2. Export Control Oversight: Who is Responsible

Under the U.S. export control regulations, any individual or institution that is undertaking any export activity is responsible for properly complying with the regulations. Civil and criminal enforcement liability extends to both individual and institutional activity. Taking that into account, the Office of the Vice Chancellor for Research (hereinafter referenced as “OVCR”) is committed to supporting CUNY’s export compliance program. CUNY’s export compliance program responsibilities are distributed as follows:

Research Compliance Staff in OVCR

The research compliance staff, under the direction of the University Director for Research Compliance and as supported by other internal and external advisors, will serve as a key resource to perform the following functions:

- Determine whether an item being exported (hardware, software, materials, or technical data) requires an export license by virtue of its International Traffic in Arms Regulations (ITAR) jurisdiction, Export Administration Regulations (EAR) classification, end user status, or potential OFAC restriction
- Assist campuses in screening end users against the U.S. Government’s published Denied Parties/Restricted Entities Lists
- Apply for export licenses and authorizations where required and advise supervising PIs and license recipients on how to comply with license conditions
- Advise faculty members on travel-related export control requirements, conducting research abroad, and international collaborations
- Advise and support compliance for those Departments (across all CUNY campuses) potentially affected by export control requirements, including but not limited to the following functions:
  - Shipping/Receiving
  - Human Resources
  - Procurement/Purchasing
  - Information Technology
  - Facilities Management
  - Grants Officers / Research Foundation
  - Technology Commercialization and Transfer
  - Internal Audit
  - Environmental Health and Safety (EH & S)
- Oversee export control recordkeeping processes at the OVCR and advice campuses in export control recordkeeping
- Conduct CUNY-wide export control training for faculty, administrators, and others requiring such training
- Conduct periodic audits of export control processes and activities to proactively manage compliance
- Serve as the liaison between the OVCR and any U.S. Government agency requesting documentation from CUNY, inquiring about a particular export transaction, or inquiring about any other matter which involves a regulatory matter.
**Export Control Administrator**

The Export Control Administrator serves as the first point of contact for CUNY faculty, staff and students who may become involved in export controlled transactions. The Export Control Administrator is responsible for the following:

- Providing initial advise to the CUNY faculty, staff and students at their respective College regarding export control issues, including export licensing requirements (see Section 4 below)
- Communicating with the OVCR to ensure compliance with export control regulations
- Implementing the Technology Control Plan (TCP) at their College (see Section 8 below)
- Overseeing and facilitating export control activities of the following functions (as described herein) at their respective College:
  - Information Technology
  - Facilities Management
  - Procurement
  - Shipping & Receiving
- Identifying export control training needs at their respective College and addressing these needs in collaboration with the OVCR

**Researchers / Research Program Directors**

CUNY researchers and Research Program Directors are responsible for the following:

- Review export control information provided on the CUNY Research Compliance web site
- Communicate and cooperate with the Export Control Administrator and the OVCR to determine whether export control regulations apply to their project, including any export licensing requirement (see Section 4 below) prior to its initiation
- Notify the Export Control Administrator and the OVCR of any changes in the scope of the project or any personnel changes that may affect the initial determinations
- Notify the Export Control Administrator and the OVCR well in advance of shipping or transmitting controlled materials or data, or traveling internationally
- The researcher / Research Program Director is ultimately responsible for ensuring compliance with all applicable regulations, CUNY developed TCPs, Non-Disclosure Agreements (NDAs), Material Transfer Agreements (MTAs), Memorandums of Understanding/Agreement (MOU/MOA) and related Contracts