



THE RESEARCH FOUNDATION

The State University of New York

Office of the President

35 State Street November 19, 2010

Albany, New York

12207-2826

MEMORANDUM

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TO: Presidents, State University of New York

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FROM: John J. O'Connor
Senior Vice Chancellor for Research and Innovation and Secretary of the
University, State University of New York
President, The Research Foundation of State University of New York

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SUBJECT: Export Control Laws and Regulations

The purpose of my memo is to reaffirm the commitment by the State University of New York ("University") and The Research Foundation of State University of New York ("Foundation") to assure due diligence and compliance with the United States federal government export control laws and regulations.

The export control laws and regulations include, but are not limited to, those implemented by the Department of Commerce through its Export Administration Regulations ("EAR"), the Department of State through its International Traffic in Arms Regulations ("ITAR"), and the Department of Treasury through its Office of Foreign Assets ("OFAC").

Any activity conducted by University or Foundation personnel – (1) conducted at the state-operated campuses on University controlled premises, and (2) conducted on behalf of the University in a foreign country, must assure compliance with the export control laws and regulations. All University and Foundation personnel must understand the export control requirements, if and/or how they apply to their work responsibilities, and to practice due diligence to assure compliance.

The export control requirements are complex, and they have the potential to impact University and Foundation responsibilities that include but are not limited to: research; international collaborations; travel; shipping and receiving materials and equipment; transferring data and information; hiring employees; visiting scientists and/or delegations; engaging foreign nationals; providing financial assets; purchasing; obtaining property; and contracting.

Although certain exceptions to the general export control requirements may be available to the University, and the Foundation, the applicability of any such exceptions must be determined on a case-by-case basis with the help of qualified personnel. Noncompliance with the export control requirements can result in severe civil and criminal penalties for the University, the Foundation, and individual personnel.

Questions regarding the application of export control restrictions on:

University programs and activities should be addressed to:

Seth Gilbertson
Office of University Counsel
State University of New York
State University Plaza
Albany, New York 12246
Phone: 518-320-1400
Email: seth.gilbertson@suny.edu

Sponsored research should be addressed to:

Carol Berdar
Office of Sponsored Programs Operations
The Research Foundation of State University of New York
35 State Street
Albany, NY 12207-2826
Phone: 518-434-7240
Email: carol.berdar@rfsuny.org

More information regarding the export control requirements can be found at:

<http://www.rfsuny.org>.

c: Chief Academic Officers
Faculty Senate
Vice Presidents, Research
Operations Managers