

Title: Export Control

PRR Classification # (List POL, REG RULE and leave #blank. To be done by Legal)

PRR General Subject Matter (Leave blank. To be done by Legal)

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Authority: Chancellor

History: December 3, 2007

Related Policies: Regulatory Compliance at UNC General Administration: Export Controls

[http://www.northcarolina.edu/research\\_spga/index.php?tag=Export+Controls](http://www.northcarolina.edu/research_spga/index.php?tag=Export+Controls)

Additional References:

Export Administrations Regulations (EAR): 15 CFR 730-774;

<http://ecfr.gpoaccess.gov>

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

<http://ecfr.gpoaccess.gov>

Office of Foreign Assets Control Regulations (OFAC): 31 CFR 501;

<http://ecfr.gpoaccess.gov>

ECU Export Control Management Plan

Contact for Info: Director, Office of Research Compliance Administration  
Division of Research and Graduate Studies

### **1. University Commitment to Compliance**

East Carolina University recognizes the importance of compliance with all applicable export control regulations in the conduct of university activities. Accordingly, the Chancellor of East Carolina University has approved this Regulation regarding export controls and identified an Empowered Official who is responsible for its implementation.

### **2. Regulation Statement**

It is a regulation of East Carolina University to comply with all United States export control laws and regulations, including those implemented by the U.S. Department of Commerce (DOC) through the Bureau of Industry and Security's Export Administration Regulations (EAR) (trade and dual use protection); the U.S. Department of State through its International Traffic in Arms Regulations (ITAR) (national security) and those imposed by the U.S. Treasury Department through its Office of Foreign Assets Control (OFAC) (trade embargo).

### **3. Export Control Empowered Official**

To carry out this regulation, the Research Compliance Officer (RCO) will serve as the Empowered Official for export control matters at East Carolina University (EOEC). The EOEC will have overall responsibility for the University's compliance with this regulation.

### **4. Export Control Advisory Council (ECAC)**

The Chancellor, in consultation with the EOEC, the Vice Chancellors and the Chair of the Faculty, as appropriate, will initially appoint and charge an Export Control Advisory Council (ECAC). The membership of the ECAC will consist of ECU faculty, administrators and staff with broad technical and business knowledge in fields that are most germane to export control issues. The ECAC will have at least one representative from each administrative division of the university and the faculty<sup>1</sup>. The Office of the University Attorney will provide legal advice and counsel to the ECAC and the EOEC. A University Attorney will serve as an *ex officio* member of the ECAC. The EOEC will serve *ex officio* as Chair of the ECAC and subsequently will appoint replacement members as needed.

#### **4.1 Faculty and Administrative Divisions and Units Representation**

##### **4.1.1 Division of Administration & Finance**

- Information Technology and Computing Services
- Human Resources
- Campus Operations
- Business Services
- Financial Services

##### **4.1.2 Division of Research and Graduate Studies**

- University Research Compliance
- Sponsored Programs
- Technology Transfer
- Graduate School

##### **4.1.3 Division of Health Sciences**

- Brody School of Medicine Office of Compliance
- Prospective Health

##### **4.1.3 Division of Academic Affairs**

##### **4.1.4 University Attorney's Office**

##### **4.1.5 Faculty Senate representation**

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<sup>1</sup> Subject to changes in export control regulations, administrative units may be added or deleted from this list.

## Frequently Asked Questions (FAQ) on Restricted Party Screening for Export Control Purposes

**1. What are export controls?**

*Export controls are federal laws that regulate the exporting of materials, information, or services related to sensitive or controlled technologies, equipment, software, and biological, chemical, and select agents.*

**2. Does export control impact ECU?**

*If ECU exports to or has students or employees or visitors who are foreign nationals or conducts business with foreign countries, nationals, or entities, it is impacted by export control regulations.*

**3. What is ECU doing to manage export controls?**

*UNC General Administration (UNC GA) required all UNC campuses to have an export control management plan. Such a plan includes the monitoring and screening of exports and educating those affected by export control regulations. This export control management plan is ECU's way to manage export controls.*

**4. What is the ECU export control management plan?**

*The ECU export control management plan involves the following:*

- Identify export control violation risks through screening,*
- Document and monitor exports, and*
- Provide export control briefings and training*

**5. What is restricted party batch screening?**

*Restricted party screening is how ECU will identify export control violation risks. ECU's Office of Research Compliance Administration (ORCA) has the tools to perform "Restricted Persons Screening". For cost and time efficiencies when there are numerous and large volume of entities to be screened, the screening can be done via a batch screening by MSR eCustoms, the company that UNC GA retained to provide UNC campuses with export control screening tools. MSR eCustoms specializes in screening for export controls and is part of MSR Global Customs Group.*

