



# CRR: Export Controls

## Compliance Risk Areas

Compliance Risk Areas	Related Governing Laws, Rules, Regulations, or University Policies
<ul style="list-style-type: none"><li>Deemed Exports to non-US persons</li></ul>	<ul style="list-style-type: none"><li>Administrative Policy: Export Controls Export Administration Regulations (EAR) 15 C.F.R. Pt. 730, et. seq.</li><li>International Traffic in Arms Regulations (ITAR), 22 C.F.R. Pt. 120, et. seq.</li></ul>
<ul style="list-style-type: none"><li>Export of US origin commercial or dual-use items or technologies</li></ul>	<ul style="list-style-type: none"><li>Administrative Policy: Export Controls Export Administration Regulations (EAR) 15 C.F.R. Pt. 730, et. seq.</li></ul>
<ul style="list-style-type: none"><li>Export of US origin defense articles and services</li></ul>	<ul style="list-style-type: none"><li>Administrative Policy: Export Controls</li><li>International Traffic in Arms Regulations (ITAR), 22 C.F.R. Pt. 120, et. seq.</li></ul>
<ul style="list-style-type: none"><li>Export of US origin items or technologies to prohibited persons or destinations</li></ul>	<ul style="list-style-type: none"><li>Administrative Policy: Export Controls</li><li>Foreign Assets Control Regulations, 31 C.F.R. Pt. 500, et. seq.</li></ul>
<ul style="list-style-type: none"><li>International Travel</li></ul>	<ul style="list-style-type: none"><li>Administrative Policy: Export Controls Export Administration Regulations (EAR) 15 C.F.R. Pt. 730, et. seq.</li></ul>

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	<ul style="list-style-type: none"><li>• International Traffic in Arms Regulations (ITAR), 22 C.F.R. Pt. 120, et. seq.</li><li>• Foreign Assets Control Regulations, 31 C.F.R. Pt. 500, et. seq.</li></ul>
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## General compliance question(s)

1. How is compliance with the policy and regulations monitored?
2. What is the frequency of the monitoring?
3. What are the typical noncompliance issues found and how are they corrected?
4. Has export controls had any recent (within three years) internal audit findings? If yes, how was the risk mitigated?
5. What training efforts are undertaken to ensure that researchers and those involved in purchasing are aware of export control issues?

## Fundamental Research and Deemed Exports

1. Describe the process for identifying research projects with export control language.
  - a. Who identifies grants, contracts, or confidentiality agreements that include restrictions on publication?
  - b. How is limited pre-publication reviews defined?
  - c. Who identifies grants or contracts that include restrictions based on nationality?
  - d. How is confidential technical information received from an outside party identified?
2. How many projects have an exception granted from the Openness in Research policy that involve exports?
  - a. Attach the Technology Control Plan for any projects that have had an

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exception granted from the Openness in Research policy.

- b. Are all Technology Control Plans that are in place subject to reviews?

## Export Administration Regulations

1. Describe the process for ensuring that the “fundamental research” exclusion is maintained for research projects.
2. Describe the process for identifying exports to restricted parties on the Entity and Denied Persons Lists.
3. Describe the training process for researchers that are involved in projects that have Technology Control Plans for EAR-controlled technology.
4. How many licenses have been applied for and granted in the last five years?
  - a. Are all records kept electronically for a period of five years?
  - b. Are they in an accessible format and available at all times for requesting governmental entities to examine?
5. How many times have the use of license exceptions been approved in the last five years?
  - a. Are all records of license exceptions kept?
6. How often is the EAR checked for amendments?

## International Traffic in Arms Regulations

1. Describe the process for ensuring that the “fundamental research” exclusion is maintained for research projects having potential military applications.
2. Describe the training process for researchers that are involved in projects that have Technology Control Plans for ITAR-controlled technology.
3. How many licenses have been applied for and granted in the last five years?
  - a. Are all records kept electronically for a period of five years?
  - b. Are they in an accessible format and available at all times for requesting

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governmental entities to examine?

4. How many license exemptions have been granted in the last five years?
  - a. Are all exports granted under a license exemption reported electronically to the DDTC?
  - b. Are all records of license exemptions kept?
  - c. Do they include: A description of the defense article, including technical data, or defense service; the name and address of the end-user and other available contact information (e.g., telephone number and electronic mail address); the name of the natural person responsible for the transaction; the stated end-use of the defense article or defense service; the date of the transaction; the Electronic Export Information (EEI) Internal Transaction Number (ITN); and the method of transmission.
5. How often is the ITAR checked for amendments?

## Foreign Assets Control Regulations

1. How does the University verify that all travel and imports/exports to Cuba, Iran, North Korea, Sudan, and Syria are approved by the Export Controls Officer?
2. Has any license been granted for exports or travel to any of the embargoed countries?
3. How does the University track University-hosted individuals from embargoed countries?
4. Which US government lists are used to screen research subrecipients, external sales customers, and material transfer agreement recipients against?
5. Describe the process for verifying that any research subrecipient is not on the SDN list.
  - a. Have there been any known instances in the last five years of a subrecipient that was on the SDN list?
  - b. Have there been any known instances in the last five years of a potential subrecipient that was on the SDN list?
6. Describe the process to ensure that any party on an outgoing material transfer

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agreement is not on the SDN list.

- a. Have there been any known instances in the last five years of an MTA party that was on the SDN list?
  - b. Have there been any known instances in the last five years of a potential MTA party that was on the SDN list?
7. Describe the process to ensure that any party on an external sales agreement is not on the SDN list.
- a. Have there been any known instances in the last five years of a customer that was on the SDN list?

## International Travel

1. How does the University verify that all international trips are registered with Global Programs?
2. Describe the process for notifying the Export Controls Officer.
3. What is the procedure for traveling with computer devices?

## Identifying Exports in Purchasing

1. Are vendors required to provide the ECCN or USML category for all equipment purchases?
2. Describe the process to ensure that any vendor to the University is not on the SDN list.
  - a. Have there been any known instances in the last five years of a vendor that was on the SDN list?
  - b. Have there been any known instances in the last five years of a potential vendor that was on the SDN list?

## Violations

1. Have any violations of export control regulations been identified over the last five

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years?

- a. If so, how were the violations remedied?
  - b. Were any policies or procedures changed as a result of the remedies?
2. Has the University been penalized for export control violations over the last five years?

## Miscellaneous

1. Describe any other areas or processes that may warrant further assessment and potential adjustment.

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