

FAQs for Program and Event Screening

The following FAQ is based on questions received from the academic community. Please contact your School's (ECA) if:

- You need assistance with the review of a program or event to determine if it is subject to export control regulations
- You are unsure if the specifics of any of these questions apply to you
- You need a screening conducted
- You have questions related to your activity
- You are planning to ship equipment, material or data overseas

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General Definitions & Principles

GEN1: What is a Program or Event?

A program or event includes executive or continuing education, on-line education, and Harvard-sponsored workshops, conferences and similar programs that take place online or outside the United States. See the [Bulletin](#) for further details.

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GEN2: What is an export?

An export takes place when equipment, materials, software, or information is sent or shared with someone outside of the United States. This includes not only physical shipments, but also the sharing of knowledge or educational content, such as course materials, presentations, technical data, or training.

Additionally, under U.S. regulations, sharing certain types of information or technology with a foreign national who is physically in the U.S. is also considered an export (referred to as a “Deemed Export”). This means that teaching, demonstrating, or providing access to restricted content -- whether in-person, online, or in hybrid format – can be subject to export control regulations.

GEN3: What are export controls and sanctions?

The term “export controls” refers to the federal regulations governing the export of materials, data, technical information, and related services based on U.S. security interests. These regulations include the International Traffic in Arms Regulations (ITAR) administered by Directorate of Defense Trade Controls (DDTC) of the U.S. Department of State, and the Export Administration Regulations (EAR) administered by the Bureau of Industry and Security (BIS) of the U.S. Department of Commerce. The sanctions regulations administered by the Office of Foreign Assets Control (OFAC) of the U.S. Department of the Treasury consist of both export controls and regulations governing other types of transactions.

GEN4: What kind of activities are covered by export control and sanctions requirements?

U.S. export control regulations cover a broad spectrum of activities at the University, including:

- Physical export of equipment, materials, supplies, etc.
- Sharing of technical information, know-how, or specifications with foreign persons, whether overseas or within the U.S.
- Carrying controlled equipment, data, or software on a laptop or other personal device(s) when traveling abroad.
- Providing services, educational offering, training, or technical assistance to foreign nationals.
- Transactions with entities or individuals in embargoed or boycotted countries or on U.S. restricted lists.

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GEN5: What is OFAC and what does it do?

The U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) administers and enforces sanctions regulations targeting designated foreign individuals, entities, governments, and countries. OFAC sanctions regulations take various forms, from prohibiting transactions with specific individuals and entities to broadly prohibiting some or all transactions involving an entire country or geographic region.

As part of its enforcement efforts, OFAC publishes a list ("SDN List") of individuals and companies owned or controlled by, or acting for or on behalf of, targeted countries or organizations. It also lists individuals, groups, and entities, such as designated terrorists and narcotics traffickers, under programs that are not country-specific. Collectively, such individuals and entities are called "Specially Designated Nationals" or "SDNs." Their assets are blocked, and U.S. Persons³ are generally prohibited from dealing with them without a specific license.

GEN6: What is the Entity List?

The Entity List is a U.S. government restricted party list published by the Bureau of Industry and Security (BIS) that identifies foreign persons, including businesses, organizations, and individuals, subject to specific export license requirements for any items subject to the Export Administration Regulations (EAR).

GEN7: Who is a foreign national?

A foreign national (also referred to as a non-US person) is any individual who is NOT:

- A U.S. citizen
- Permanent resident alien ("green card" holders)
- Asylee
- Refugee
- Temporary resident under amnesty provisions

Persons who are in the U.S. in non-immigrant status (such as international students on F1 visas, visiting scholars or any person in the U.S. on a visa to include employees on J1 or H-1B visas) are considered foreign nationals.

GEN8: Who must comply with U.S. export controls and sanctions?

All U.S. persons wherever located, and all persons (regardless of nationality) who are physically located within the United States, must comply with U.S. sanctions.

All persons (regardless of nationality) who are physically located within the United States or who are transferring items subject to U.S. export controls must comply with U.S. export controls.

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GEN9: Are U.S. citizens living abroad “international”?

No.

U.S. citizens living abroad are not considered “international” for purposes of the screening requirements outlined in the Bulletin. However, depending on the country in which they live and the University-related business they are conducting, there may be some restrictions.

GEN10: The Bulletin refers to “all international individuals and entities,” but what constitutes “international” in this context?

Screening should be conducted with respect to any foreign national (as defined elsewhere in these FAQs); any foreign corporation, business association, partnership, trust, society, or any other entity or group that is not incorporated or organized to do business in the United States; as well as international organizations, foreign governments, and any agency or subdivision of foreign governments (e.g., diplomatic missions).

GEN11: What do the terms “engaged in” and “organized” or “sponsored by” Harvard in the Bulletin mean ”?