**6. What does the batch screening involve?**

*The screening process involves comparing a listing of all ECU employees, students, and vendors against the public databases of restricted persons maintained by various federal and international agencies. These databases identify persons (individuals and companies) that have been convicted of export control violations or have export control restrictions or have other federal restrictions such as debarment.*

**7. How will the batch screening be done?**

*ORCA will receive from HR, Office of Student Affairs, and Materials Management a list (names and home/business addresses) of all ECU employees, students, and vendors as a text file to be sent electronically encrypted to MSR eCustom for processing. MSR eCustoms will return a report to ORCA of its findings.*

**8. What are the databases that will be used to screen ECU's list?**

*Air Force Office of Special Investigations – Top Ten Fugitives  
 Bureau of Alcohol, Tobacco and Firearms Most Wanted  
 Bank of England Consolidated List of Financial Sanctions Targets in the U.K.  
 Canada Public Safety and Emergency Preparedness Listed Entities  
 Immigration and Customs Enforcement Most Wanted Fugitives  
 Arms Export Control Act Debarred Parties [ITAR]  
 U.S. Drug Enforcement Administration – Major International Fugitives  
 Australia Department of Foreign Affairs and Trade Consolidated List  
 Federal Register Order  
 Denied Persons List [BIS]  
 Terrorist Exclusion List (TEL)  
 Designated Terrorist Organizations  
 Entity List [BIS]  
 Consolidated List of Persons, Groups and Entities Subject to E.U. Financial Sanctions  
 Groups Designated by the European Union as Terrorist Organizations  
 FBI Hijack Suspects  
 FBI Seeking Information  
 FBI Wanted Fugitives  
 FBI Most Wanted Terrorists  
 FBI Ten Most Wanted Fugitives  
 Food and Drug Administration – Clinical Investigators  
 Food and Drug Administration – Debarment List  
 Food and Drug Administration – Disqualified and Restricted  
 Interpol Recently Wanted  
 Japan Foreign End-Users of Concern  
 OIG Individuals/Entities Excluded from Federal Health Programs  
 Munitions Export Controls Order  
 Homeland Security Most Wanted Fugitive Criminal Aliens  
 Homeland Security Most Wanted Human Smugglers  
 Naval Criminal Investigative Service – Wanted Fugitives  
 GSA Parties Excluded from Federal Nonprocurement Programs  
 Munitions Export Nonproliferation Order  
 GSA Parties Excluded from Federal Procurement Programs  
 Politically Exposed Persons in Money Laundering Risk Countries [CIA]  
 Office of Research Integrity PHS Administrative Actions*

*U.S. Postal Inspection Service – Most Wanted*  
*Palestinian Legislative Council List [OFAC]*  
*Royal Canadian Mounted Police – Wanted*  
*GSA Parties Excluded from Federal Reciprocal Programs*  
*Specially Designated Nationals and Blocked Persons [OFAC]*  
*OSFI Consolidated List – Entities*  
*OSFI Consolidated List – Individuals*  
*OSFI Warning List*  
*U.S. Secret Service Most Wanted*  
*United Nations Consolidated List*  
*Unverified Entity List [BIS]*  
*U.S. Marshals Service – Major Fugitive Cases*  
*U.S. Marshals Service – Top 15 Most Wanted*  
*World Bank Listing of Ineligible Firms*  
*WMD Regulations Designation [OFAC]*

**9. What will ORCA do with the MSR eCustoms report?**

*The report from MSR eCustoms will contain the names that match those in the searched databases. ORCA will screen the report for possible false positives and eliminate those. Those remaining will be researched for verification. Names that have been verified will be [securely shared with](#) HR, or Office of Student Affairs, or Materials Management for appropriate handling. ECU will work diligently to ensure that no one is improperly denied access to education or work or with doing business with ECU.*

**10. How will ECU maintain confidentiality of the list and report?**

*The ECU listing will be sent encrypted to MSR eCustoms. Only ORCA will receive a copy of the MSR eCustoms report. The hard copy of the report and any copies of the report will be kept securely in locked [file cabinets](#). [Electronic versions of the report will adhere to security industry best practices that ensure the protection of the confidentiality and integrity of the information.](#) ORCA will collaborate with [ECU IT Security to ensure appropriate security controls are implemented.](#) ORCA will share information from the report only with ECU units with a need to know. FOIA requests for the report will be forwarded to ECU Office of Legal Counsel for processing.*

**11. Who do I contact for more information about export controls?**

*John Chinn is the export control empowered official. He has information on export controls and export control regulations. Questions about export controls and the export control management plan should be addressed to:*

*John Chinn, Director, Office of Research Compliance Administration*

*Email: [chinnj@ecu.edu](mailto:chinnj@ecu.edu)*

*Phone: 328-9473*

*Office: 2200 South Charles Boulevard, Room 2204 Greenville Centre*