

Title/Subject: **EXPORT CONTROLS**

Applies to: faculty staff students student employees visitors contractors

Effective Date of This Revision: December 17, 2019

Contact for More Information: Office of Research Compliance

Board Policy Administrative Policy Procedure Guideline

BACKGROUND:

The creation and broad dissemination of knowledge through research and education are fundamental to the mission of Central Michigan University; however, CMU acknowledges that some research and education activities have implications for national security and foreign policy of the United States and are subject to export control regulations.

PURPOSE:

This policy states CMU's commitment to complying with export control regulations and describes compliance responsibilities of university departments and units.

DEFINITIONS:

BIS - Bureau of Industry and Security (Department of Commerce)

CCL – Commerce Control List, administered by the Department of Commerce, lists items that have military and non-military uses.

EAR - Export Administration Regulations (15 CFR 730-774)

Foreign Person - Any natural person who is not a lawful permanent resident of the United States or who is not a protected individual (i.e., admitted as a refugee or granted asylum). It also means any foreign corporation, business association, partnership, trust, society or any other entity or group that is not incorporated or organized to do business in the United States, as well as international organizations, foreign governments and any agency or subdivision of foreign governments such as diplomatic missions.

ITAR - International Traffic in Arms Regulations (22 CFR 120-130)

OFAC - Office of Foreign Assets Control (Department of the Treasury)

USML – US Munitions List, administered by the Department of State, covers items that have military uses only.

Authority: President Robert O. Davies
History: New Policy
Indexed as: export control regulations; foreign persons; international travel

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POLICY:

Central Michigan University and its agents will comply with:

- Export Administration Regulations (EAR) administered by the Department of Commerce and International Traffic in Arms Regulations (ITAR) administered by the Department of State;
- regulations associated with the list of Specially Designated Nationals and Blocked Persons maintained by the Office of Foreign Assets Control (OFAC) of the Department of the Treasury and the Denied Persons List maintained by the Bureau of Industry and Security (BIS) of the Department of Commerce;
- Comprehensive Sanctions administered by the Department of the Treasury and the Department of Commerce; and
- export control regulations of the Departments of Energy, Defense, and Health and Human Services.

PROCEDURE:

The Vice President for Research and Innovation (VPRI) is responsible for overall administration of this policy and coordination of the university's compliance with export control regulations including assisting with developing procedures and guidelines for complying with the regulations; offering education programs; and periodically assessing compliance with the regulations and this policy. The VPRI may delegate these responsibilities to the Director of the Office of Research Compliance.

The VPRI is authorized to sign applications for export licenses submitted to the Department of Commerce or the Department of the Treasury; and is the Empowered Official authorized to sign ITAR license applications submitted to the Department of State.

Responsibilities for complying with export control regulations are distributed among various academic and administrative departments and units according to their specific functions. Examples of such functions include, but are not limited to:

- hiring foreign persons;
- authorizing international travel by faculty and staff acting as agents of the university;
- authorizing visits to campus by foreign persons;
- shipping commodities listed on CCL or USML to foreign persons;
- transferring technical information associated with items on CCL or USML and intellectual property to foreign persons;
- transferring funds to foreign persons; and
- accepting terms associated with donations, gifts, grants, or contracts from foreign persons.

In general, responsibility for complying with export control regulations rests with the university employee or office that approves an activity.

Central Michigan University reserves the right to make exceptions to, modify or eliminate this policy and or its content. This document supersedes all previous policies, procedures or guidelines relative to this subject.