Harvard is considered “engaged in” or “organizing” or “sponsoring” a program or event if Harvard, through its faculty, students or employees participates in any of the following ways:

- Planning, coordinating, or facilitating the event or its content
- Selecting, inviting, or enrolling speakers, instructors, or participants (including enrolling non-U.S. persons in programs or online courses)
- Providing or arranging the venue, online platform, or event logistics
- Distributing or publishing invitations/materials under Harvard’s name
- Paying for or covering costs (such as registration fees, travel expenses, or supplies) with Harvard funds, grants, or in-kind contributions
- Accepting registration fees, sponsorship, or support from non-U.S. individuals or entities
- Collaborating with non-U.S. persons or organizations to organize, sponsor, or deliver a program
- Paying travel expenses, stipends, or honoraria to non-U.S. individuals
- Representing the program as a Harvard activity (including through advertisements, websites, or public communications)
- Officially approving or endorsing the program as a Harvard event or offering

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These criteria apply both to activities Harvard conducts independently and those co-organized or co-sponsored with other organizations, irrespective of whether the program is held on campus, off campus, online, in the U.S., or abroad.

Screening: What, When and Why

SC1: What is Restricted Party Screening (RPS)?

Restricted Party Screening checks persons or entities against U.S. government lists (e.g., the Entity List, Specially Designated Nationals (SDN) List, etc.) of individuals, entities, and organizations, both foreign and domestic, where export regulations or sanctions prohibit or restrict exports or other transactions. Parties on these lists are “restricted parties.” In many cases, entities 50% or more owned by restricted parties are also “restricted parties.”

SC2: Why should I check the Entity List?

You should check the Entity List because any exports, reexports, and/or transfers (in-country) of items to parties on the Entity List are subject to restrictions, even non-sensitive items that are not normally controlled for export.

SC3: Are there other Restricted Party Lists maintained by the U.S. Government other than the Entity List?

Yes. The U.S. Departments of Commerce, State, Treasury, and Defense maintain multiple lists of restricted parties with different purposes and restrictions. These lists are consulted as part of the Restricted Party Screening process conducted by Export Control Administrators.

SC4: How can I check for Specially Designated Nationals (SDNs) and other restricted parties?

Harvard University has a University-wide license to conduct Restricted Party screens in a platform known as Visual Compliance (“VC”). This platform allows an individual to manually screen foreign persons against all the federal Restricted Parties Lists and maintains a record of the same. An unlimited number of individuals at Harvard may register to access this platform to conduct manual screens. Program Administrators for an educational program may request direct access to this system to conduct screens at the point of service or may contact their school’s [Export Control Administrator](#) (ECA) to conduct screening in Visual Compliance on their behalf.

There is also a [University Guidance](#) on conducting VC screens and clearing apparent matches.

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SC5: Do I need to conduct Restricted Party Screening if my collaboration is unfunded?

Yes. Export control and economic sanctions regulations apply whether or not the activity in question involves any financial transactions, research funding, payments of fees (e.g., registration or subscription fees), etc.

SC6: Do I need to conduct Restricted Party Screening if my activity is not export-controlled or if I am not physically exporting anything outside the U.S.?

Perhaps. You may need to check Restricted Party Lists pursuant to the Bulletin even if your activity isn't export-controlled and doesn't involve physical exports to ensure that the individual(s) or entity(s) you are interacting with are not subject to U.S. sanctions or other restrictions. Such assessment is required because the individual or entity you are collaborating with might be on a U.S. restricted party or sanctions list.

SC7: Can I have any dealings with a party on a U.S. government restricted party list?

Perhaps. The answer will depend on the specifics of the proposed activity and the relevant Restricted Party List. Due to the complexities of the restrictions, please contact your School's [Export Control Administrator](#) (ECA) for help in reviewing the activity and related restrictions.

SC8: What activities generally do not require screening?

As each case is different, you should consult your school's [Export Control Administrator](#) (ECA) when in doubt.

Generally, screening of attendees is not required for the following activities:

- Program or event is hosted by Harvard University* and is
 - Exclusively in-person on Harvard's campus in the U.S. OR
 - Offered online (including hybrid) or outside the U.S. and:
 - Open to the general public, and
 - No registration beyond name/email address to access livestream, and
 - No registration fee or other financial transaction
- Program or event is not hosted, sponsored, funded or organized by Harvard (alone or with others)*

*NOTE: Screening IS required if program content is export-controlled or if the program or event is physically taking place in a country subject to comprehensive sanctions (currently Cuba, Iran, North Korea, or the Crimea, Donetsk People's Republic, or Luhansk People's Republic areas of Ukraine)

* Screening is also required of non-Harvard hosts, sponsors, funders and organizers.

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FAQ by Activity or Role

For Researchers & Research Administrators

RES1: Can I enter into collaborative research projects with universities on the Entity List?

