

From: Amy Weber, Senior Director, Export Controls & International Compliance (ECIC)
Re: Federal Regulations – Office of Foreign Asset Control (OFAC) – Implications (Iran)
Date: 02.01.2023

Contact [Export Controls & International Compliance \(ECIC\)](#) for any questions or assistance with obtaining a “specific” OFAC license or questions about whether a “general” license applies.

Overview of Selected U.S. Sanctions on Iran

The U.S. federal government maintains comprehensive sanctions on Iran pursuant to various laws and regulations, including the Iranian Transactions and Sanctions Regulations, **31 C.F.R. Part 560** (the “ITSR”). Among other proscriptions, the ITSR prohibits U.S. persons from:

1. engaging in any transaction or dealing in Iranian-origin goods or services;
2. the provision of goods and services to Iran;
3. importing Iranian-origin goods or services;
4. directly or indirectly exporting or re-exporting any goods, technology, or services to Iran; and
5. facilitating, approving, or guaranteeing such conduct by a non-U.S. person.

The ITSR also prohibit evading, causing a violation of, attempting to violate, and conspiring to violate the restrictions (Reference **31 CFR Part 560.201, 560.203, 560.204, and 560.206**).

To summarize these sanctions in simpler terms, U.S. persons are **prohibited** from engaging in the following transactions **except where authorized through an Exempt Transaction, ITSR Defined Authorization, General License, or Specific License**:

1. providing services to Iran;
2. receiving services performed by an Iranian;
3. engaging in financial transactions directly or indirectly with Iran;
4. engaging in transactions relating to Iranian-origin goods or services; or
5. receiving Iranian-origin goods.

Violating OFAC sanctions can result in individual criminal or civil penalties.

Exempt Transactions, ITSR Defined Authorizations, General Licenses, and Specific Licenses

The ITSR includes mechanisms where transactions that are otherwise prohibited, can be authorized under certain conditions.

1. Exempt transactions are found in **Part 560.210** and include personal communications, humanitarian donations, and information or information materials.

2. ITSR Defined Authorizations are in Subpart E and span Part 560.501 through 560.556. These Authorizations cover very general categories of transactions such as activities and services related to certain nonimmigrant and immigrant categories authorized (Part 560.505), telecommunications and mail transactions (Part 560.508), household goods and personal effects (Part 560.524), and authorized transactions necessary and ordinarily incident to publishing (Part 560.538).
3. A General License is an authorization to engage in a transaction that otherwise would be prohibited. General licenses may be used by any U.S. person. One does not apply for a General License. If the activity in question meets the requirements for the general license, a U.S. person (e.g., Northwestern University) may legally engage in such conduct without the need to obtain any further authorization. Contact [Export Controls & International Compliance](#) to see if a General License applies to your circumstances.
4. A Specific License is a written authorization issued by OFAC for an otherwise prohibited transaction. Specific Licenses are granted based on a written application. When granted, these licenses usually cover a specific activity involving a specific person(s) or entity. Contact [Export Controls & International Compliance](#) for assistance.

Other References:

- [Iran General License \(No. G\)](#) - Certain Academic Exchanges and the Exportation or Importation of Certain Educational Services Authorized
- [Iran General License \(No. D-2\)](#) - General License with Respect to Certain Services, Software, and Hardware Incident to Communications. Updated on September 23, 2022.
- [Iran General License \(M-2\)](#) - Exportation of Certain Graduate Educational Services/Software
- [Guidance on certain publishing activities in Iran](#)
- [Guidance on personal communications – general license for Iran.](#)

FREQUENTLY ASKED QUESTIONS

1. **Can I teach students who are in the United States when I am in Iran?** No, not without obtaining a specific OFAC license. Teaching classes from Iran is importing academic services from Iran to the United States. General License G does not apply as it covers teaching services for Iranian university employees.
2. **Can I take online courses from Iran?** It depends on your major and level of study. STEM undergraduate majors and graduate majors, including Ph.D. candidates, cannot take online courses remotely from Iran without applying for and receiving a specific OFAC license. Non-STEM undergraduate majors are allowed to take online courses under [General License G](#). Temporarily (through September 1, 2023) due to COVID some graduate majors (non-STEM) are permitted to take online courses under [General License M](#).
3. **Can I use DUO (from Iran) to access university systems?** No, at least not yet. DUO has not lifted the ban of its services in Iran or other comprehensively sanctioned countries. As of September 23, 2022, [General License D-2](#) allows for the use of communication and certain associate software/hardware/services for communications. Northwestern's Export Controls & International Compliance will continue to monitor the evolving situation. If DUO lifts its ban, we will update the guidance.

