Course Description and Goals

This course will cover legal restrictions imposed on exports of goods and services by the United States government. We will address the statutory and regulatory authority for such restrictions and demonstrate how they are applied by the government agencies charged with their enforcement: the Departments of Commerce, State, Treasury, and Homeland Security. Our focus will be on the Export Administration Regulations, the International Traffic in Arms Regulations, and the sanctions regulations on such countries as Cuba and Iran and on such non-state actors as designated terrorists. For each set of regulations, we will identify the nature and extent of controls, their coverage of United States and foreign persons, the processes for obtaining government authorization to engage in transactions, and effective measures to ensure compliance. We also will evaluate the impact of the Export Control Reform initiative on the current regulatory structure.

The course is intended to familiarize students with the details of a highly technical and increasingly important legal regime and provide them with the skills to apply the rules in concrete situations. Specifically, the course will prepare students to:

- understand the scope and structure of export controls,
- recognize situations implicating such controls, and
- resolve export control issues posed by various sets of facts.

My goal is to provide students with a theoretical and practical understanding of the subject matter and thereby prepare them for professional involvement in the field.
Texts

The texts will be the regulations and explanatory materials issued by government export control authorities and a treatise that I prepared.

Grading

In keeping with the course objectives, I will evaluate students’ knowledge and understanding of the various issues raised in the course and their ability to analyze factual situations in light of what they have learned. Grades will be based on both “objective” and “subjective” criteria, i.e., the students will be expected to demonstrate both their knowledge of the course material and their application of that knowledge by solving hypothetical factual problems.

Grading is primarily based on a take-home final examination. The exam will consist of essay questions in which students demonstrate their analytical abilities and fundamental knowledge of the course materials. In addition, students will prepare sample export licenses based on sets of hypothetical facts, and are expected to participate in class discussions.

Grading will be determined as follows.

Final exam -- 70%

License application preparation – 20%

Class participation -- 10%

Schedule

We will cover the following topics. The schedule has some built-in flexibility to allow us to cover additional topics, depending on the students’ interests.

Monday, January 22 – Introduction to export controls; history, legislative and international bases

Monday, January 29 – The Export Administration Regulations

Monday, February 5 – The Commerce Control List

Monday, February 12 – License exceptions
Monday, February 19 – Commerce software and technology controls
Monday, February 26 – Non-CCL controls
Monday, March 5 – Reexports
Monday, March 12 – SPRING BREAK; CLASS WILL NOT MEET
Monday, March 19 – The International Traffic in Arms Regulations and United States Munitions List
Monday, March 26 – ITAR technical data controls
Monday, April 2 – ITAR licenses, agreements, license exceptions, and other requirements
Monday, April 9 – License application workshop
Monday, April 16 – Office of Foreign Assets Control sanctions regulations
Monday, April 23 – Export control reform; enforcement and compliance considerations
Monday, April 30 – Antiboycott and Census Bureau regulations; distribute final examination
Monday, May 14 – Final examination responses due

Statement on special needs of students

If you are a student with a disability and you need academic accommodations, please see me and contact the Disability Resource Center (DRC) at 993-2474. All academic accommodations must be arranged through the DRC.

New Voices in Public Policy
I will consider nominating the very best papers in this course for publication in New Voices in Public Policy. New Voices is a student- and faculty-reviewed journal that shares SPP’s finest student work with the rest of the world.

SPP Policy on Plagiarism

The profession of scholarship and the intellectual life of a university as well as the field of public policy inquiry depend fundamentally on a foundation of trust. Thus any act of plagiarism strikes at the heart of the meaning of the university and the purpose of the School of
Public Policy. It constitutes a serious breach of professional ethics and it is unacceptable.

Plagiarism is the use of another’s words or ideas presented as one’s own. It includes, among other things, the use of specific words, ideas, or frameworks that are the product of another’s work. Honesty and thoroughness in citing sources is essential to professional accountability and personal responsibility. Appropriate citation is necessary so that arguments, evidence, and claims can be critically examined.

Plagiarism is wrong because of the injustice it does to the person whose ideas are stolen. But it is also wrong because it constitutes lying to one’s professional colleagues. From a prudential perspective, it is shortsighted and self-defeating, and it can ruin a professional career.

The faculty of the School of Public Policy takes plagiarism seriously and has adopted a zero tolerance policy. Any plagiarized assignment will receive an automatic grade of “F.” This may lead to failure for the course, resulting in dismissal from the University. This dismissal will be noted on the student’s transcript. For foreign students who are on a university-sponsored visa (e.g. F-1, J-1 or J-2), dismissal also results in the revocation of their visa.

To help enforce the SPP policy on plagiarism, all written work submitted in partial fulfillment of course or degree requirements must be available in electronic form so that it can be compared with electronic databases, as well as submitted to commercial services to which the School subscribes. Faculty may at any time submit student’s work without prior permission from the student. Individual instructors may require that written work be submitted in electronic as well as printed form. The SPP policy on plagiarism is supplementary to the George Mason University Honor Code; it is not intended to replace it or substitute for it. (http://www.gmu.edu/facstaff/handbook/aD.html)