

Export Control Laws and Governing Agencies

Most exports do not require government licenses. However, licenses are required for exports that the U.S. government considers "license controlled" under the following:

- Export Administration Regulations (EAR) control items that have both a commercial and potential military use
- International Traffic in Arms Regulations (ITAR) control military items and defense services
- Office of Foreign Assets Control (OFAC) administers and enforces economic and trade sanctions to protect foreign policy and national security goals

EAR

The Department of Commerce's [Export Administration Regulations \(EAR\)](#) which covers [15 CFR 730-774]:

- Dual use items
- Items designed for commercial purpose but which could have military applications (computers, civilian aircraft, pathogens)
- Both the goods and the technology
- Deemed Exports

The Commerce Control List (Short Version):

1. Nuclear Materials, Facilities & Equipment (and Miscellaneous Items)
2. Materials, Chemicals, Microorganisms, and Toxins
3. Materials Processing
4. Electronics Design, Development and Production
5. Computers
6. Telecommunications and Information Security
7. Sensors and Lasers
8. Navigation and Avionics
9. Marine
10. Propulsion Systems, Space Vehicles and Related Equipment

ITAR

The Department of State's [International Traffic In Arms Regulations \(ITAR\)](#) (also known as the U.S. Munitions List) covers defense-related items and services [22 CFR 120-130]:

- Covers military items or defense articles
- Regulates goods and technology designed to kill or defend against death in a military setting
- Includes space related technology because of application to missile technology

- Includes technical data related to defense articles and services

The United States Munitions List (Short Version)

- I - Firearms, Close Assault Weapons and Combat Shotguns
- II- Guns and Armament
- III- Ammunition/Ordnance
- IV- Launch Vehicles, Guided Missiles, Ballistic Missiles, Rockets, Torpedoes, Bombs and Mines
- V- Explosives and Energetic Materials, Propellants, Incendiary Agents and Their Constituents
- VI- Vessels of War and Special Naval Equipment
- VII- Tanks and Military Vehicles
- VIII- Aircraft and Associated Equipment
- IX- Military Training Equipment
- X- Protective Personnel Equipment
- XI- Military Electronics
- XII- Fire Control, Range Finder, Optical and Guidance and Control Equipment
- XIII- Auxiliary Military Equipment
- XIV- Toxicological Agents, Including Chemical Agents, Biological Agents, and Associated Equipment
- XV- Spacecraft Systems and Associated Equipment
- XVI- Nuclear Weapons, Design and Testing Related Items
- XVII- Classified Articles, Technical Data and Defense Services Not Otherwise Enumerated
- XVIII- Directed Energy Weapons
- XIX- Reserved
- XX- Submersible Vessels, Oceanographic and Associated Equipment
- XXI- Miscellaneous Articles

OFAC

The **Treasury Department's Office of Foreign Assets Control (OFAC)** administers and enforces economic and trade sanctions that have been imposed against specific countries based on reasons of foreign policy, national security, or international agreements. Full descriptions of all countries currently subject to boycott programs are available at

<http://www.treas.gov/offices/enforcement/ofac/>. OFAC covers [31 CFR §§500-599]:

- Regulates the transfer of items/services of value to embargoed nations

- Imposes trade sanctions, and trade and travel embargoes aimed at controlling terrorism, drug trafficking and other illicit activities
- Prohibits payments/providing value to nationals of sanctioned countries and some specified entities/individuals
- May prohibit travel and other activities with embargoed countries and individuals even when exclusions to EAR/ITAR apply.

OFAC Sanctions:

- Balkans
- Burma
- Cote d'Ivoire
- Cuba
- Iran
- Iraq
- Liberia
- Libya
- North Korea
- Sudan
- Syria
- Zimbabwe