



POLICY STATEMENT 119 COMPLIANCE WITH EXPORT CONTROL REGULATIONS

POLICY DIGEST

Monitoring Unit: Office of Research & Economic Development
Initially Issued: August 17, 2015

I. PURPOSE

To define export control and related terms, comply with federal export control laws and regulations, establish responsibility for export control compliance, and institute related policies and procedures.

II. DEFINITIONS

Director of Research Compliance: administrative officer responsible for the oversight of LSU research compliance matters, including export controls.

Export: Includes any of the following:

- A. actual shipment of any covered goods or items;
- B. the electronic or digital transmission of any covered goods, items or related goods or items;
- C. any release or disclosure, including verbal disclosures or visual inspections, of any controlled technology, software or technical data to any foreign national; or
- D. actual use or application of controlled technology on behalf of or for the benefit of any foreign entity or person anywhere.

Export Administration Regulations (EAR): regulate the export of certain goods, software and related technology. This includes items identified on the Commodity Control List (CCL), as well as restrictions on exports to specified persons, entities, countries, and end-uses. Regulations set forth in parts 730-774, inclusive, of Title 15 of the Code of Federal Regulations and implemented by the United States Department of Commerce.

Export Control Compliance Manual: manual which outlines processes for members of the LSU community to follow to ensure that the university is in compliance with export control laws and trade sanctions (see Appendix I).

Foreign National: Any person who is not a citizen or permanent resident of the United States. The term also refers to foreign entities.

Foreign Person: Any natural person who is not a lawful permanent resident and may also include any

corporation, business association, partnership society, trust or any other entity, organization or group that is not incorporated to do business in the United States. This also includes any governmental entity.

Fundamental Research: Under the [EAR](#) and the [ITAR](#), fundamental research means basic or applied research in science and engineering performed or conducted at an accredited institution of higher learning in the United States where the resulting information is ordinarily published and shared broadly in the scientific community. Fundamental research is distinguished from research that results in information that is restricted for proprietary reasons or national security reasons (EAR) or pursuant to specific US government access and dissemination controls (ITAR).

International Traffic in Arms Regulations (ITAR): 22 CFR Sections 120-130, are the regulations promulgated and implemented by the Department of State which regulate defense articles and defense services and related technical data listed on the U.S. Munitions Control List (USML), 22 CFR § 121.

III. GENERAL POLICY

Louisiana State University encourages and supports an open research environment for conducting fundamental research but also acknowledges that the government of the United States has enacted export control laws, regulations, and other guidelines that restrict the shipment, transfer, or transmission of certain items, services, technology, and software to foreign countries, as well as the release of controlled technology and software to foreign persons within the United States. Export control regulations exist for purposes of national security, foreign policy, competitive trade, and prevention of the proliferation of weapons of mass destruction.

Although most research conducted at LSU is excluded from export control regulations, LSU also engages in activities, research and the development of new technologies that are subject to export restrictions. LSU and its employees are required to comply with US export control regulations, including the [International Traffic in Arms Regulations](#) (ITAR) through the Department of State; the [Export Administration Regulations](#) (EAR) through the Department of Commerce; and the [Office of Foreign Assets Controls](#) (OFAC) through the Department of Treasury. Failure to comply with US export control regulations subjects the university and individual employees to civil, criminal, and administrative penalties.

It is the responsibility of all LSU employees to be aware of and comply with United States export control laws, as well as any LSU written instructions or procedures contained in LSU's [Export Control Compliance Manual](#) available on the [Export Control website](#).

IV. GUIDELINES AND RESOURCES

The Office of Research and Economic Development (ORED) has established export control guidelines and resources which are available on the ORED website. These resources include the following:

- A. Export Control Compliance Manual
- B. Frequently Asked Questions (FAQs)
- C. Training Resources
- D. Restricted Parties Screening Guidelines and Instructions
- E. Additional Information

Principal investigators and others responsible for export control compliance are encouraged to contact

the Director of Research Compliance in ORED as soon as they are aware of any export control requirements applying to their proposal or project.

V. SOURCES

[International Traffic in Arms Regulations](#)
[Export Administration Regulations](#)
[Office of Foreign Assets Controls](#)

VI. APPENDIX

[Export Control Compliance Manual](#)