

It is the responsibility of all TX State employees who are shipping items outside the United States (including hand-carrying items such as research equipment, materials, data, or biological or chemical materials) to comply with export control laws and regulations. Any transfer of project information, equipment, materials, or technology out of the U.S. by any method may be subject to export control restrictions and may require an export license or be prohibited depending on the item, destination, recipient, and end-use. Even if an item is cleared through Customs, it may still require an export control license. The simple act of sending a package to a foreign collaborator can result in a violation of export controls. All international shipments must be authorized by ORIC and [Materials Management](#) prior to shipping anything out of the United States.

All TX State employees must contact ORIC (exportcontrol@txstate.edu) and request an export shipping assessment. The following information will need to be provided to conduct the review:

- What is the destination of the shipment (city and country)?
- What will be shipped?
- Who will be receiving the shipment (individual and institution/company/organization)?
- Why are the items or information being shipped?
- How long will the items be out of the United States?
- Does the value of the shipment exceed \$2,500?

Answers to these questions will indicate whether or not you need a license to ship. If the answer is "no" to all of the above, then it will be able to ship "NLR" (No License Required). In some situations, a license exception may be available. If a license is necessary, it will take time to process; please plan accordingly. The Department of the Treasury's Office of Foreign Asset Controls will be contacted and involved in any shipment destined for an embargoed country.

U.S. Customs and Border Protection require the electronic filing into the Automated Export System (AES) of all international shipments that exceed \$2,500 in value. The filing is called a "Shipper's Export Declaration" (SED). The SED filing into AES is required for all international shipments made under an export license regardless of value. ORIC will submit a SED on exporter's behalf.

Upon the conclusion of the assessment, ORIC will contact the exporter and Materials Management in writing of the results of the assessment. If the item is authorized to be shipped Materials Management will facilitate the coordination of the shipment for the exporter with an approved 3rd party vendor.

Please note that shipping regulated items out of the U.S. without a license can result in significant individual fines of up to \$250,000 and up to ten (10) years imprisonment. This applies to the individual, although there may be fines for TX State as well. Mislabeling the package or misrepresenting the classification of the item is illegal. Violations may result in civil penalties of up to \$32,500 per violation, and deliberate violations may

result in criminal prosecution of up to \$500,000 and five (5) years in prison. Under-invoicing or undervaluing an exported item is also against the law. Reporting an incorrect export value on a Shippers Export Declaration is a violation of export regulations.