

## **Confidential Export Control Escalation Policy**

### **I. Background**

SUNY and the Research Foundation for SUNY at Stony Brook remain committed to complying with all U.S. Export Control Regulations and supporting faculty, students and administrative personnel in meeting this objective.

Generally stated, export controls regulate the disclosure, shipment, use, transfer or transmission of any item, commodity, material, technical information or software, and encrypted software appearing on the U.S. government's controlled technologies lists for the benefit of a foreign person or foreign entity anywhere. Additionally, export controls regulate transactions or the provision of services involving prohibited countries, persons or entities based on trade sanctions, embargoes and travel restrictions.

Examples of export control violations:

Sending, carrying or otherwise transporting or causing to be transported any commodity requiring without an export license where one is required.

Transmitting export controlled proprietary information electronically or by any other means without an export license where one is required.

Granting unauthorized access to ITAR-classified equipment and technical data without an export license where one is required.

Engaging in any transaction restricted by the Department of Treasury's OFAC regulations without an export license.

Facilitating an export violation by knowingly engaging in an export-controlled transaction with another party who you have reason to believe is not complying with U.S. export control regulations.

Please refer to the website below for more detailed information:

<http://www.stonybrook.edu/research/osp/exportcontrols.shtml>

### **II. Purpose**

The purpose of this policy is to detail the process for reporting potential export control issues or known violations to the Office of Research Compliance (ORC) on a timely basis so that ORC can direct the response.

This policy should be disseminated to all PIs, faculty members, research and campus-wide business administrators, personnel designated with compliance responsibility, and University leadership.

### **III. Procedure**

1. If you suspect or have reason to believe that an export control violation may occur because of a particular research or business activity or believe that a violation has occurred, immediately contact one of the following individuals to alert them to the issue:

Susan Gasparo, Asst. Director, Export Control Compliance, Office of Research Compliance

Phone: 2-1954 Email: susan.gasparo@stonybrook.edu

Judy Matuk, Asst. Vice-President, Research Compliance, Office of Research Compliance

Phone: 2-9036 Email: judy.matuk@stonybrook.edu

The Office of Research Compliance shall:

- Notify the VPR and the Offices of General Counsel.
- Where a potential export violation is occurring and, where possible, stop such transaction(s) pending the completion of a comprehensive review.

2. Timing and Confidentiality:

- Communicate verbal or written concern as soon as possible following knowledge obtained of the potential or actual violation and in no case later than 24 hours after learning of the situation.

3. If a Government agency contacts you directly:

- It is the policy of the University to cooperate with the Government. You should immediately report such contact to the Office of Research Compliance for further instructions.

### **IV. Additional References**

See the Office of Research Compliance's website guidance on export controls referencing general export control information, procedures for determining whether export licenses are required and obtaining licenses, recordkeeping and other export control-related matters.