

What are export controls?

Export Control laws and regulations establish the conditions under which controlled information and items can be transmitted to anyone outside the United States and to foreign persons and entities in the United States. They also restrict or prohibit the transaction of business with certain countries, persons and entities that have been sanctioned by federal agencies as a threat to important U.S. interests. All Texas A&M employees and students must be aware of and are responsible for the export control implications of their work and must ensure that their activities conform to export control laws and regulations. There are severe institutional and individual sanctions for violations of export control laws and regulations, including the loss of research funding, loss of export privileges, and/or as criminal and civil penalties.

Where do export regulations come from?

Several federal agencies implement export control rules and regulations. Each agency possesses jurisdiction over specific types of technology or restricted trade. The most relevant agencies are referenced below:

- The Department of Commerce regulates commercial products and technology through the Export Administration Regulations (EAR) 15 C.F.R. 700-799.
- The Department of State regulates defense articles, defense services and related technical data through the International Traffic in Arms Regulations (ITAR) 22 C.F.R. 120-130.
- The Treasury Department regulates transactions involving certain countries, individuals and entities subject to embargo, boycott or trade sanctions through the Office of Foreign Assets Control (OFAC) 31 C.F.R. 500-599.

How do export control issues arise in the university setting?

Export control regulations can be triggered by: taking a computer or other equipment out of the country; engaging in transactions involving certain individuals, entities or countries; accepting publication restrictions or other restrictions on the distribution of research results; foreign national involvement in teaching or research activities related to controlled equipment or technology; and in other ways. Most university activities will fall under exclusions to export controls regulations (i.e. fundamental research, public domain/public information, educational information exclusions).

What happens if export control laws are violated?

There are severe institutional and individual sanctions for violations of export control regulations including the loss of research funding, as well as civil and criminal penalties including million dollar fines and imprisonment.

What's an export?

An "export" generally includes

- Actual shipment of any covered goods or items
- The electronic or digital transmission of any covered goods, items or related goods or items
- Any release or disclosure, including verbal disclosures and visual inspections, of any technology, software or technological data to any foreign person or entity
- Actual use or application of covered technology on behalf of or for the benefit of a foreign entity or person anywhere

When a controlled item or information is transmitted to a foreign person or entity in the United States, it is known as a "deemed export".

For more information contact: Export Control Office, Division of Research, (979) 862-6419, exportcontrols@tamu.edu.
Export Control website - <http://vpr.tamu.edu/resources/export-controls>

About these materials- *Export control laws are complex and fact specific. Regulations, rules and lists for specifying who or what is considered export sensitive and where export controls apply are subject to change. The above is intended to provide a very brief outline of basic export control information. It should not be relied upon exclusively nor should it be construed as legal advice.*