

UNLV Export Control Policy

It is the policy of the University of Nevada, Las Vegas, that, absent extraordinary circumstances, teaching, research, and service will be accomplished openly and without prohibitions or restrictions on the publication and dissemination of the results of academic and research activities. Certain federal regulations, however, may require the University to obtain permission from the Department of State, the Department of Commerce, or the Office of Foreign Assets Control before allowing foreign nationals to participate in research involving specific technologies or before sharing research information with persons who are not citizens of the United States or permanent resident aliens.

These export control regulations have the potential to limit the research opportunities of University researchers and their students, affect publication rights, and prevent international collaboration in certain research areas. In addition, violations of these export control regulations can result in the loss of research contracts, monetary fines, and/or a prison sentence.

The regulations do not apply, however, to information that is in the public domain or to information that is the result of fundamental research activities.

UNLV shall pursue its mission in teaching, research, and service in a manner that is consistent with the applicable export control regulations while making reasonable efforts to maximize the situations in which the University may claim the benefit of the public domain or fundamental research exemptions to the regulations. To implement this policy, the Office of Sponsored Programs and the Principal Investigators of University research grants and contracts must conduct a thorough review of research project terms and conditions to determine the applicability of export control regulations and the exemptions thereto. This review will proceed as follows:

1. The Senior Research Administrator in the Office of Sponsored Programs (OSP) assigned to a particular research project will review the terms of proposal solicitations and grant/contract agreements for provisions that restrict access to or publication of research and technical data that limit the participation of foreign nationals in the research effort, or otherwise render the exemptions from the export control regulations inapplicable. The results of such review will be indicated on a checklist designed to facilitate such review that will be signed and dated by the Senior Research Administrator (Part 1, Proposal/Agreement Review).
2. If the results of such review indicate that an exemption from the export control regulations may not be available, the Senior Research Administrator will

consult with the Principal Investigator to determine if an Export Control issue exists.

3. If after such consultation it is determined that Export Control issues exist, the Principal Investigator for the research project, with the assistance of OSP, will determine if the research falls into one of the categories of technology designated by the Department of State or the Department of Commerce as export controlled, or if the restrictions imposed by the Office of Foreign Assets Control apply. The results of that determination will be documented and signed by the Principal Investigator (Part 2: Technical Review).
4. If the research grant or contract falls under the terms of any of these regulations, the Office of Sponsored Programs will attempt to negotiate the removal or modification of the provisions that impact the University's exemption from export control regulations. If such negotiation does not result in the removal or modification of the identified clauses, the matter will be referred to the Associate Vice President for Research Services (AVPRS). The AVPRS, after thorough review, will recommend to the Vice President for Research and Graduate Studies (VPRGS) one of the following actions:
 - apply for an export control license;
 - conduct the research under export control restrictions; or
 - abandon the research effort due to the possible burdens or restrictions associated with compliance with the regulations.

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