Perhaps, although many such projects will be prohibited or restricted. Before entering into any agreements relating to such projects, you must contact your school's [Export Control Administrator](#) (ECA) to review whether your proposed collaboration is allowable and (if so) under what conditions.

RES2: Are appropriate screenings conducted for my activities supported by sponsored research agreements from federal agencies or other sources?

Each proposal for sponsored research submitted through Harvard University Grants Management Application Suite (GMAS) requires the completion of an International Collaborations and Activities (ICA) Checklist. The completed checklist is reviewed by relevant School administrators, including the Export Control Administrator (ECA), who will contact you if there are any questions or follow-ups.

RES3: How do I receive guidance on whether screenings are necessary for activities supported by startup, gift, or other discretionary accounts?

Screening requirements exist independently of the source of funding or whether an activity is externally or internally funded.

RES4: What should I do if I have to ship materials or data internationally as part of sponsored research?

Please contact your School Export Control Administrator (ECA), who can assist with the review of the materials or data and determination of any specific requirements.

RES5: Do temporary shipments of equipment that will be returned to my lab fall under Export Control Regulations?

Yes. Temporary international shipments are still considered exports and must comply with all applicable regulations. There may also be additional requirements for re-shipment of the equipment back to the U.S.

RES6: Do I need to have an Export Control Review if I am receiving samples from a collaborator outside of the U.S.?

Yes. All imported items are subject to U.S. Customs regulations and may have Customs duty and reporting requirements. Importing items on certain lists may also require an import license. Please contact your School Export Control Administrator (ECA) for assistance.

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For Teaching Faculty, Instructors, and Program Administrators

ED1: How are we supposed to get lists of people who want to attend something if they are open to the public? Does this make opening any online event to the general public impossible?

Restricted party screening of attendees is not required if an event is free and open to the general public without any pre-registration, and the information being discussed is not export controlled.

ED2: What if a faculty member is doing a workshop (including a workshop at a conference) and the organizer does not publish or provide the list in advance?

This is a common issue with workshops at conferences. The answer will depend on the topic of workshop, as you must take reasonable steps to avoid providing export-controlled technology, technical data, or services to prohibited parties. You should contact your School's [Export Control Administrator](#) (ECA) before committing to the workshop to make sure that subject of the workshop is not covered by export control regulations. If exempted from the regulations, you must at a minimum screen the conference organizer and its sponsors.

ED3: Are we required to do additional screening of conference attendees for programs and events held on Harvard's campus in the United States?

For programs held on Harvard's campus in the United States, unless the conference includes information that is subject to export control regulations (e.g., technical know-how that is proprietary, encryption software, high level electronic device blueprints, etc.), no additional screening is required.

ED4: Do I need to screen attendees for a residential Executive Education program if they are already in the U.S. and have a visa?

No. Screening is not required if someone is currently in the U.S. and has a visa.

ED5: Do I need to screen prior to accepting payment?

Yes. You need screen prior to accepting payment to make sure the University is not entering into a transaction with an individual or entity from a comprehensively sanctioned country or otherwise subject to sanctions.

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For Hiring Administrators

HR1: Can I hire an individual employed by, or enrolled at, a university on the Entity List while he/she continues to work at that university?

Such an action may be subject to restrictions or to licensing requirements and you must contact your school's [Export Control Administrator](#) (ECA) for review prior to offering employment to such an individual.

HR2: Can I hire an individual who used to be employed by a university on the Entity List?

BIS considers previous employment at any organization on the Entity List a “red flag” requiring an additional level of due diligence before proceeding with the hiring process. Please contact your School's [Export Control Administrator](#) (ECA) for review.

Special Cases & Exceptions

SPEC1: Do U.S. export controls and sanctions apply if I am no longer in the U.S.?

Yes. International travel by employees or students is subject to export control and sanctions regulations. When [traveling](#), be aware that taking information, technology, equipment, or laptops out of the country may require an export license. If you are traveling to a sanctioned or embargoed country to conduct University activities, you should contact your School's [Export Control Administrator](#) (ECA) for review. Additionally, if you are traveling to any country with any of the following: encrypted software, export-controlled items/information, unpublished research data, or other technical data not in the public domain.

SPEC2: Are there exceptions to export controls and sanctions prohibitions? Are exceptions the same across sanctions programs?

Yes. Exceptions include authorizations, licensing exceptions, and exemptions published within U.S. export controls and sanctions regulations, as well as specific authorizations granted to Harvard in certain circumstances. Due to the complexities of these exceptions, please contact your School's [Export Control Administrator](#) (ECA) for advice.

SPEC3: Can I donate items subject to the Export Administration Regulations (EAR) to a university on the Entity List?

Donations of equipment subject to the EAR has restrictions based on

- The source of funding. (e.g., federal grant, university funds, etc.) and
- U.S. Department of Commerce's Bureau of Industry and Security (BIS) licensing requirements

Contact your School's [Export Control Administrator](#) (ECA) for a review.