UTMB
Export Control Compliance Initiative

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What does it mean to EXPORT?

Foreign Countries & Nationals

Send (Ship to) by Email

Transfer technology
Export Definitions

**Export** is any item, such as biological, radioactive and chemical materials, software, and technical data, that is sent from the U.S. to a foreign destination.

- **Deemed Exports** - Controlled technology or source codes (except encryption source code) subject to the *Export Administration Regulations* that is transferred to a foreign national located in the U.S.

- **Fundamental Research Exclusion** - one of the most important exclusions which states that UTMB's research results are excluded from deemed export rules if the results are publicly available or intends to be published*.

- **Re-exports** - Actual shipment or transmission of items subject to the *Export Administration Regulations* from one foreign country to another foreign country.
What Laws Are We Addressing?

At UTMB, the majority of our exports are regulated by these 3 agencies:

- **U.S. Department of Commerce (DOC)**
  - Export Administration Regulations (EAR)

- **U.S. Department of State**
  - International Traffic in Arms Regulations (ITAR)

- **U.S. Department of the Treasury**
  - Office of Foreign Assets Control (OFAC)
What do the Regulations Cover? (EAR and ITAR)

Export controls cover

- Any item in U.S. trade (goods, technology, information)
- U.S. items wherever located, even internationally
- "Deemed exports" (access to controlled technology and source code by a foreign national in the U.S.)
- Providing a defense service or ITAR technical data to a foreign national in the U.S. or abroad

Excludes

- Items in the public domain
- Artistic or non-technical publications (maps, children’s books, sheet music, calendars, film) and more..
On April 1, 2011-

✓ Dr. Callender appointed Frances Streeter, as the University’s Export Control Officer.

✓ Export control committee was formed and approved.

On April 7, 2011-

✓ Executive Institutional Compliance Committee approved the Export Control Compliance policy 6.5.1.

Export Control Compliance Committee Members

- Frances Streeter, JD - Chair; Tobin Boenig, JD - Co-Chair

- Jason Abair, JD - AVP - Director, Center for Technology Development

- Dr. James LeDuc - Director of Galveston National Laboratory

- Kyle Barton - Purchasing Manager, Logistics

- Cindy Stanton - Director, Recruitment Services, Human Resources

- Domenica Zimmerman - EHS Consultant, Environmental Health & Safety

- Joe Galvan, JD - AVP and Deputy Chief Legal Officer

- Appointment by Dr. Cary Cooper - VP & Dean of Graduate School Biomedical Science

- Appointment by Dr. Garland Anderson - EVP & Provost, Dean of Medicine

- Chasity Burris - Sr. Finance Manager, Provost Finance Administration

- Toni D’Agostino - Director of Sponsored Programs Post & Pre-Award Management
Upcoming Export Control Compliance Activities

- Website
- Assessment for all departments
- Implementation of SOPs
- Training classes and seminars
- Export Control Compliance Committee meeting
Working together
to ensure compliance with U.S. export laws
while staying fully committed to
working research wonders!