5. Licenses and export authorizations
This Section addresses how CUNY personnel apply for licenses/authorizations; what documentation is required; and what follow-up processes are necessary.

ITAR Licensing
Items and activities controlled under the ITAR may require licensing or other authorization from the Department of Defense Trade Controls (DDTC). Unless otherwise authorized, ITAR items of any kind must not be exported, nor accessed by a non-U.S. person, without proper licensing or authorization from the Department of State. The specific type of license or authorization required depends on the type of export transaction subject to control; for example, temporary versus permanent export licenses. ITAR authorizations also include Technical Assistance Agreements (TAAs) and Manufacturing License Agreements (MLAs). For more information on ITAR authorizations, please refer to the DDTC web site.

Each type of license requires its own specific set of data points that DDTC collects through its DTrade application process and associated documentation, such as Transmittal Letters. A Transmittal Letter describes the transaction in detail, including end use, end user profile, ultimate disposition of the item, etc. Therefore, data requirements are specific to the type of license/authorization being used.

CUNY’s Vice Chancellor for Research is the designated Empowered Official (EO), who has the authority to sign and submit ITAR license applications on behalf of the University. Therefore, all ITAR license applications must be submitted by the OVCR.

EAR Licensing
Under the EAR, exports of controlled items that do not meet certain license exceptions require prior authorization (licensing) from the Bureau of Industry and Security (BIS), before export. This requirement applies to outbound shipments of items or data; re-exports of items or data; and export of a non-controlled item to a person or entity identified on one of the Government’s Denied Party/Restricted Entity lists. As with the ITAR, there are several different types of BIS licenses required (e.g., individual licenses, deemed export license, etc.) depending on the type of transaction.

BIS uses an on-line SNAP-R licensing system to request licenses and authorization. The University Director for Research Compliance is CUNY’s designated SNAP-R Account Administrator. The research compliance staff in the OVCR will submit all BIS EAR license applications.