

Markings for Export-controlled Information, Materials and Equipment

Marking of Information

All printed and electronic documents that are determined to contain export-controlled data or information must be marked as shown below on a title or cover page. When it is not feasible to use the entire statement, an abbreviated marking may be used.

“WARNING - This document contains information whose export is restricted by the Arms Export Control Act (Title 22, U.S.C., Sec 2751, et seq.) [or the Export Administration Act of 1979 (Title 50, U.S.C., App. 2401 et seq.), as amended]. Violations of these export laws are subject to severe criminal penalties.”

This warning should be placed on all export-controlled information, whether in paper form or electronic, and all export controlled physical items in a conspicuous position for ready recognition. For source code, it might require adding the marking before the code starts and at the end of the file. For portable data storage devices (disk, flash drive) containing export controlled information, abbreviated markings may be used.

Marking of Materials

Export-controlled materials stored or used in U-M labs should be marked as follows:

“Export of this material is restricted by the Arms Export Control Act (Title 22, U.S.C. Sec. 2751 et seq.) [or the Export Administration Act of 1979, as amended Title 50 U.S.C., App 2401, et seq.]. Diversion contrary to U.S. law is prohibited and is subject to severe criminal penalties.”

If export-controlled materials cannot be marked because the samples and their containers are too small to apply a marking, the research team may rely on the physical security measures described in the TCP to assure that materials are stored and handled securely. When not in the possession of an approved team member for testing/examination/preparation/use, materials must be kept locked in a cabinet in a locked room accessible by only authorized personnel.

Marking of Equipment

Appropriate markings must be placed on export-controlled equipment that is used or stored in a U-M lab as follows:

“This equipment is subject to the Arms Export Control Act (Title 22, U.S.C. Sec. 2751 et seq.) [or the Export Administration Act of 1979, as amended Title 50 U.S.C., App 2401, et seq.]. Diversion contrary to U.S. law is prohibited and is subject to severe criminal penalties.”

Marking of Equipment under development in a U-M lab

If equipment is being developed and fabricated in a U-M lab, and the research is export controlled, appropriate markings must be used. If parts are export controlled, parts must be labeled appropriately as per the examples indicated above. If export controls only apply to the completed equipment and not to the parts, the PI may place an ITAR or EAR label on the lab table on which the equipment or hardware is being built.