MEMORANDUM

To: Faculty and Staff

From: Karen Royal, Director of Compliance

Date: March 2, 2017

Subject: Export Controls Compliance Program—Phase Implementation
               Phase 2 – Procurement

Summary: Texas A&M University—Kingsville (TAMUK) employees making purchases, under department delegation or through Office of Strategic Sourcing & General Services (SSGS), are responsible for ensuring their purchases comply with export control laws and regulations. If TAMUK employees are making international purchases under department delegation, employees should contact their department/college export control delegate to conduct a Restricted Party Screening (RPS) before such purchase. Any international purchase coordinated by SSGS will be forwarded to their export control delegate for export controls screenings. Lastly, the item intended for purchase must be classified prior to purchase.

Detail: As previously indicated, implementation of the TAMUK Export Controls Compliance Program will be completed in phases. Phase 2 is Procurement, which is outlined in Section 11.0 TAMUK Export Controls Compliance Program Manual.

If making an international purchase under department delegation, TAMUK employees should contact their department/college export control delegate to conduct appropriate export controls screenings prior to purchase. A list of department/college delegates has been made available on the Export Controls webpage, link provided below. The Office of Compliance will conduct any secondary RPS needed. If the intended purchase falls within any of the controlled categories on the U.S. Munition List (USML) or the Commerce Controlled List (CCL) the item(s) must be classified prior to purchase. The Classification of Export Controlled Items handout has been attached to this memo. The Office of Compliance will coordinate any license applications or Technology Controlled Plans (TCP) for export controlled items as needed.

If an assigned delegate is unsure of any export control compliance issues associated with procurement, such as purchasing of export–controlled equipment or items, they must contact the Office of Compliance for additional assistance.

Please Note: International purchases cannot be made with procurement cards, please contact the Office of Strategic Sourcing & General Services for additional questions regarding procurement.

References:
- *Export Controls Compliance Program Manual – Section 11.0*
  http://www.tamuk.edu/compliance/TAMUK-Export_Controls_Manual.pdf
- *List of Export Control Delegates*
  http://www.tamuk.edu/compliance/Visual_Compliance_Delegate_List.pdf
- *Classification of Export Controlled Items*
  Attached

For further export controls assistance, please direct questions to the Office of Compliance at
ExportControls@tamuk.edu.

Thank you,

Karen B. Royal, J.D., CCEP
Director of Compliance
Texas A&M University-Kingsville

<h1 style="text-align:center">Classification of Export Controlled Items
ITAR and EAR Control Lists by Major Categories</h1>

When purchasing an item, please review the following lists. If the item intended for purchase falls within these controlled categories, please contact your department/college export control delegate so they may conduct the appropriate export controls screenings prior to the purchase of the item. For questions or clarification, please contact the Office of Compliance via email at exportcontrols@tamuk.edu. Additional information is available at: https://www.tamuk.edu/compliance/export-controls.html

International Traffic in Arms Regulations (ITAR)
U.S. Munitions List (USML) http://www.pmddtc.state.gov/regulations_laws/itar.html

The USML identifies specially designed military technologies and systems, including technologies specially designed for military application.

Category I - Firearms, Close Assault Weapons and Combat Shotguns
Category II - Guns and Armament
Category III - Ammunition/Ordnance
Category IV - Launch Vehicles, Guided Missiles, Ballistic Missiles, Rockets, Torpedoes, Bombs and Mines
Category V - Explosives and Energetic Materials, Propellants, Incendiary Agents and Their Constituents
Category VI - Surface Vessels of War and Special Naval Equipment
Category VII - Ground Vehicles
Category VIII - Aircraft and Related Articles
Category IX - Military Training Equipment and Training
Category X - Personal Protective Equipment
Category XI - Military Electronics
Category XII - Fire Control, Laser, Imaging, and Guidance Equipment
Category XIII - Materials and Miscellaneous Articles
Category XIV - Toxicological Agents, Including Chemical Agents, Biological Agents, and Associated Equipment
Category XV - Spacecraft and Related Articles
Category XVI - Nuclear Weapons Related Articles
Category XVII - Classified Articles, Technical Data and Defense Services Not Otherwise Enumerated
Category XVIII - Directed Energy Weapons
Category XIX - Gas Turbine Engines and Associated Equipment
Category XX - Submersible Vessels and Related Articles
Category XXI - Articles, Technical Data, and Defense Services Not Otherwise Enumerated

Export Administration Regulations (EAR)
Commerce Control List (CCL) http://www.access.gpo.gov/bis/ear/ear_data.html
See Part 774 - The Commerce Control List

The CCL identifies most other common items, materials, software, and technologies not on the USML which are in the U.S. or of U.S. origin that are also considered "dual use" in nature, that is items primarily used in civilian and commercial applications and potentially in military, terrorism, weapons of mass destruction (WMD)-related applications (EAR 2016). The CCL is divided into ten broad categories, and each category is further subdivided into five product groups.

Commerce Control List Categories	Five Product Groups
Category 0 - Nuclear Materials, Facilities & Equipment	A - Systems, Equipment and Components
Category 1 - Materials, Chemicals, Microorganisms, and Toxins	B - Test, Inspection and Production Equipment
Category 2 - Materials Processing	C - Material
Category 3 - Electronics Design and Production	D - Software
Category 4 - Computers	E - Technology
Category 5 (Part 1) - Telecommunications	
Category 5 (Part 2) - Information Security	
Category 6 - Sensors and Lasers	
Category 7 - Navigation and Avionics	
Category 8 - Marine	
Category 9 - Aerospace and Propulsion	