

"Deemed Export Rule" §734.2(b)(2)(ii) of the Export Administration Regulations (EAR)

"(ii) Any release of technology or source code subject to the EAR to a foreign national. Such release is deemed to be an export to the home country or countries of the foreign national. This deemed export rule does not apply to persons lawfully admitted for permanent residence in the United States and does not apply to persons who are protected individuals under the Immigration and Naturalization Act (8 U.S.C. 1324b(a)(3)). Note that the release of any item to any party with knowledge a violation is about to occur is prohibited by §736.2(b)(10) of the EAR. "

from <http://www.access.gpo.gov/bis/ear/txt/734.txt>, accessed 9/17/04