It may be. Most usage of research-related equipment does not implicate the export control regulations, particularly where the equipment is simply being used as a tool to assist in the conduct of research and the research team is not engaged in "development", "production", or "use" of the equipment:

- "Development" means all stages prior to serial production, such as: design, design research, design analyses, design concepts, assembly and testing of prototypes, pilot production schemes, design data, process of transforming design data into a product, configuration design, integration design, layouts.
- "Production" means all production stages, such as: product engineering, manufacture, integration, assembly (mounting), inspection, testing, quality assurance.
- "Use" means operation, installation (including on-site installation), maintenance (checking), repair, overhaul and refurbishing of an item.

However, if the research team will be engaged in these activities or if the equipment is considered a defense article under the International Traffic in Arms (ITAR) regulations, an export license may be required. For guidance on whether the use of research equipment in your lab amounts to an export-controlled activity that may require a license before foreign nationals may participate, please contact OCEC for guidance before engaging in any activities (see contact below).

Examples of potential uses of equipment that might raise export control considerations include:

- Receipt of or obtaining information necessary for the "development," "production," or "use" of a piece of equipment (see above).
- Receipt of or obtaining equipment that bears an Export Control Classification Number or "ECCN" (e.g., 3A001), or is provided with a "Distribution Statement" or other restrictive legend.
- Receipt of or obtaining equipment that is marked as controlled under the ITAR or has a United States Munitions List (USML) category (e.g., Cat. V(b) rocket propellants).
- Development of a prototype integrating the equipment.
- Usage of the equipment or item in research that has publication and/or personnel restrictions (such as restrictions based on nationality).
- Taking or sending equipment to any destination outside the United States, even temporarily.

OCEC periodically monitors research equipment that may be or is subject to U.S. export control and economic sanctions laws and regulations.

I have been informed that certain equipment we use in my lab is export-controlled, but I conduct fundamental research that includes foreign nationals on the research team. Is an export license required before my foreign national colleagues can use the equipment?

Examples of potential uses of equipment that might raise export control considerations include:

- Receipt of or obtaining information necessary for the "development," "production," or "use" of a piece of equipment (see above).
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For additional information about export control compliance and controlled equipment, consult the Office of Culture, Ethics and Compliance (OCEC) or email Emily Pender, Manager of Export Controls, at epender@usc.edu.