

Other Federal Agencies with Export Control Responsibilities

The export laws, regulations and treaties administered and enforced by the following agencies may apply to some university activities, but are not formally the responsibility of the Office of Export Controls (OEC), but whenever possible the OEC will provide assistance and support to University activities subject to these regulations:

- **Office of Diversion Control, Drug Enforcement Agency, Department of Justice**
 - Statutory Authority: Controlled Substances Act (21 USC)
 - Regulations: Controlled Substances Regulations (21 CFR Part 1300-1399)
 - Scope: Drugs with the potential for abuse (schedules I-V) and regulated chemicals (List I and II) exceeding allowable limits
 - Examples of Items Controlled: drugs such ketamine, pentobarbital, amphetamines, and opioids; as well as regulated chemicals such as acetic anhydride, ephedrine, toluene and ethyl ether.
 - Resources:
 - Import/Export Quick Reference Guide (http://www.deadiversion.usdoj.gov/imp_exp/doc/index.html); and
 - Diversion Control Website (<http://www.deadiversion.usdoj.gov/index.html>)

- **Food and Drug Administration**
 - Statutory Authorities:
 - Federal Food and Drugs Act (Public Law 59-384, Section 2),
 - Federal Food, Drug and Cosmetic Act of 1938 (Public Law 75-717, Section 801(d)),
 - Drug Export Amendments Act of 1986 (Public Law 99-660), and
 - FDA Export Reform and Enhancement Act of 1996 (Public Law 104-134, and amended by Public Law 104-180)
 - Scope: Commercial and investigational drugs, biological products, and medical devices
 - Resources: FDA Import/Export Guidance website (<http://www.fda.gov/RegulatoryInformation/Guidances/UCM122048>)

- **US Fish & Wildlife Service, Department of the Interior**
 - Statutory Authorities (various, but including):
 - Endangered Species Act (ESA; includes US CITES implementation; 7 U.S.C. § 136, 16 U.S.C. § 1531 et seq.),
 - Lacey Act of 1900 (16 U.S.C. §§ 3371–3378),
 - Migratory Bird Treaty Act (MBTA), and
 - Marine Mammal Protection Act (MMPA).
 - Regulations: Fish and Wildlife Regulations (50 CFR Part 17, Sec. 21, 22, 31 & 32; 50 CFR Part 23)
 - Scope: Endangered plants and animals (live organisms and parts or samples)
 - Examples of Items Controlled: broad-nosed bat, Cooper's hawk, American alligator, beluga whale, snow drops, hoodias, and many species of cacti
 - Resources: USFWS Import/Export Permit website (<http://www.fws.gov/permits/ImportExport/ImportExport.html>)

- **Nuclear Regulatory Commission**
 - Statutory Authorities:
 - Energy Reorganization Act of 1974 (Pub. L. 93-438, 88 Stat. 1233),
 - Atomic Energy Act of 1954 (42 U.S.C. § 2011 et seq.), and
 - Nuclear Non-Proliferation Act (P.L. 95-242, 92 Stat. 120)
 - Regulations: NRC Regulations (10 CFR 110)
 - Scope: nuclear plants and facilities; equipment component parts, and assemblies especially designed or prepared for exclusive use in nuclear plants or facilities, special nuclear material, source material, byproduct material, deuterium, and nuclear grade graphite for nuclear end use
 - Examples of Items Controlled: natural, enriched and depleted uranium, thorium, plutonium, uranium-233, technology associated with the design, maintenance, operation or use of nuclear plants, enrichment facilities, deuterium processing plants, and nuclear grade graphite
 - Resources: NRC Export-Import website (<http://www.nrc.gov/about-nrc/ip/export-import.html>)

- **Department of Energy**
 - Statutory Authorities:
 - Energy Reorganization Act of 1974 (Pub. L. 93-438, 88 Stat. 1233),
 - Atomic Energy Act of 1954 (42 U.S.C. § 2011 et seq.), and
 - Nuclear Non-Proliferation Act (P.L. 95-242, 92 Stat. 120)
 - Regulations: 10 CFR 810
 - Scope: Nuclear technology assistance activities.
 - Examples of Items Controlled:
 - Resources:
 - Report on Nuclear Export Controls (<http://www.nei.org/filefolder/ExportControlsComparativeAnalysis.pdf>); and
 - Federal Register Notice of Proposed Rulemaking (<https://www.federalregister.gov/articles/2011/09/07/2011-22679/assistance-to-foreign-atomic-energy-activities>)

- **Animal and Plant Health Inspection Service, Department of Agriculture**
 - Statutory Authorities:
 - Plant Protection Act (P.L. 106-224; 7 USC Ch. 104), and
 - Animal Health Protection Act (P.L. 107-171, Title X, Sec. 10401; 7 USC, Ch. 109)
 - Regulations: USDA Regulations (7 CFR, Subtitle B, Part 353)
 - Scope: Import and export of live animals, animal products, live plants, plant products and soils.
 - Examples of Items Controlled: agricultural animals and plants, plant pests, soils from quarantined areas, blood or serum samples, milk, meat and plant food items
 - Resources: APHIS Import/Export website (http://www.aphis.usda.gov/import_export/index.shtml)

This is not a comprehensive list of US export control regulations; additional laws and regulations exist, but typically university activities will not involve data, goods or services under their jurisdiction. Although OEC has no formal responsibility associated with regulations other than the EAR, ITAR and trade sanction regulations, we will try to put researcher in touch with the office or person at UVA or the Federal agency that will be best able to assist.