San Diego State University and San Diego State University Research Foundation

Export Control Commitment

April 2, 2013

San Diego State University (SDSU) and San Diego State University Research Foundation (SDSURF) are committed to academic freedom, diversity and the open exchange of ideas. We are also committed to compliance with all export control laws and regulations that govern the conduct and dissemination of our research and the export of hardware, software, materials or technology, and that may be subject to the U.S. export control laws and regulations. This includes, without limitation, those laws and regulations implemented by the Department of State, through its International Traffic in Arms Regulations ("ITAR"), the Department of Commerce, through its Export Administration Regulations ("EAR") and the Department of the Treasury through its Office of Foreign Asset Controls ("OFAC").

While most research conducted on U.S. college and university campuses is excluded from these regulations under the Fundamental Research Exclusion, university research involving specified technologies controlled under the EAR and/or ITAR, or transactions and exchanges with designated countries, may require export licenses.

In general, export control regulations apply to:

- the “export” of specified information, items or technology outside the U.S.;
- the disclosure of certain information to certain foreign nationals inside the U.S.
- ("deemed exports");
- the training or offering of services involving controlled equipment or information to foreign nationals;
- the design or production of items related to defense services; and
- transactions with certain foreign countries or individuals who are on embargo or restricted lists.

All SDSU and SDSURF personnel, including faculty, staff, visiting scientists, post-doctoral fellows, students and all other persons retained by or working at the university or foundation must be aware of and are responsible for the export control implications of their work and must ensure their activities conform to export control laws and regulations.

There are severe institutional and individual sanctions for violations of export control laws and regulations, including the loss of research funding and loss of export privileges, as well as criminal and civil penalties, including monetary fines up to $1 million dollars per penalty and jail time.
SDSU is in the process of developing an export compliance program and website for the University community as a resource to enable researchers and administrators in meeting export compliance obligations. Additionally export control training is available on request. The SDSU Division of Research Affairs and SDSURF are staffed to advise on export control issues and assist faculty in conducting activities related to research and sponsored projects.

Stephen C. Welter, Ph.D.
Vice President for Research and Graduate Dean
San Diego State University

Bob Wolfson
Executive Director
San Diego State University
Research Foundation