




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

FROM: Denise Spiller, Security Administrator, Research Security Administration

THRU: Dr. Robert Altenkirch, President 

SUBJECT: Export Control Policy and Procedure

DATE: August 17, 2012

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. UAHuntsville 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 UAHuntsville will accept the award and the restrictions on research imposed by the export control laws.

All Principal Investigator's will complete the on-line Export Control Certification prior to submitting a proposal. Once the initial certification is completed there will be a requirement to attend an Annual Refresher Training in person that will be held on campus.

Information, definitions and links to the ITAR and EAR lists can be found at:
<http://resadmin.uah.edu/RSA/index.asp>

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