The DUO end user agreement states, *"Export. Notwithstanding anything else in this Agreement, Customer may not use, or provide to any person or export or re-export or allow the export or re-export of, the Services or anything related thereto or any direct product thereof, in violation of any restrictions, laws or regulations of the United States Department of Commerce, the United States Department of Treasury Office of Foreign Assets Control, or any other United States or foreign agency or authority. Each party represents that it is not named on any U.S. government denied-party list. Customer and Users shall not access or use the Services in a U.S. embargoed country."*

4. **Can I use Zoom (from Iran) to communicate with university personnel in the United States?** Not likely as [Zoom banned](#) its services from comprehensively sanctioned countries. Northwestern's current Zoom agreement does not preclude using Zoom as long as it is not a violation of federal law. As of September 23, 2022, General License D-2 allows certain tools and associated software/hardware/services for communications. D-2 provides for the use of Zoom from Iran; However, users may still be blocked by the company.

Northwestern's user agreement states, *"EXPORT RESTRICTIONS. You acknowledge that the Services, or portion thereof may be subject to the export control laws of the United States. You will not export, re-export, divert, transfer or disclose any portion of the Services or any related technical information or materials, directly or indirectly, in violation of any applicable export law or regulation."*

5. **Can I conduct research in Iran?** No, not without obtaining a specific OFAC license. Working from Iran is importing research services from Iran to the United States. General License G authorizes U.S. persons who are students to engage in undergraduate level research at an Iranian institution--or graduate level research at an Iranian institution in humanities, social science, law, and business. It does not cover the importation of research services from Iran to the U.S. at any level (grad or undergrad) or in any field.
6. **Can I access (from Iran) university email and communicate with university personnel in the U.S. about work?** Yes, but with caveats. If you do not need to use a banned services such as DUO, you may communicate with individuals in the United States, regardless of whether the communications are personal or business-related. However, you cannot provide or export a "service" from Iran such as teaching without a specific export control license.
7. **While in Iran, can I work on developing curriculum for courses I will teach in the United States?** It depends. "Yes," in certain circumstances (those covered by General License G). General License G authorizes the export of educational services for **undergraduate level** courses in humanities, social science, law, or business; and introductory undergraduate level science, technology, engineering, or math courses required for the completion of undergraduate level humanities, social science, law, or business degrees. If the courses fall under those described, then it's allowable. **If the courses fall outside of General license G (all graduate level courses or STEM undergraduate major courses), then the answer would be "no" (unless you received a specific OFAC license).**
8. **How else can OFAC impact employees and students?**
 - The Northwestern employee or student should not take university equipment outside the country to an OFAC-sanctioned country without coordinating with our office, doing so may be an export violation.
 - If we provide certain software to an employee or a student that is not mass market, they may not re-export it outside of the United States.

- If an employee or student are taking their personal computer with software or data we provided, the Export Control team can guide what is allowable outside of the United States.
- The employee or student cannot participate in video calls from a sanctioned country (without a license).
- The employee or student cannot conduct research in Iran and possibly outside the U.S. (without a license).
- We cannot (in nearly all situations) collaborate with anyone located in Iran without a license. One exception is for recruiting and communicating about their VISA.
- There are some exceptions for publishing, so it may be okay for the student to work on a paper outside of the U.S. but check with the Export Control team in advance to see if a license is required.

If any of the above or other scenarios may apply, please reach out in advance. We can assist with evaluating the situation and help apply for authorization (i.e., license).