

NC STATE UNIVERSITY

February 26, 2008

Office of the Vice Chancellor
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919.515.7521 (fax)

Dear NC State Community,

Through this letter, we intend to convey information to help the institution and you avoid personal civil and criminal liability associated with U.S. federal export control law and regulations. Compliance with statutory and regulatory requirements is critical, because non-compliance can result in substantial civil and/or criminal penalties for both the individual and the institution.

NC State University is committed to the highest level of ingenuity in all of our endeavors. As such, you may be using or creating technologies and technical information with dual-use (Commerce Control List) or defense applications. Disclosure of this controlled technical information to foreign persons or entities, whether in your travels abroad or here on campus, may result in an unintended violation of export control laws. Export control laws and regulations are complex and, particularly since September 11, 2001, are constantly being revised. Compliance with these regulations is paramount to the safety and competitiveness of the United States of America. We, as creators of knowledge, stewards of information, and catalysts for economic development are particularly responsible for safeguarding national assets through adherence to the export regulations, rules and laws of our country.

To assist you in understanding your responsibilities with regard to export control regulations, the Committee on Export Controls has developed a website (<http://www.ncsu.edu/sparcs/export>) that sets forth NC State University's Export Management Program. Within this website, you will find information concerning your responsibilities, various utilities (including flow charts) to help you navigate the regulations, contact information for staff who are knowledgeable and available to assist, and policies and procedures related to export controls. Visit this website often for updates and contact the Compliance Officer responsible for Integrity, Objectivity and Security at the first sign of possible applicability of export controls.

In addition, the Office of Sponsored Programs and Regulatory Compliance (SPARCS) offers Export Controls education each quarter as part of its Research Administration Management Program (RAMP). Presentations for departments and groups may also be scheduled in advance. You should make every effort to attend at least one of these sessions each year as the regulations and requirements are constantly evolving.

Finally, we also want to inform you of three often misunderstood facts about export controls:

- Export controls not only apply to sending materials, items or information to other countries, but to the transfer of such materials, items and information to foreign nationals within the United States – this means to your foreign graduate students, post docs and colleagues. Export controls may also be applicable to the visual inspection of controlled technology by foreign nationals.
- The penalties for export control violations are both civil and criminal in nature and may be applied to you personally as well as the institution under certain circumstances. These penalties include up to ten years imprisonment and fines reaching as high as \$1,000,000 per violation.
- Acceptance of any “side-deal” restrictions on what you publish as a result of your research is not only a violation of university policy but erodes and often destroys the fundamental research exclusion. You will be personally liable for such violations of the export control regulations.

If you have questions or concerns regarding NC State University’s policies and practices on export control compliance or your particular circumstances with respect to export controls or if you would like to schedule a presentation, please contact Richard Best, Compliance Officer by e-mail at Richard_Best@ncsu.edu or by phone at 515-0158.

Sincerely,



John Gilligan
Vice Chancellor for
Research and
Graduate Studies



Charles Leffler
Vice Chancellor for
Finance and Business



Larry Nielsen
Provost and
Executive Vice Chancellor

JGG/CDL/LAN/mh