

## Reminder - Export Control Requirements

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March 9, 2007

**To:** Stanford Principal Investigators

**From:** Ann Arvin,  
Vice Provost and Dean of Research

**Subject:** **Reminder - Export Control Requirements**

Stanford is committed to adhering to all applicable export control laws and regulations that pertain to the conduct and dissemination of our research and to the export of tangible items such as equipment, components or materials. Stanford will not, however, agree to accept research, agreements or information that might result in the imposition of export control requirements in conflict with our [Openness in Research Policy](#).

Occasionally sponsors, subcontractors, or other third parties want to share their proprietary or classified information or technology with members of a Stanford research project. Stanford's Openness in Research policy allows this where acceptance of the data or technology will not inhibit anyone's ability to participate in the intellectually significant portions of the work, and where there is no expectation that the third party will suppress publication of final results.

Although the Openness in Research policy does allow Stanford researchers to accept proprietary or confidential information on their own behalf by signing and abiding by Confidentiality or Non-Disclosure Agreements, such proprietary or confidential information may still in fact be "export controlled." Stanford researchers cannot accept ANY proprietary or otherwise restricted information that is known to be, or that a third party identifies as export controlled without first obtaining the University Export Control Officer's written concurrence. Allowing a non-citizen, **including international students**, to view export-controlled information or technology in some situations constitutes a "deemed export," and could require a deemed export license. The unauthorized transfer of such information or technology is a violation of government regulations. It is Stanford's policy to decline research, agreements or information that would require a deemed export license.

Unlike information, export control regulations always apply to the export of tangible items and - depending on the item, its destination and the recipient - may require an export license if a license exception is not available. In every instance, PIs must [document their export control determination](#) before tangible items are sent outside of the US.

In the infrequent event that a transfer of export controlled technology or technical data is made to a non-US citizen, either in the US or abroad, PIs must also [document their export control determination](#). These circumstances are infrequent since almost all of the information that we share both inside and outside of the US is excluded from export controls because it is fundamental research. The infrequent circumstances by which export controlled information is transferred are usually confined to non-disclosure, procurement or technology licensing agreements.

The Office of the Dean of Research, in coordination with the Office of General Counsel, has developed tools and resources to assist the Stanford community with export control compliance including export control determinations. These are available at <http://export.stanford.edu> and include an interactive [Export Control Decision Tree](#) to help in determining export control exposure. The Decision Tree discusses exceptions to export licensing requirements such as that available for foreign nationals who are full-time regular employees of the University on (H-1B) visas (Note: Graduate Research Assistants on student (F-1) visas are not eligible for this

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exception). [Forms](#) also provides additional information on export license exceptions. Finally, the Committee on Research has also prepared a checklist for reviewing potential research agreements, and you may wish to review it at <http://dor.stanford.edu/C-Res/ITARlist.html>.

If you are interested in receiving additional guidance on deemed or tangible exports, contact Stanford's Export Control Officer Steve Eisner, [steve.eisner@stanford.edu](mailto:steve.eisner@stanford.edu) at (650) 724-7072.

If you have any other questions, please get in touch with me.

Ann Arvin  
Vice Provost and Dean of Research