



EMORY
UNIVERSITY

**Research Compliance
and Regulatory Affairs**

**EMORY UNIVERSITY
EXPORT CONTROL COMPLIANCE PROGRAM**

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Export Control Compliance Program @ Emory

The Emory University Export Control Compliance Program aims to minimize the risk of non-compliance with U.S. export control laws and regulations for both individuals and the institution. We support Emory's academic units and departments by providing the necessary information, tools, and assistance for compliance.

Please note that U.S. export controls are complex and frequently updated. The information in this document is not exhaustive and should not be solely relied upon. For any questions, please contact exportcontrol@emory.edu.

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List of Abbreviations

BIS	Bureau of Industry and Security
CCL	Commerce Control List
CJ	Commodity Jurisdiction
CUI	Controlled Unclassified Information
DDTC	Directorate of Defense Trade Controls, Department of State
DFAR	Defense Federal Acquisition Regulation
DOC	Department of Commerce
DOS	Department of State
EAR	Export Administration Regulations
FAR	Federal Acquisition Regulation
FRE	Fundamental Research Exclusion
ECCN	Export Control Classification Number
ITAR	International Traffic in Arms Regulations
ISSS	International Student and Scholar Services
MTA	Material Transfer Agreement
NDA	Non-Disclosure Agreement
OFAC	Office of Foreign Assets Control, Department of the Treasury
OGC	Office of General Counsel,
OSP	Office of Sponsored Programs
PI	Principal Investigator
RCRA	Research Compliance and Regulatory Affairs
RPS	Restricted Party Screening
SDN List	Specially Designated Nationals and Blocked Persons List
SSP	System Security Plan
TCP	Technology Control Plan
USML	United States Munitions List
VPRA	Vice President for Research Administration

Definitions

Commerce Control List (CCL)

A list maintained by the Bureau of Industry and Security (BIS), Department of Commerce. Items listed on the Commerce Control List (CCL) have dual commercial and military applications and are regulated under the Export Administration Regulations (EAR).

Comprehensively Sanctioned Country

Countries that are considered as comprehensively sanctioned by the Office of Foreign Assets Controls (OFAC), Department of Treasury. OFAC administers economic and trade sanctions imposed by the U.S. against certain countries and groups of individuals. The sanctions programs vary in scope. Some target specific exports while others are more comprehensive, encompassing broad prohibitions at the country level. Comprehensive sanctions generally prohibit all transactions including imports and exports without government authorization.

Deemed Export

Release or disclosure within the U.S. of controlled technology (or technical data) or software source code to a Foreign Person. Deemed re-export occurs when such release occurs outside the U.S.

Electronic Export Information (EEI)

Electronic Export Information (EEI) is data that must be filed with the U.S. Census Bureau and Customs and Border Protection before exporting goods from the U.S. to a foreign country. EEI filing is generally required for goods valued over \$2,500, or those needing a U.S. government export license or other authorization. Additionally, EEI filing is mandatory for all items on the Commerce Control List (CCL) destined for China, Russia, or Venezuela, regardless of shipment value. This requirement applies to items shipped via courier services like FedEx, as well as items hand-carried by travelers.

Export

An actual shipment or transmission (commodity, technology, technical data, or software) out of the U.S. by any means (electronic, verbal, shipping, etc.). Under the ITAR, “export” includes performing a defense service on behalf of, or for the benefit of, a foreign person, whether in the United States or abroad. The definition of “export” also includes releasing or otherwise transferring technology, technical data, or source code (but not object code) to a foreign person in the United States, also known as a deemed export.

Export License

A written authorization from the U.S. government granting permission for the release or transfer of export-controlled item (commodity, technology, technical data, software or service) under defined terms and conditions.

Foreign Person

A foreign person is any natural person who is not a lawful permanent resident or citizen of the United States, nor any other protected individual as defined by 8 U.S.C. 1324b(a)(3)¹. It also includes any corporation, business association, partnership, trust, society, or any other entity or group that is not incorporated in the United States or organized to do business in the United States. Additionally, it encompasses international organizations, foreign governments, and any agency or subdivision of a foreign government (e.g., diplomatic missions).

¹ Under 8 U.S.C. 1324b (a) (3) Protected Individual includes a person who is admitted as a refugee or granted asylum.

Fundamental Research:

ITAR defines Fundamental Research under the definition of Public Domain in 22 CFR 120.11 (a)(8): Public domain means information which is published, and which is generally accessible or available to the public ... through fundamental research in science and engineering at accredited institutions of higher learning **in the U.S.** where the resulting information is **ordinarily published and shared broadly within the scientific community**, as distinguished from research the results of which are restricted for proprietary reasons or specific U.S. Government access and dissemination controls. University research will not be considered fundamental research if: (i) the **University or its researchers accept restrictions on publication of scientific and technical information resulting from the project or activity**, or (ii) **the research is funded by the U.S. Government and specific access and dissemination controls protecting information resulting from the research are applicable**.

