



The University of New Mexico

Research & Intellectual Property Legal Services
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EXPORT CONTROL WARNING

I want to share with you some information and a warning about export controls.

Export controls are a set of laws protecting national security. If information is export controlled, it is a crime to release it to some foreign nationals. Similarly, if equipment is export controlled, it is a crime to give some foreign nationals access to it. So we all need to be careful with export controlled information and equipment. It is not a problem to release information to citizens who were born in foreign countries, or to people who have “green cards,” but access by other foreign nationals may be restricted, including some students, faculty, and staff.

If you see papers or equipment marked as being export controlled, you need to take special precautions, and talk to Industrial Security, or to this office. Markings to watch out for include “This document is Export Controlled” or “Protected by EAR” or “Export Administration Regulations apply to this equipment” or “ITAR Document” or “International Traffic in Arms Regulations. Do Not Release.”

We regularly deal with contracts that have clauses saying that the work will be subject to EAR or ITAR, and those contracts themselves are not a problem (although we will try to negotiate out those clauses). It is documents that say that they are themselves covered by EAR or ITAR that are a problem, and should not be processed; you could be committing a crime by doing so.

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