

IUP Procurement Export Control Procedures

This procedure was developed to comply with PASSHE Procedures and Standards for University Operations Procedure/Standard Number 2012-14 dated October 12, 2012. The paragraph below describes Procurement Services responsibilities under that procedure.

Procurement Officers: When purchasing items, University procurement officers shall request that vendors provide technical specification sheets and the Department of Commerce's assigned ECCN number. Purchased commodities that are on an export control list shall be tagged. Computers on which controlled software is installed shall also be tagged. Both technology and information about technology that is controlled, such as operating manuals, technical specifications, etc., shall be tagged and stored securely. Before awarding bids and again at the time of signing contracts or placing orders, the purchasing officer shall confirm the vendor is not on the Specially Designated Nationals List by checking the federal consolidated list, available at <http://www.treasury.gov/resource-center/sanctions/SDN-List/Pages/default.aspx> .

Definitions

Procurement Officer is the Procurement Agent responsible for the purchase of the item procured.

Tagged is the attachment of a tag that depicts the ECCN or USML number for an item. Note to computer technicians, Budget Holders, and end users; the tags will be prepared by the Central Storeroom and forwarded to the recipient of the equipment.

New Vendors – Prior to adding a new vendor to the SAP system the Procurement Officer is responsible to check the vendor against the U.S. Department of the Treasury Specially Designated Nationals List (SDN). As part of its enforcement efforts, Office of Foreign Assets Control (OFAC) publishes a list of individuals and companies owned or controlled by, or acting for or on behalf of, targeted countries. It also lists individuals, groups, and entities, such as terrorists and narcotics traffickers designated under programs that are not country-specific. Collectively, such individuals and companies are called Specially Designated Nationals. Their assets are blocked and U.S. persons are generally prohibited from dealing with them. Should the new vendor's name appear on the SDN list, IUP Procurement Services will not process a purchase order to the vendor. If the transaction resulted from the bid process, the next lowest bid will be awarded the business. If the transaction resulted from a requisition the budget holder will be advised that the requisition cannot be processed because the vendor appears on the SDN list. The federal consolidated SDN list is available at <http://www.treasury.gov/resource-center/sanctions/SDN-List/Pages/default.aspx> .

Bid Process – The Procurement Officer will ensure that when bids are posted or when received through a requisition from the budget holder for electronic devices, software, scientific devices, weapons and munitions (refer to the categories of the Commerce Control List, <http://www.bis.doc.gov/licensing/exportingbasics.htm>, and the US Munitions List, <http://www.fas.org/spp/starwars/offdocs/itar/p121.htm#ITAR>, for all categories of items.) that a

copy of the technical specification sheets and the ECCN number is provided with the vendor's bid. The following statement will be used for soliciting all bids for electronic devices, software, scientific devices, weapons and munitions, or other controlled items:

Items listed on this bid request may be governed by Federal Export Control Laws and Regulations that restrict the transfer of certain materials, technology, related technical data and certain services outside the United States. For the items governed by Federal Export Control Laws and Regulations you are required to provide the technical specification sheets and the ECCN number for each line item with your quote or bid proposal. For each line item not governed by the Federal Export Control Laws and regulations, you are required to enter on your quote of bid proposal "NOT Governed by Law". Failure to follow this procedure may disqualify your quote or bid proposal from the procurement process.

Create the Purchase Order – The following three steps are to be followed when creating purchase orders that include ECCN number items.

1. Attach a copy of the bid and technical specification sheets to the purchase order.
2. Insert the following "Z" statement that has been created for use when creating purchase orders that have ECCN number items included.

Z40 Export Control

This purchase order contains items governed by Federal Export Control Laws and Regulations that restrict the transfer of certain materials, technology, related technical data and certain services outside the United States in the interest of protecting the national security and domestic economy. The vendor must provide technical specification sheets and the Department of Commerce's assigned Export Control Classification Number (ECCN) for each line item of this purchase order.

IUP International Travel Officer and Department Budget Holder reference the Pennsylvania State System of Higher Education Procedures and Standards for University Operations, Procedure/Standard Number 2012-14 dated October 12, 2012.

Note: When the line item is for the purchase of software an e-mail will be sent to the Budget Holder by the Procurement Officer advising that once the software is loaded onto a computer either remotely or on site by a computer technician that the computer must be tagged by the Budget Holder with the tag provided by Central Stores for the ECCN software that was loaded.

3. Enter the ECCN number into the Item Detail "Texts" ECCN/Green Report field on the purchase order and add the letters ECC into the Retail Tab. Data captured in this field can be retrieved by running the ZM18 – ECCN Report. Central Stores will run the ZM18 ECCN report weekly and ECCN Tags will be generated by purchase order number. This information will be especially beneficial as a data base going forward for items governed by Federal Laws and Regulations.

Central Stores – Depending on the situation Central Stores will follow the following procedures for items with ECCN number.

Central Stores will generate and distribute ECCN or USML tags to the recipient of the equipment based on information obtained from the purchase order. It will be the responsibility of the recipient to tag the equipment.

Central Stores will generate and distribute ECCN numbers for software purchased that falls within the ECCN guidelines. The tags will be sent to the recipient of the software based on information obtained from the purchase order. It will be the responsibility of the recipient to tag the equipment in which the software is installed. In the case of mass software seats Central Stores will contact the recipient to determine the best course of action concerning tagging.