

# Export Control Compliance

REG # \_\_\_\_\_

## Research

**Authority:** Chancellor

**History:** First Issued \_\_\_\_\_, 2009

**Related Policies:** None

**Additional References:** US Department of Commerce [Export Administration Regulations](#), US Department of State [International Traffic in Arms Regulations](#), US Department of the Treasury [Office of Foreign Asset Control](#), [NCSU Export Control Website](#), [UNC-General Administration Compliance Website](#)

**Contact for Info:** Compliance Officer for Integrity, Objectivity and Security, Richard Best, (919) 515-0158, [Richard\\_Best@ncsu.edu](mailto:Richard_Best@ncsu.edu)

### 1. Introduction

Federal export control laws restrict for reasons of national security and foreign policy the shipment, transmission or transfer of certain items, software, technology and services from the U.S. to foreign countries, as well as “deemed exports,” which are releases of controlled technology and software source code to foreign nationals located in the U.S. Although many of the University’s activities are exempt from export control laws, some activities may be restricted. Prior written authorization (a “license”) from one or more U.S. government agencies may be required to carry out certain sponsored research or other educational activities involving specified technologies or certain countries, if an exemption or exception is not available. Failure to comply with these laws exposes both the employee and the University to severe criminal and civil penalties (fines and prison sentences) as well as administrative sanctions (loss of research funding and export privileges).

### 2. Statement of Policy

All university personnel, including employees, visiting scholars and students will comply with all United States Export Control laws and regulations, including the Department of Commerce's Export Administration Regulations (EAR), the Department of State's International Traffic in Arms Regulations (ITAR), and the regulations administered by the Treasury Department's Office of Foreign Assets Control (OFAC).

2.1 Scope. This regulation shall apply to all university personnel, including faculty, staff, students, and visiting scholars.

### **3. Implementation**

#### **3.1. University Empowered Official**

The Vice Chancellor for Research and Graduate Studies will serve as the Empowered Official as defined in 22 CFR 120.25 and shall be empowered to sign export license applications or other requests for approval on behalf of the University. The Empowered Official will have overall responsibility for the University's compliance with this regulation.

#### **3.2. Administrative Committee on Export Controls**

3.2.1 The Chancellor will appoint an Administrative Committee on Export Controls. The Committee shall be responsible for the development of regulations, procedures, and rules pertaining to Export Controls and making organizational and resource recommendations as necessary for their implementation. The Committee will report jointly to the Vice Chancellor for Research and Graduate Studies, the Vice Chancellor for Finance and Business, and the Provost and Executive Vice Chancellor. The members of the Committee shall consist of the individuals currently holding the following positions:

University Controller  
Director, Materials Management  
International Employment Manager, Human Resources  
Director, Office of International Services  
Director, Office of Technology Transfer  
Associate Director, Sponsored Programs and Regulatory Compliance  
Associate Vice Chancellor for Research Administration (Chair Pro Tem)  
Compliance Officer for Integrity, Objectivity and Security (Chair)  
Director, Environmental Health and Safety  
Associate Dean, Graduate School – Graduate Admissions  
Associate General Counsel with responsibility for Export Controls  
Immediate Past Chair of the University Research Committee (Faculty Member)  
Chair Elect, University Business Officers

3.2.2 The committee will also include one representative of the Faculty Senate nominated by the Chair of the Faculty and one representative of the Research Operations Council.

3.2.3 The Administrative Committee on Export Controls shall provide a report each year to the Vice Chancellor for Research and Graduate Studies, the Vice Chancellor for Finance and Business, and the Provost and Executive Vice Chancellor on the state of the institution with respect to Export Control matters.