

12/7/2020

Dear Faculty and staff,

Annually, we remind all UTRGV employees of the importance of complying with U.S. export control laws and regulations as well as management's commitment to provide the training, tools, and resources to do so.

It is UTRGV policy to comply with all export laws and regulations of the United States. Export controls govern the transfer, distribution, disclosure, and shipment of certain controlled information, software code, and tangible items as well as the provision of certain services to foreign persons and countries. Although most of the work that UTRGV undertakes involves fundamental research that may be shared freely, UTRGV is occasionally involved in the export of controlled services, items, and/or technologies. UTRGV takes its export control responsibilities seriously and requires its employees to do so as well.

UTRGV's export compliance program

Government agencies have significantly increased their enforcement of export controls compliance to include universities and research institutions. In response, UTRGV is renewing its commitment to training and increasing its centralized oversight of export-controlled activities. Starting on January 1st, 2021, Principal Investigators and employees conducting research on sponsored projects will be required to take training on export controls.

Components of UTRGV's export compliance program include:

- Centralized program management and oversight in the [Research Compliance Office](#).
- Written export compliance [policies](#), [procedures](#), and [guidance](#)
- HOP [ADM 07-105 Export Controls](#)
- Continuous risk assessments of activities
- [Training](#) – online and in person
- Guidance and tools for identifying controlled items, technical data, and services; screening of contractors, visitors, and collaborators; proactive identification of export issues during the procurement and proposal process; and procedures for physical shipments of items overseas
- Record-keeping requirements
- Escalation of compliance issues, including reporting export violations

Government regulation

The United States government strictly regulates all exports of U.S. products, technology, and software and the movement of U.S.-origin commodities between foreign countries. This includes access by or disclosure to foreign persons in the U.S., such as a visitor to UTRGV, of controlled information or

technology by any means (known as a “deemed export”). These controls are in place to prevent the distribution of technology that can compromise national security. Because of the nature of our organization, some of the tools used for research are strictly controlled to prevent diversion to individuals or organizations in certain foreign countries. The need for heightened awareness of this control and use of these types of items and technical data is more critical than ever before.

Penalties for export violations

Penalties can be imposed on both UTRGV and individuals for violating U.S. Export Regulations. These may include partial or complete denial of export privileges, civil penalties (fines), and /or seizure of equipment. Criminal penalties for willful violations of U.S. Export Regulations may include substantial fines, imprisonment and/or possible termination of employment.

I ask each of you to take this matter very seriously and to support this effort. If you have any questions concerning export compliance issues, please contact:

- David Sundvall, Research Integrity and Export Controls Officer
(david.sundvall@utrgv.edu or ResearchCompliance@utrgv.edu)
- Glorimar Colon, Executive Director for Research Compliance & Export Controls
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Thank you for your attention to this important matter.

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Executive Vice President

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