



Title: Export Control Policy	Policy Category: Risk Management & Security
Issuing Authority: President	Responsibility: Office of the Vice President for Research
Publication Date: 01/06/2023	Next Review Date: 01/06/2026

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Policy Statement/Background:

United States federal export control laws and regulations ("export control laws") exist to protect U.S. national security and foreign policy interests. Export control laws restrict certain types of items, software, technology and technical data (information) from being sent (through any means) to certain individuals, entities, or countries, including to U.S. citizens, or from being made available to foreign persons within the U.S. Several U.S. agencies have regulatory authority over exports, including but not limited to the: Department of Commerce (Export Administration Regulations), Department of State (International Traffic in Arms Regulations), and Department of Treasury (U.S. economic sanctions programs).

The penalties for violating export control laws can be significant and may result in criminal sanctions and/or fines against the individual and/or the University, loss of exporting privileges for the University, and/or loss of federal funds.

Policy:

All members of the Campus Community must comply with U.S. export control laws when conducting any activity (1) on University controlled premises, or (2) on behalf of the University at any domestic location, or (3) on behalf of the University in a foreign country. Stony Brook University's Office of the Vice President for Research shall develop and implement this policy and the University's export compliance program.

Objective

The goal of the University's export compliance program is to facilitate compliance with U.S. export control laws, while balancing the University's commitment to openness in research and education.

Training

The Office of the Vice President for Research provides a variety of training materials to support the Campus Community with export control laws compliance. [Campus training resources](#), [government training resources](#) and other resources are available on the [University's Export Controls website](#).

Responsible Parties

Campus Community: All members of the Campus Community must understand the export control law requirements, if and/or how they apply to their University responsibilities and/or research activities, and to practice due diligence to ensure compliance. No member of the campus community may partake in any action(s) prohibited by the export control laws. No member of the campus community may transfer any controlled information, technology or commodity without the proper University authorization.

Empowered Official (EO): The Vice President for Research (VPR) serves as the Empowered Official for the International Traffic in Arms Regulations. The VPR may appoint additional EOs if deemed appropriate.

Export Compliance Officer (ECO): The University official responsible for the University's export compliance program. The ECO assists academic and administrative offices in the development of policies and guidance documents to ensure compliance with the export control laws and this policy.

Research Security Working Group (RSWG): A committee chaired by the ECO that includes members of administrative offices that have some responsibility in export compliance. The RSWG assists in the evaluation and maintenance of the University's posture for compliance with federal government export control regulations.

Vice President for Research (VPR): The VPR is the authorized University official for the University's export control program. Technology control plans, commodity jurisdiction requests, export license applications, and any other request to a federal agency regarding export controls, as

well as any requests for publication and/or foreign national waivers, must be authorized by the VPR or his/her designee.

Procedures & Guidance

As part of the University's export compliance program, a number of guidance and procedure documents are in place to educate the Campus Community and support compliance. The Campus Community is required to adhere to these items, which are available on the University's Export Controls Website.

People

- Restricted Party Screen - Who Should be Screened
- How to Conduct a Restricted Party Screening
- Foreign Person Employee Guidance
- International Collaborations Guidance
- International Visitor Guidance

Places

- Conferences, Events & Seminars - Hosting, Attending or Presenting Guidelines
- Electronic Communications Guidance
- Filming on Campus
- International Shipment and Transfer Guidance
- Shipper Self-Assessment Review Procedure
- International Travel Guidance

Things

- Classification of Item/Information Procedure
- Purchase of Goods Guidance
- Software and Encryption Guidance
- Other than Tools of the Trade Self-Assessment Review Procedure
- Tools of the Trade

Recordkeeping

The University is required under the export control laws to maintain all records for a period of five (5) years from the date of the transaction (i.e. research project, shipment, academic travel, host a foreign visitor).

Reporting

If any personnel become aware of potential violations, they should be immediately reported to the Office of the Vice President for Research for further investigation.

Compliance

Noncompliance with this policy may result in:

- The University imposing disciplinary and/or legal action on the individual; and/or
- Federal agencies imposing fines, sanctions, and possible jail time on the individual.

Definitions:

Activity: research, education, service or business purpose.

Campus Community: in this policy, the term Campus Community includes but is not limited to all faculty (including voluntary, lecturers, and adjuncts); research personnel (including research staff, post-doctoral fellows, research associates); visiting scientists and scholars, graduate and undergraduate students involved in research activities; visiting scholars, consultants or other volunteers involved in research activities; non-research staff in departments, centers, institutes, colleges, administrative offices that are involved with transactions covered under this policy.

University: in this policy, the term University includes all schools, centers, institutes, and administrative offices within the State University of New York at Stony Brook, the Research Foundation for State University of New York as it relates to Stony Brook University, Stony Brook Medicine (including University Hospital), and the Long Island State Veterans Home.

Contact:

Additional information about this policy is available here:

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Relevant Standards, Codes, Rules, Regulations, Statutes and Policies:¹

- [Stony Brook Export Controls Website](#)
- [International Traffic in Arms Regulations \(ITAR\), 22 CFR §§120-130](#)
- [Export Administration Regulations \(EAR\), 15 CFR §§730-774](#)
- [Nuclear Export Control Regulations, 10 CFR Part 810](#)
- [Foreign Assets Control Regulations \(FARC\), 31 CFR Parts 500-597](#)
- [Information Security Program Administration Policy](#)
- [Use of Campus Facilities Policy](#)
- [Guests/Visitors Policy](#)
- [Equipment Inventory Control Policy](#)

¹ **Other Applicable Regulatory Agencies:** additional regulations may also apply from the: Department of Energy, Nuclear Regulatory Commission, Environmental Protection Agency, Center for Disease Control, Food and Drug Administration, and Drug Enforcement Agency.