

Export Administration Regulations (EAR) Guidance Document

An EAR Guidance Document outlines the procedures used by the Research Foundation (RF) to prevent the unauthorized export of and/or access to controlled items, technology or data. An EAR Guidance Document:

- Is needed when an export license, disclosure or situation requires one.
- Assures an organization's due diligence and compliance with U.S. federal government Export Administration Regulations (EAR).
- Protects the principal investigator, the research program, the campus, the RF and the university.

Principal Investigator	
Name	
Title	
Department	
Phone Number	
E-mail Address	
Co-Principal Investigator	
Name	
Title	
Office	
Phone Number	
E-mail Address	
Preparer	
Name	
Title	

Sponsored Program				
RF Equipment Decal				
Purchased from Award Number				
Sponsor Name				
Purchase Date				
Physical Location of Item				
Export Control Classification Number for Item:				
Export Control Classification Number for Technology:		Development	Use	Production
	Controlled for:			

Export Control License (if applicable)	
Federal Agency Name	
License Number	
License Date	

REQUIREMENT OF PRINCIPAL INVESTIGATOR and if applicable CO-PRINCIPAL INVESTIGATOR:

The Principal Investigator and/or Co-Investigator must notify the Export Controls Administrator in the Office of Sponsored Programs in case of any of the following:

The Controlled Item is:

- Used for any purpose other than fundamental research
- Shipped out of the United States for any purpose
- Sold or loaned to a third party - regardless of physical location

The Controlled Technology is:

- Used for development, production and/or use
- Shipped out of the United States for any purpose
- Shared with a third party – regardless of physical location

Export Administration Regulations -Definitions Part 772:

“Technology” (General Technology Note): Specific information necessary for the “development”, “production”, or “use” of a product. The information takes the form of “technical data” or “technical assistance”.

“Development” (General Technology Note): is related to all stages prior to serial production, such as: design, design research, design analyses, design concepts, assembly and testing of prototypes, pilot production schemes, design data, process of transforming design data into a product, configuration design, integration design, layouts.

“Production” (General Technology Note): means all production stages, such as: product engineering, manufacture, integration, assembly (mounting), inspection, testing, quality assurance.

“Use” (All categories and General Technology Note): operation, installation (including on-site installation), maintenance (checking), repair, overhaul and refurbishing.

“Technical Assistance”: may take forms such as instruction, skills training, working knowledge, consulting services. May involve transfer of “technical data”.

“Technical Data”: may take forms such as blueprints, plans, diagrams, models, formulae, tables, engineering designs and specifications, manuals and instructions written or recorded on other media or devices such as disk, tape, read –only memories.

Principal Investigator Certification

It was determined that an EAR Guidance Document is required for the applicable sponsored program. This acknowledges that I have read and understand the export controls information for principal investigators on the RF's Web page that I understand I could be held personally liable for certain export control violations, and that I agree to assure compliance with the essential elements of this document. (<https://portal.rfsuny.org/portal/page/portal/The%20Research%20Foundation%20of%20SUNY/home>)

Principal Investigator:

Signature: _____ Date: _____

Printed Name:

Title:

Co-Principal Investigator:

Signature: _____ Date: _____

Printed Name:

Title:

Certification

The undersigned acknowledge that they have prepared the EAR Guidance Document with the information as provided by the principal investigator and the sponsored research office.

Prepared By:

Signature: _____ Date: _____

Printed Name:

Title: