

What is a Deemed Export?

While an export is generally considered to be something that leaves the U.S., “Deemed Exports” occur within the U.S.

A deemed export is the release of controlled technology and information to a non-U.S. person, regardless of where the export takes place. If regulated information or technology is released to a foreign national living in the U.S., it is “deemed” to be an export to the home country or countries of the foreign national.

Deemed exports are a significant compliance consideration in university research.

Examples of potential deemed exports include:

- Foreign nationals working in a lab
- Sharing information with a foreign national in the United States regarding a project
- Taking foreign nationals on a tour of a lab with controlled equipment
- Speaking with foreign collaborators at conferences being held in the United States

A foreign person is anyone who is NOT:

- A U.S. citizen
- A permanent resident/green card holder*
- Someone granted asylum, refugee status or amnesty by the government
- A U.S. company, university, organization or government division

**Green card holders are U.S. persons, whereas persons here on work or student visas are Foreign Nationals.*