



Rule 15.02.99.K1 Export Controls

Approved: March 18, 2014
Reviewed: April 12, 2016
Reviewed: July 14, 2017
Next Scheduled Review: July 14, 2022

Rule Statement

Texas A&M University-Kingsville (TAMUK) must comply with United States export control laws and regulations as promulgated by the U.S. Department of State through the International Traffic in Arms Regulations (ITAR) and the U.S. Department of Commerce through the Export Administration Regulations (EAR), as well as those imposed by the U.S. Treasury Department through the Office of Foreign Assets Control (OFAC). This rule applies to all TAMUK faculty, staff and students.

Reason for Rule

This rule is developed to ensure compliance with all related federal, state, Texas A&M University System (system), and Texas A&M University-Kingsville laws, policies, regulations, and rules, as well as to establish formal procedures and guidelines related to export controls.

Procedures and Responsibilities

1. EMPOWERED OFFICIAL

The President or designee is the Empowered Official for TAMUK. The Empowered Official is responsible for license applications and other approvals required for compliance with export control laws and regulations, and serves as the representative and point of contact for export control matters involving the university. The Empowered Official is authorized to sign license applications and other authorizations binding TAMUK in any proceedings before government agencies with export control responsibilities.

2. INDIVIDUAL RESPONSIBILITY

All faculty, staff and students must act in accordance with all applicable U.S. export control laws, regulations, and rules, and report any suspected violation to the Empowered Official.

Additionally, all employees who are responsible for the oversight, management, or supervision of Foreign Persons or projects involving Controlled Information or Controlled Physical Items should view export control compliances as an important part of their day-to-day responsibilities.

3. EXPORT CONTROL COMPLIANCE PROGRAM

3.1 Research and Other Activities

The Office of Compliance will publish information via its website to guide in the identification, administration, and resolution of export control issues and will develop and implement procedures to:

- a) screen proposals and projects for compliance with export control laws and regulations;
- b) ensure international visitors undergo applicable restricted party screening as a prior condition of their visit to the university;
- c) ensure international activities conducted outside the United States receive appropriate export control review and approvals;
- d) ensure that all distance education courses and students enrolled in such courses are screened as appropriate for compliance with export control laws; and
- e) screen vendors as appropriate for compliance with export control laws.

3.2 Shipping

It is the responsibility of university employees and students who are shipping items outside the United States (including hand-carrying items such as research equipment, materials, data, biological materials) to comply with export control laws and regulations in coordination with the Office of Compliance. Employees should contact this office for assistance if needed prior to shipping items outside the United States.

3.3 Training

Employees who are responsible for the oversight, management, or supervision of Foreign Persons or projects involving Controlled Information or Controlled Physical Items are required to complete export control online training via TrainTraq at least once every two years. Depending on an individual employee's job function, he or she may be required to complete this and other supplemental export control training as deemed appropriate by the individual's supervisor and/or the Empowered Official.

4. VIOLATIONS

Suspected violations may be reported to the Empowered Official in writing, or via EthicsPoint at <https://secure.ethicspoint.com/domain/media/en/gui/19681/index.html>. Upon receiving a violation report, the Empowered Official will notify the university president of this report, and the president may suspend or terminate an export activity if he or she determines the activity is not in compliance with export control laws or regulations.

5. RECORD KEEPING

Records required by export control laws and regulations shall be maintained by the Empowered Official's office or designated unit for the longer of requirements set by the applicable export control regulations or the Texas A&M University System.

Related Statutes, Policies, or Requirements

[International Traffic in Arms Regulations \(ITAR\) 22 CFR §§120-130](#)

[Export Administration Regulations \(EAR\) 15 CFR §§730-774](#)

[Office of Foreign Assets Control \(OFAC\) 31 CFR §§500-598](#)

[National Security Decision Directive 189](#)

[Atomic Energy Act of 1954 and Nuclear Regulatory Commission Regulations to 10 CFR Part 110](#)

[System Policy 15.02, *Export Controls*](#)

Definitions

All terms and definitions will have the same meaning as those in System Policy *15.02, Export Controls*.

Contact Office (s)

Office of Compliance
(361) 593-4758