

From: Woody Sutherland <woodys@ucsd.edu>
Subject: [Export Control]
Date: Tue, 23 Mar 2010 10:51:44 -0700

This has become a very real and burdensome problem for SIO Shipboard Technical Support and scientists using SIO ships. How are other ship operators and universities dealing with this?

-Woody Sutherland

----- Forwarded Message -----

Export control laws are federal regulations that control the conditions under which certain information, technologies, hardware, and software can be transmitted or shipped overseas to anyone (including U.S. citizens) or disclosed, released, or transferred to a foreign national on U.S. soil. Controlled items can be found in the Export Administration Regulations (EAR) EAR Commerce Control List and/or the Department of State International Trafficking in Arms Regulations (ITAR) ITAR U.S. Munitions List. Export control regulations apply whether or not a project is funded by a grant, contract, or another type of agreement, and whether or not EAR or ITAR regulations are cited in the award document. Compliance with export control regulations is extremely important to the individual PI and to the University. Violations of export control regulations can result in both civil and criminal penalties for the individual Principal Investigator and for the University. In addition to a civil penalty not to exceed \$10,000 for each violation of the export regulation, there are criminal penalties that may be imposed, including a fine of up to \$1 million against The Regents of UC, and a fine of up to \$250,000, or imprisonment of not more than 10 years, or both against the individual.

Scripps' research endeavors often require shipment of scientific equipment to foreign locations; these shipments are subject to export control regulations and may require export licenses. In recognition of the complex nature of Scripps export license needs and the importance of compliance, the Office of the President and the Scripps Director's Office are arranging to have Donald Fischer, a leading expert on export regulations in higher education, present a seminar on export controls to interested faculty, researchers, and scientific and administrative staff.

Nancy Wilson
Office of Contract and Grant Administration
Scripps Institution of Oceanography, UCSD

From: Bill Byam, UDEL

Woody,
The Sharp was approached by The University of Delaware's research and legal departments. They visited the ship and viewed the locations of sensitive items such as our MRUs and Pos MV systems. They felt that since all of these items of concern are a permanent part of the ship, they are OK.

We fax the ship's roster to the legal department at the start of each cruise and I believe they compare the names to one of the watch list of known people of interest. I was told that we just have to show due diligence in addressing ITAR.

Bill Byam, UEL
