

Texas A&M AgriLife Research Rules

15.02.99.A1 | Export Controls

Revised: August 3, 2020

Next Scheduled Review: August 3, 2025

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RULE SUMMARY

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

This rule is required by The Texas A&M University System (A&M System) Policy 15.02, *Export Controls Program Management*, and is developed to ensure compliance with all related federal, state, and A&M System laws, policies, regulations, and rules, as well as to establish formal procedures and guidelines related to export controls.

PROCEDURES AND RESPONSIBILITIES

1.0 EMPOWERED OFFICIAL

The Director is the Empowered Official for AgriLife Research. The Empowered Official or designee (Texas A&M AgriLife [AgriLife] Ethics and Compliance Director) 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 AgriLife Research. The Empowered Official or designee is authorized to sign license applications and other authorizations binding AgriLife Research in any proceedings before government agencies with export control responsibilities.

2.0 INDIVIDUAL RESPONSIBILITY

All AgriLife Research 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 or designee. 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 compliance as an important part of their day-to-day responsibilities.

3.0 EXPORT CONTROL COMPLIANCE PROGRAM

3.1 Texas A&M AgriLife (AgriLife) Ethics and Compliance is responsible for directing and monitoring the AgriLife export controls compliance program, and implementing procedures to comply with federal export control laws and regulations, including developing, implementing, and updating the *AgriLife Export Controls Compliance Program Manual*. The *AgriLife Export Controls Compliance Program Manual* details specific procedures regarding export controls compliance actions in the following (but not limited to) areas:

- research and educational activities;
- foreign person visitors and employees;
- international travel;
- financial transactions, procurement, and contracts;
- external employment requests with foreign entities;
- shipments;

- record keeping; and
- training.

- 3.2 AgriLife Ethics and Compliance will publish information via its Web site and the *AgriLife Export Controls Compliance Program Manual* to help guide in the identification, administration, and resolution of export control issues.
- 3.3 In accordance with System Policy 15.02, AgriLife Ethics and Compliance will conduct an export controls–specific risk assessment annually before the start of each fiscal year. The risk assessment will be submitted to the A&M System Research Security Office (RSO), and must be included as an attachment to the AgriLife Research annual compliance plan.
- 3.4 In accordance with System Policy 15.02 and on a monthly–basis, AgriLife Ethics and Compliance will report to the A&M System RSO applications and all associated documents regarding non–U.S. person visiting scholars and employees from countries of concern pursuant to quarterly guidance provided by the A&M System RSO.

4.0 VIOLATIONS

Suspected violations may be reported to the Empowered Official or designee in writing, or via the Risk, Fraud & Misconduct hotline at [Ethics Point](#). The Empowered Official or designee is authorized to suspend or terminate an export activity if he or she determines the activity is not in compliance with export control laws or regulations.

5.0 RECORD KEEPING

Records required by export control laws and regulations shall be maintained by AgriLife Ethics and Compliance or designated unit for the longer of requirements set by the applicable export control regulations or the A&M 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](#)

[A&M System Policy 15.02, *Export Controls Program Management*](#)

[AgriLife Research Procedure 15.02.99.A1.01, *Export Controls*](#)

[AgriLife Research Procedure 61.99.01.A0.01, *Retention of State Records*](#)

[AgriLife Export Controls Compliance Program Manual](#)

CONTACT OFFICE

Questions regarding this rule should be referred to the AgriLife Ethics and Compliance at 979-845-7879.

REVISION HISTORY

Approved: January 16, 2013
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Reviewed: February 28, 2017
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