

TEXAS A&M UNIVERSITY EXPORT CONTROL SHIPPING GUIDELINES FOR PRINCIPAL INVESTIGATORS

October 18, 2017

Fundamental Research Exclusion

Much of your research may be excluded from United States (U.S.) export controls, if it meets the definition of “Fundamental Research” under the Fundamental Research Exclusion¹. However, this exclusion *does not* extend to physical items (including but not limited to chemicals and biologicals) that are shipped, mailed or carried out of the U.S. Everything that crosses the U.S. border is an export: even if the item will be temporarily out of the U.S.; even if the item was not sold; even if the item will be used for Fundamental Research.

What You Should Know Before You Export a Physical Item

Texas A&M University (TAMU) does not have a centrally controlled international shipping department. However, the Export Controls Office (ECO) is here to support you if you need to export an item or items, to facilitate your research. If you have questions or concerns, please contact the ECO.²

All U.S. origin items will be controlled for export to a U.S. Embargoed or Sanctioned Country³. Depending on the circumstances, an Export License Exception may apply. Please contact the ECO if you are planning business travel to one of the countries listed.

Every U.S. export is an import to another country. All shipments will need to go through Customs in the destination country. Some items may be prohibited or require prior authorization. Some items may incur duty or VAT (Value Added Tax) costs.

Things to Consider Doing:

- Use an experienced freight forwarding company to assist you with all the U.S customs, export and shipping requirements, as well as proper packaging to ensure safe delivery of your item. For example, Texas A&M University has a successful history with Lognet Worldwide Inc. (<http://lognetworldwide.com>) as an International Logistics partner. The Texas A&M University contact at Lognet is Mr. Van Clark Van_Clark@lognetworldwide.com (please note there is a “_” between Van and Clark) or office telephone +1-281-449-5067.

¹ 15 C.F.R. § 734.8c, 22 C.F.R. § 120.11

² The ECO to contact will depend on which System member owns the item you wish to ship (i.e., TAMU, TEES, AgriLife, TTI, etc.). See page 3 for a list of ECO contacts.

³ <https://www.bis.doc.gov/index.php/policy-guidance/country-guidance/sanctioned-destinations>
https://www.pmdtc.state.gov/embargoed_countries/; <https://www.treasury.gov/resource-center/sanctions/Programs/Pages/Programs.aspx>

- A freight forwarder/broker can help with documentation. Remember the shipper of record (“Principal Party of Interest” or PPI) is responsible for what the documentation says. The forwarder may not have the familiarity with the item to determine the correct Export Control Classification Number (ECCN) or tariff code, and value. Errors can lead to delays, expense and/or legal issues.
- Shipments of export controlled items must be entered into the U.S. Census Bureau’s Automated Export System (AES). If you are using a freight forwarder/broker, you must ask for a copy of the AES/EEI filing and maintain a copy of your records for five years. Please contact the ECO for assistance before shipping anything that is export controlled.
- Alternately, work with the vendor or manufacturer of the item to be exported and request that they ship the item(s) internationally, on your behalf. They should be very familiar with the U.S. export control requirements, as these requirements relate to their product(s).

If business needs dictate that you cannot use either of the above options, please contact the ECO for support. To avoid unnecessary delays in your research or other activity, please contact the ECO as soon as you reasonably believe that you may have an export concern. Depending on the complexity of the item(s) and if perhaps an Export License is needed, the process could take six weeks or longer to complete.

Why the U.S Government Regulates Exports and What is Subject to These Regulations

The U.S. government controls certain items from export for various reasons, such as national security, nuclear non-proliferation, regional stability, etc. For some examples of the types of items that may be export controlled, please see Attachment A. This list *is not* an exhaustive list. Items not listed may still be export controlled. Please contact the ECO if you think you might have an export controlled item.

Resources and Useful Links

Texas A&M University Export Control Compliance Program Manual

<https://vpr.tamu.edu/resources/export-controls/export-control-manual/view>

TAMU Hazardous Material Shipping

<https://ehsd.tamu.edu/Pages/HazMatShipping.aspx>

Export Control Offices:

Texas A&M University:

<http://vpr.tamu.edu/resources/export-controls>

Email: exportcontrols@tamu.edu

Phone – 979-862-6419

Texas A&M AgriLife:

<https://agrilifeas.tamu.edu/risk-compliance/export-controls/>

Email: risk-compliance@ag.tamu.edu

Phone – 979-845-7879.

Texas A&M Engineering Experiment Station:

<http://tees.tamu.edu/researchcompliance/export-controls/>

Email: researchcompliance@tees.tamus.edu

Phone 979-458-7474 or 979-458-2586

Texas A&M Transportation Institute:

<https://my.tti.tamu.edu/compliance/export-controls/>

Email: B-Carranza@tti.tamu.edu

Phone – 979-845-3206

ATTACHMENT A
EXAMPLE LIST OF EXPORT CONTROLLED ITEMS
BY COLLEGE

The following list illustrates, by example, the types of export controlled items commonly found in college research laboratories and for which Principal Investigators should identify/request classification. This list is not intended to be a comprehensive list of all possible export controlled items for all colleges, nor is it intended to be exclusive to the colleges listed. This list is intended to be used as a tool.

College of Agriculture and Life Sciences

- Infrared or thermal cameras
- Biologicals (i.e., E. coli, Brucella, etc.)
- Vaccines and Vaccine candidates
- Sensors
- Ground Penetrating Radars
- Proprietary Items
- Geospatial Software

College of Engineering

- Measuring and sensing devices
- Gas movement and filtering devices
- Precision tooling, positioning and balancing instruments
- Optical and photonic components (including sensors, infrared and focal plane array detectors)
- Oscilloscopes; spectrometers; fermenters
- Nuclear/radioactive transport or shielding equipment
- Class 3 and 4 lasers, and related precision beam equipment
- Semiconductor substrate and etching development equipment and processes
- Fiber optic cable development equipment
- Unmanned aerial vehicles (drones)
- Inertial navigation systems and related instruments
- Remotely operated vehicles (ROVs) (Ground, Air, or Sea)
- Radiation monitors
- Biological agents
- Night vision goggles, infrared cameras, high speed cameras
- Gravimeters
- Equipment on loan from federal sponsors
- Military-band communications systems or GPS
- DOD funded military electronics

- Inertial navigation units, modem chips, and components
- Radar applications
- Wind tunnel apparatus
- DOE, NRC, or DOE software
- Explosives & energetic materials
- Gas Turbine Engines & related research
- Star Trackers

College of Geosciences

- Underwater/submersible items
- Sonar/acoustic equipment
- Magnetometers
- Gravimeters
- Accelerometers
- Seismic equipment
- Propulsion systems
- Space commodities
- Remotely operated vehicles (ROV)
- Unmanned aerial vehicles (UAV)
- Direction/Navigation equipment
- Radar equipment
- Specialized cameras, imaging, and optical devices, includes night vision, thermal, high speed, intensified, focal plane array, etc.
- Specialized detectors, includes optical, radiation, etc.

College of Science

- Lasers, and equipment and accessories thereof
- Spectrometers
- Chemicals, select agents, toxins, pathogens, alloys, specialized materials
- Frequency/signal generators, analyzers, converters, inverters
- Machining tools
- Specialized pumps
- Specialized cameras, imaging, and optical devices, includes night vision, thermal, high speed, intensified, focal plane array, etc.
- Specialized detectors, includes optical, radiation, seismic, etc.
- Electron beam/tubes
- Gas movement and filtering devices
- Nuclear/radioactive handling equipment

Other

- Night vision goggles & accessories
- Chemical Warfare Agent (CWA) identifier