

## Guidance

### Distance Education and Research Activities Outside of the U.S.

June 9, 2020

#### **OFFERING ONLINE COURSES FOR STUDENTS ABROAD**

Offering courses remotely to international students in their home country may raise export control concerns, specifically if the students are located in a country of concern identified by the U.S. government. In order to provide courses in these countries, the university may need to request a license from the Office of Foreign Assets Control (OFAC) prior to delivering certain courses.

Please see the specific requirements from OFAC for each country listed below:

#### **Cuba**

The current OFAC regulations provide a General License authorizing undergraduate courses only. OFAC has advised that a university would need to request interpretive guidance, including a specific license request, for graduate courses.

#### **Iran**

The current OFAC regulations provide a General License authorizing the following undergraduate coursework: humanities, social sciences, law and business. All graduate coursework and any undergraduate course outside of the above mentioned coursework would require a specific license from OFAC. Please contact the Export Controls Office for a determination on whether the course meets the General License requirements or if a separate license is needed.

#### **Venezuela**

An export control review is needed prior to offering any courses in Venezuela. Currently, the sanctions regarding Venezuela are more targeted towards the Government of Venezuela rather than specific individuals or entities. Although it is unlikely a license would be required for distance education courses, a review is needed due to the uncertainty and potential for changes in the regulations.

#### **Syria, North Korea, and Crimea Region**

OFAC requires a license to provide any distance education course to a person in these countries.

## **GRADUATE STUDENTS CONDUCTING RESEARCH OUTSIDE THE U.S.**

Conducting research outside the U.S. may be subject to export control restrictions depending on the country where the student is conducting the research. If there is a need for a graduate student to conduct research while abroad, regardless of the country, an export control review will be needed. In order to determine if the research can take place abroad, the Export Controls Office will need the following information:

- Description of information the student will need to access in order to conduct the research activities;
- List of any sponsor restrictions (i.e. foreign national employment, publication, etc.); and
- If there is a need to ship an item or provide software.

Please contact the Export Controls Office if there is a need for a graduate student to conduct research abroad and we will help determine if an export license is needed.

## **APPLYING FOR AN EXPORT LICENSE**

If it is determined that a license is required to complete any of the above activities, the Export Controls Office will begin the license application process. Initially, the Export Controls Office will need the following information:

- 1) Student name
- 2) Country of Residence (where they will be physically located while accessing the course)
- 3) Citizenship
- 4) Course Information (i.e., syllabus, course description)
- 5) Financial Information (bank the student will use to pay tuition, etc.)
- 6) Other relevant information, such as any software and/or equipment the student may need access to in order complete the course and/or research activity
- 7) If applicable, the nature of the research activity and any applicable sponsor restrictions.

\*Please note that additional information may be required once the license application process has been initiated.

OFAC has previously stated that they are prioritizing humanitarian license requests. However, OFAC stated that if a license request is time sensitive (i.e. distance education courses offered by universities) the university can include that information in an application and it may be prioritized as well. It should be noted that although the Export Controls Office will prepare and submit the applications as soon as all the necessary information is obtained, there is no guarantee that OFAC will prioritize these requests. The process time for OFAC on this type of license request could take six months or longer.

Please feel free to contact either Griselle Hernandez ([g.hernandez@tamu.edu](mailto:g.hernandez@tamu.edu)) or Lesa Feldhousen ([lfeldhousen@tamu.edu](mailto:lfeldhousen@tamu.edu)) in the Export Controls Office with any questions.