TO: Deans, Department Chairs, Laboratory & Center Directors, and Administrators

FROM: Jean Morrison, University Provost and Chief Academic Officer
Karen Antman, Provost, Medical Campus

DATE: October 7, 2013

SUBJECT: Export Policy Statement

Boston University conducts focused research to advance knowledge, enhance student learning experiences, and build its reputation in the scientific and technical communities while providing positive returns on sponsoring partners’ investments. While Boston University endorses the principles of freedom of inquiry and open exchange of knowledge, we must be mindful of the federal laws and regulations governing the exchange of research materials and results that are subject to export controls.

The export of certain technologies, software, and hardware is regulated and controlled by Federal law for reasons of national security, foreign policy, prevention of the spread of weapons of mass destruction, and for competitive trade reasons.

Boston University and all its faculty, students and employees are required to comply with the laws and implementing regulations issued 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 Assets Control (OFAC) and other applicable regulations. Export regulations apply regardless of the source of funding, both external and internal.

While most research conducted on our 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, individuals, and entities may require Boston University to obtain prior approval from the appropriate agency before allowing international students and scholars to participate in controlled research, collaborating with a foreign company and/or sharing research—verbally or in writing—with persons who are not United States citizens or permanent residents. The consequences of violating these regulations can be severe, ranging from loss of research contracts and exporting privileges to monetary penalties and jail time for the individual violating these regulations.
The export control regulations affect not only research conducted on campus, but also travel and shipping items abroad. Simply traveling to certain sanctioned countries could require a license from OFAC. As a result, this policy is applicable to all departments of the University. OFAC sanctions prohibit transactions and exchange of goods and services in certain countries and with designated persons and entities. Multiple lists of denied individuals and parties are maintained and enforced by federal agencies including the Departments of State, Commerce, and the Department of Treasury. Shipping items/data outside the U.S. as well as taking items or data on a flight, even if shipping or traveling in the conduct of research, could require a license from these agencies.

While Boston University is committed to export controls compliance, it also recognizes the complex nature of export control laws. Therefore, Boston University established an export compliance program in the Office of Associate Vice President for Research Compliance. We strongly encourage all of you to contact the University Export Control Director if you are planning to export materials/data abroad, to engage in controlled research, work with a university or company abroad, travel internationally, or if you have any questions related to export controls and the projects that you are currently involved in. Marie Hladikova is our Export Control Director and can be reached at 617-353-6753, or by email at mhladiko@bu.edu.

In addition, we created a website where you can find more information and resources regarding these and other regulations that impact university research activities: http://www.bu.edu/orc/export/.

We ask each of you to take this matter very seriously and to support us in this effort. Any member of the BU community having any questions concerning this policy, its application to a specific situation, or suspecting violations of U.S. export controls should contact the Export Control Director, the Associate Vice President for Research Compliance or the Office of the General Counsel.