

OUTLINE
EXPANDING COMPETENCY: EXPORT CONTROLS

- I. Flagging potential export issues
- Use of proprietary and/or sensitive information
 - Considerations when using Nondisclosure Agreements, Material Transfer Agreements or Teaming Agreements
 - Preserving the fundamental research exclusion during proposal review
 - Identifying and addressing publication restrictions
 - Collaboration with foreign entities
 - Software, prototypes, and “proof of concept” deliverables
 - Use of foreign nationals
 - Encryption and use of encrypted software
- II. Documenting export control reviews and Technology Control Plans
- Steps at the proposal stage – Proposal Export Control Review form provided in handouts
 - Steps at the award stage – Export Control Review Checklist for Negotiators provided in handouts
 - What is a Technology Control Plan (TCP)?
 - When do you need a TCP?
 - Key elements to consider in developing a TCP
 - How we handle TCPs at UT Austin – TCP template provided in handouts
 - Now that the TCP is in place
 - Now that the project is over - recordkeeping requirements
- III. Licensing – Registration and applying for a license*
- Registration with Commerce (BIS-EAR)
 - Submitting an EAR license online
 - Registration with State – Dept. of Defense Trade Controls
 - Hints on Completing DS 2032
 - Next step: Register with D-Trade (ITAR online license)
 - D-Trade Registration
 - Submitting an ITAR license online
 - Tracking a license on D-Trade – copies of online tracking provided in handouts
 - Technical Assistance Agreement (TAA) – What is it?
 - Defense service
 - Elements of a TAA
 - General Guidelines
 - TAA submission process
 - Submitting on OFAC license

*Copies of an actual TAA, required letters to State, and State's responses are included in the handouts. A comparison will be done between DDTC's sample letters and sample TAA to ones that UT has completed so participants will have a better understanding of the process. State's responses with provisos will also be covered.

IV. Voluntary Disclosures – A Case Study

- Case study presented
- What are the issues
- Initial letter
- Agency response (Commerce-EAR)
- Agency response (State-DTCC)
- Next step
- Supplementary letter
- Discussion on outcome

V. Discussion

- What are people currently doing at their institution to stay compliant?
- Emerging developments in export controls that affect activities at universities
- Internal export audit strategies