea or the Crimea Region of the Ukraine are contemplated:
 - Consult with OVPR.
- Circulate and socialize this policy within their Schools, Institutes and Units.
- **If it is determined that no license is required**, document an express determination that an exception to export licensing requirements applies or that no license is required.
- **If it is determined that a license may be required**, submit results of preliminary license review to OVPR for review and approval, prior to submission of export control license applications.

OVPR:

- Consult with the [School or Institute's Export Control Administrator](#) on licensure determinations.
- Review, approve, and submit export license applications, if it is determined to be appropriate and necessary to do so.
- In collaboration with the Export Control Council, review and update this policy, as necessary.

CONTACTS

[The Office of the Vice Provost for Research](#)

[School or Institute Export Control Administrators](#)

INSTITUTIONAL RESOURCES

University On-line Training: [Introduction to Export Controls Training](#)

Shipping Guidance: [International Shipping Guidance](#)

Travel Guidance: [International Travel Guidance](#)

Restricted Party Screening Guidance: [Screening Process and Monitoring Guidance](#)

