

October 24, 2003

TO: All Principal Investigators, Deans, Research Center Directors,  
and Department Chairs

FROM: Lawrence R. Greenwood, Vice President for Research

SUBJECT: Export Control Policy and Procedure

Export control laws are Federal laws implemented by the Department of State's International Traffic in Arms Regulations (ITAR) and the Department of Commerce's Export Administration Regulations (EAR) to control the export of certain information and materials for reasons of national security or protection of trade. Institutions of higher education and their employees are required to comply with these laws and regulations. Violations are subject to criminal sanctions including monetary fines or imprisonment of individuals.

In many instances, educational institutions are exempt from most of the regulations in situations involving *fundamental research*. In order for a sponsored program award to be considered *fundamental research*, certain conditions must be met. UAH has adopted the attached policy for insuring, if possible, that those conditions are met and that the institution and its employees are in compliance with export control laws.

Compliance with the policy will require the Office of Sponsored Programs' Contract Administrators to add a search for Export Control Regulations to their pre-acceptance review of new contract/grant awards. If, after negotiation, the funding agency's choice of terms and conditions makes the fundamental research exemption unavailable, the Principal Investigator will be asked to review the ITAR and EAR lists of controlled technologies to determine if the subject matter of their research is included on either of those lists. If so, the Vice President for Research will decide if UAH will accept the award and the restrictions on research imposed by the export control laws.

Information, definitions and links to the ITAR and EAR lists can be found at:  
[http://www.uah.edu/research/resadmin/information/compliance/export\\_control.html](http://www.uah.edu/research/resadmin/information/compliance/export_control.html).