15.02.99.C1 Export Control Compliance Program

Revised: April 14, 2025
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Revision History

Rule Summary

Texas A&M University-Corpus Christi (TAMU-CC) values academic, research, business, cultural, and collaborative opportunities for advancement through international relationships. To uphold the integrity of international endeavors and opportunities, TAMU-CC complies with United States (U.S.) export control laws and regulations including, without limitation, further issuance by the Department of Commerce's Export Administration Regulations (EAR), the Department of State's International Traffic in Arms Regulations (ITAR), and the Department of Treasury's Office of Foreign Assets Control (OFAC).

TAMU-CC establishes this rule in compliance with Federal export control requirement and also in accordance with Texas A&M University System (A&M System) policy *15.02, Export Control Program Management*. This rule also promotes further preservation of TAMU-CC employees, students, work, proprietary information, intellectual property, integrity, and reputation.

Definitions

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Rule

1. PURPOSE

   TAMU-CC is committed to maintaining a diligent Export Control Compliance Program. The university recognizes the U. S. has enacted laws and regulations restricting the transmission of Controlled Information and Controlled Physical Items for the purpose of protecting national, security, economic, and foreign policy interests.

2. RESPONSIBILITIES

2.1. General Responsibilities

2.1.1 Each university employee, student, and visiting scholar is responsible for their export control compliance and any applicable implications regarding their work and activities. This includes all of TAMU-CC's specialized research centers, such as Lone Star Unmanned Aircraft System Center of Excellence and Innovation (LSUASC), Harte Research Institute (HRI), and Conrad Blucher Institute for Surveying and Science (CBI) among others.

2.1.1. All TAMU-CC employees with administrative, executive, or supervisory authority over university business involving foreign persons or countries, Controlled Information, or Controlled Physical Items should view export control compliance as necessary to fulfilling their respective role.

2.1.2. All other employees, students, and visitors involved in export control-related matters should view export control compliance as necessary for conducting applicable university business and fulfilling their respective responsibilities.

2.2. Export Control Officials

2.2.1. TAMU-CC's Executive Vice President for Research and Innovation is the Export Control Empowered Official (EO) and designated authority responsible for ensuring compliance with this rule as it pertains to research-related matters. Only the EO may sign and/or delegate the submission of export control license applications.

2.2.2. TAMU-CC's Chief Ethics & Compliance Officer (CECO) is the designated authority responsible for ensuring compliance with this rule as it pertains to non-research matters.

2.2.3. Both the EO and CECO designate TAMU-CC's Export Control Officer (ECO) to lead the export control compliance program, provide campus assessments and guidance, and manage the routine operations and related business processes for ensuring compliance with export control laws, regulations, and this rule.

3. DOCUMENTATION AND REPORTING

3.1. Export Control Compliance Program

3.1.1. For campus academic and administrative operations, export control compliance responsibilities are specific to departmental business processes and employee job functions. This includes: Travel,

Research, International Education, International Visitors, Academic Affairs, Information Technology, Contract Administration, Human Resources, Procurement, and Shipping among other functions. Please refer to the Export Control Compliance Manual (see Appendix) regarding related guidelines for each functional area.

3.1.2. The Office of Risk, Ethics, and Compliance (OREC), in coordination with other university offices and stakeholders, will maintain an export control compliance program manual to serve as a guide for program administration in addressing export control-related items, to reduce the risk of potential export control violations.

3.1.3. The export control compliance program will include protocols in accordance with TAMUS policy *15.02, Export Control Program Management*, for but not limited to vetting, identifying, addressing, assessing, monitoring, and recordkeeping of export control items to ensure compliance.

3.1.4. When required or requested, OREC will assist other departments, employees, students, and visiting scholars in assessing export control statutes, regulations, applicable licensing, and/or any applicable exemptions. OREC will also consult with A&M System's Research and Security Office (RSO) and Office of General Counsel (OGC) on export control-related matters as appropriate. The designated first level OREC assistance is through the ECO.

3.2. Reporting Deliverables

3.2.1. The university will conduct an annual export control-specific risk assessment before starting each fiscal year, to be attached to the TAMU-CC annual Ethics and Compliance Program Plan.

3.2.2. Monthly, the university will share with RSO and OGC the applications and all associated documents regarding visiting scholars and employment of foreign persons from Countries of Concern, which are defined in TAMUS regulation *15.05.04, High Risk Global Engagement and High Risk International Collaboration to satisfy Federal requirements*.

