

Export Control Regulation Compliance Policy

POLICY CONTENTS

- Scope
- Policy Statement
- Reason for Policy
- Procedures
- Definitions
- Additional Contacts
- Related Information
- History

Scope

Export Control Regulations (ECR) address the distribution of strategically important technology, services, and information to foreign nationals and foreign countries. The United States laws and regulations regarding exports restrict the use of, and access to, certain sensitive or controlled technical information, materials, and technology. Export Control agencies have placed the responsibility on universities to understand and comply with export control laws and regulations. The University of Nebraska at Omaha is committed to full compliance with the laws and regulations of the United States, including those controlling the export of technologies, services and products. This policy applies to all members of the university community in the conduct of university business.

Policy Statement

The University of Nebraska at Omaha has developed the following policy to ensure that all faculty, staff, students, and affiliates comply with Export Administration Regulations (EAR), International Traffic in Arms Regulations (ITAR), Office of Foreign Assets Control (OFAC) regulations and all other applicable export control or sanction related regulations. The United States export laws and regulations restrict the use of, and access to, certain sensitive or controlled technical information, materials, and technology for reasons of national security or protection of trade.

UNO faculty and staff will contact the Office of Research and Creative Activity staff during the planning phase of your research project, international travel, international communications, and international collaborations and sharing proprietary, confidential or restricted information or software code with foreign nationals to determine if your activity is subject to export controls. The export control processes and procedures can be found in the [University of Nebraska at Omaha Export Controls Management Plan \(ECMP\) document](#). This policy and any amendments or additions applies to all university activities that may result in an export control or sanctioned transaction with a person, entity, or country requiring an export license or other governmental approval.

Reason for Policy

While most of the teaching and research activities at the university are exempt from export control as fundamental research, certain sponsored activities or research may involve controlled technologies and trigger the application of U.S. export controls. Moreover, many other university activities, such as those involving information systems technologies or international shipping and international travel, fall within the scope of export control regulations. Research sponsors may impose restrictions on the research for reasons of national security or protection of trade which would require the application of export control regulations to that particular project.

Procedures

To begin the export control process, UNO faculty and staff will contact the Office of Research and Creative Activity staff during the planning phase of your research project, international travel, international communications, and international collaborations or when receiving restricted or proprietary information to help guide you through the export control regulations. The export control processes and procedures can be found in the [University of Nebraska at Omaha Export Controls Management Plan \(ECMP\) document](#).

Compliance Oversight and Responsibilities

Under these responsibilities, Office of Research and Creative Activity staff have the authority to (1) inquire into any aspect of a proposed export, temporary import, or any other transaction within the scope of export control regulations, (2) verify the legality of the transaction and the accuracy of any information to be submitted to a licensing or approval authority and (3) restrict access to any and all funding, thereby halting any and all research efforts, for projects which are not in compliance with Export Control Regulations. The responsible ORCA staff members for the Export Control Program will be appointed by the Associate Vice Chancellor for Research and Creative Activity.

ORCA Staff can assist faculty, researchers, students, or other members of the university community in determining what export controls may apply to their research, international travel, or other activities.

While the university will assist any member of the university in complying with U.S. export control laws and regulations, primary responsibility for compliance with such laws and regulations rests with the faculty, researcher or other member of the university community involved in the specific activity as that individual is both the most informed about, and the one in control of a potential export.

Penalties for Non-Compliance

Federal penalties for violations can **apply to both individuals AND institutions** and include loss of “exporting” privileges; loss of federal funding or industry contract (for the university and for the individual); and negative public relations and media exposure. Possible penalties may be criminal

and civil which may include; but not limited to, steep financial fines, imprisonment, federal debarment, and forfeiture of articles/property. Additional penalties may apply if violating certain specific sanction laws. UNO ORCA staff are legally obligated to report to federal authorities those individuals who are willfully in non-compliance with the export control regulations.

Definitions

Export: Means to send or take controlled tangible items, software or information out of the United States in any manner, to transfer ownership or control of controlled tangible items, software or information to a foreign person, or to disclose information about controlled items, software or information to a foreign government or foreign person. The controlled tangible item, software or information being sent or taken out of the United States is also referred to as an "export."

Additional Contacts

Subject	Contact	Phone	Email
Export Management, Compliance Program Manual & General Information	Brenda Kolobara	402.554.2286	bkolobara@unomaha.edu

Related Information

Further information on export control regulations can be found at the following:

- [University of Nebraska at Omaha Export Control Management Plan](#)
- [International Traffic in Arms Regulations Website](#)
- [Export Administration Regulations Website](#)
- [Office of Foreign Asset Control Website](#)

History

Policy approved by Chancellor's Cabinet on 01/03/2018.

The University of Nebraska does not discriminate based on race, color, ethnicity, national origin, sex, pregnancy, sexual orientation, gender identity, religion, disability, age, genetic information, veteran status, marital status, and/or political affiliation in its programs, activities, or employment.

