




VICE PRESIDENT FOR RESEARCH

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MEMORANDUM

TO: Deans, Department Chairs, Directors, and Principal Investigators

FROM: Juan M. Sanchez, Vice President for Research 

DATE: July 1, 2009

SUBJECT: Federal Export Laws and Regulations

The export of certain technologies, software and hardware is regulated and controlled by Federal law for reasons of national security, foreign policy, prevention of the spread of weapons of mass destruction and for competitive trade reasons. The University and all its employees are required to comply with the laws and implementing regulations issued by the Department of State, through its International Traffic in Arms Regulations (ITAR), the Department of Commerce, through its Export Administration Regulations (EAR), and the Department of the Treasury through its Office of Foreign Asset Controls (OFAC).

In the aftermath of September 11, 2001 and the increased security needs of the United States, the importance of compliance with these regulations has increased, and research contracts and agreements received by universities from sponsors, both Federal and industrial, in which export control provisions are contained, have increased significantly.

While most research conducted on U.S. college and university campuses is excluded from these regulations, university research involving specified technologies controlled under the EAR and/or ITAR, or transactions and exchanges with designated countries, individuals and entities may require the University to obtain prior approval from the appropriate agency before allowing foreign nationals to participate in controlled research, collaborating with a foreign company and/or sharing research—verbally or in writing—with persons who are not United States citizens or permanent residents. The consequences of violating these regulations can be quite severe, ranging from loss of research contracts to monetary penalties and jail time for the individual violating these regulations.

The export control regulations affect not only research conducted on campus, but also travel and shipping items outside the U.S. Simply traveling to certain sanctioned countries could require a license from OFAC. OFAC sanctions prohibit transactions and the exchange of goods and services in certain countries and with designated persons and entities. Multiple lists of denied individuals and parties are maintained and enforced by federal agencies including the Departments of State, Commerce, and Treasury. Shipping items outside the U.S. as well as taking controlled items on a flight, even if we are shipping or traveling in the conduct of research, could require a license from these agencies.

The University of Texas at Austin is committed to export controls compliance, and the export controls compliance unit of the Office of Sponsored Projects is staffed to advise and assist faculty in conducting activities related to research and sponsored projects. More information and resources regarding these and other regulations that impact university activities can be found at <http://www.utexas.edu/research/osp/ECR&R.htm>, or by contacting Kay Ellis, Associate Director, Export Controls Officer, in The Office of Sponsored Projects, at 512-375-7963 or kay.ellis@austin.utexas.edu.