3.2.3. The university will provide RSO and OGC a copy of any submitted export control license application.

4. SUSPECTED, POTENTIAL, OR KNOWN VIOLATIONS

4.1. Export control program monitoring will be conducted through OREC's

periodic self-assessment of the university's compliance with export control laws and regulations and report its findings to the EO and/or the President as appropriate.

4.2. Reporting suspected, potential, or known violations of U.S. export control laws, regulations or university rules is the responsibility of every TAMU-CC employee and student.

4.2.1. Suspected violations and pertinent details should be reported to the ECO or EO.

4.2.2. Possible export control compliance violations reported to the ECO/EO or designee will be investigated to the extent deemed necessary.

4.2.3. Any substantiated or self-disclosed violation will be addressed in compliance with the applicable regulatory agency and according to the applicable statute, regulation, policy, rule, and/or agreement.

4.2.4. The ECO/EO is authorized to suspend or terminate the activity evident by preponderance of non-compliance; or upon preponderance determination that the activity will lead to a violation under export control laws, regulations, or policy.

4.2.5. Suspected violations may also be submitted to A&M System, which maintains an online system for anonymously reporting waste, fraud, abuse or other serious ethics violations online at www.ethicspoint.com or by phone at 888-501-3850.

4.2.6. Suspected violations may also be submitted to the state of Texas Ethics and Compliance hotline at http://sao.fraud.state.tx.us.

4.2.7. Acts of retaliation will not be tolerated and are subject to applicable consequences under statute and/or policy.

4.2.8. Submitting false reports or providing false information in a review or investigation will not be tolerated and are subject to applicable consequences under statute and/or policy.

4.3. The university is responsible for reporting known or suspected violations to the A&M System RSO as soon as possible.

4.3.1. Upon occurrence, in consultation with the A&M System RSO and OGC, the university is responsible for reporting known export control violations to the appropriate Federal agency as prescribed by law.

4.3.2. The university will coordinate the following activities associated with

voluntary self-disclosures of suspected, potential, or known export control violations through the ECO or EO:

(a) Prompt notification to the A&M System RSO and OCG of the initial self-disclosure;

(b) Internal review of the self-disclosure to include obtaining pertinent information and documents necessary to assess confirmation of the suspected, potential, or known violation;

(c) Identification of the applicable Federal regulatory bodies/agencies involved to finalize the self-disclosure notification routing, in conjunction with RSO and OGC.

5. RECORDKEEPING

5.1. Records required to be maintained by export control laws and regulations shall be kept for the longer of:

(a) the record-retention period required by the applicable export control regulations (15 C.F.R. Part 762 (ITAR); 22 C.F.R. §§ 122.5, 123.22 and 123.26 (EAR); and 31 C.F.R. § 501.601(OFAC)), or

(b) the period required for the retention of records as set forth in the A&M System records retention schedule.

5.2. Records will be maintained by the TAMU-CC Export Control Office, and other responsible office(s), as required to account for the particular export control item's documentation.

6. TRAINING AND RESOURCES

6.1. The university provides export control training to employees and students. OREC, in cooperation with applicable university offices, implements and maintains export control-related training including, but not limited to, TrainTraq modules.

6.2. Export control training is required for all newly hired/rehired employees within thirty (30) days of their hire/rehire date.

Assigned export control training is required annually for employees based on job functions involving international activities including, but not limited to, research, contract administration, travel, hiring, procurement/shipping, technology control plans, management/mitigation plans, and/or other international academic or research activities.

6.3. Employees and students may access rule and other export control-related information via the official TAMU-CC website. Requests for an alternate format and other assistance should be directed to the ECO.

Related Statutes, Policies, or Requirements

International Traffic in Arms Regulations (ITAR) 22 C.F.R. §§ 120-130
Export Administration Regulations (EAR) 15 C.F.R. §§ 700-799
Office of Foreign Assets Control (OFAC) 31 C.F.R. §§ 500-599
National Security Decision Directive 189
Atomic Energy Act of 1954 42 U.S.C Section 2011, et seq. and Nuclear Regulatory Commission Regulations, 10 C.F.R. Part 110
System Policy *15.02, Export Control Program Management*
System Regulation *15.04.05, High Risk Global Engagements and High Risk International Collaborations*
University Rule *15.04.05.C1, High-Risk Global Engagements and International Collaborations*

This rule supersedes:

- *15.02.99.C1, Export Controls*

Appendix

Texas A&M University-Corpus Christi Export Control Compliance Manual

Contact Office

Contact for clarification and interpretation: Export Control Officer
361.825.5191