EAR defines Fundamental Research in [734.8 \(c\)](#) : Fundamental research means research in science, engineering, or mathematics, the results of which **ordinarily are published and shared broadly within the research community**, and for which the **researchers have not accepted restrictions for proprietary or national security reasons**.

Under the ITAR, the research **must** be conducted **at accredited institutions** of higher learning **in the U.S.**, while under the EAR, the research conducted outside the U.S. can still qualify as fundamental research.

License Exception and License Exemption

This is an authorization that allows items that would otherwise require a license to be exported under specified conditions. The EAR uses the term license exception while in the ITAR these are referred to as license exemptions. License exceptions and exemptions are contained in the regulations. If an export-related transaction or activity meets the conditions specified in the regulations, no further authorization from the relevant federal agency is required.

Restricted Party Lists

Lists of restricted or prohibited parties that are maintained by the federal agencies responsible for administration of export control regulations. Depending on the list, there may be a strict export prohibition, specific license requirements, or presence of a “red flag”. If a transaction or activity involves a party (company, entity, or person) appearing in one of the lists, additional due diligence must be conducted before proceeding with the activity or transaction.

Technical Data

Information that is required for the design, development, production, manufacture, assembly, operation, repair, testing, maintenance, or modification of defense articles OR software directly related to defense articles. See [ITAR § 120.10](#) for more details.

Technology

Information necessary for the “development,” “production,” “use,” operation, installation, maintenance, repair, overhaul, or refurbishing (or other terms specified in ECCNs on the CCL that control “technology”) of an item. Note terms in quotes have specific definitions under [EAR § 772.1](#). “Technology” may be in any tangible or intangible form, such as written or oral communications, blueprints, drawings, photographs, plans, diagrams, models, formulae, tables, engineering designs and specifications, computer-aided design files, manuals or documentation, electronic media or information revealed through visual inspection.

Technology Control Plan (TCP)

A Technology Control Plan (TCP) is a customized management plan which outlines procedures to prevent access to export-controlled items, technologies, data, or information by unauthorized individuals.

United States Munitions List (USML)

Items listed on the United States Munitions List (USML) are “defense articles” regulated by the U.S. Department of State under the International Traffic in Arms Regulations (ITAR). Technical data and defense services related to USML items are equally controlled.

Statement of Commitment

Emory University is committed to its mission of creating, preserving, teaching, and applying knowledge in the service of humanity. We strive to bring together the most brilliant and creative minds to collaborate in ways that only we can, serving as an incubator for research and a driver for compassionate innovation. We strongly support international collaboration and exchange with our research partners across the globe. At the same time, we are proactive to ensure that Emory is in full compliance with federal rules and regulations affecting our research sponsorship.

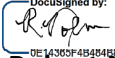
"U.S. export control laws and regulations apply to the export or transfer of certain commodities and technologies. These laws intersect with various research and academic activities, including conducting sponsored research, engaging in international collaborations, traveling internationally, and hosting visiting scholars. These regulations include the International Traffic in Arms Regulations (ITAR) administered by the U.S. Department of State, the Export Administration Regulations (EAR) administered by the U.S. Department of Commerce, and economic and trade sanctions implemented through the Office of Foreign Assets Controls (OFAC), the U.S. Department of the Treasury.

Adhering to compliance requirements is crucial, and it is a shared responsibility for everyone. Equally important is maintaining a research environment that encourages collaboration and welcomes researchers from around the globe. Emory's export control compliance program aims to support our research efforts by minimizing individual and institutional risks associated with export control non-compliance. Violations of export control laws can result in personal liabilities, both civil and criminal, as well as institutional penalties. The Export Control and Research Cybersecurity office, part of the overarching Research Compliance and Regulatory Affairs office, is available to provide guidance and support to departments, faculty, and staff. For any questions, please contact exportcontrol@emory.edu

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1. Introduction

U.S. federal export controls laws regulate exports of certain items (including commodities, technology, software, and services) from the U.S., or the release of certain technology and software to foreign persons within the U.S. The primary objective of export control regulations is to advance national security, foreign policy and trade and economic interests of the U.S., and to maintain its strategic technology leadership. There are three sets of export control regulations which are most relevant to Emory's academic and research related activities:

1. The Export Administration Regulations (EAR) which governs the export and reexport of commodities, software, and technology (collectively "items") and administered by the U.S. Department of Commerce's Bureau of Industry and Security (BIS).
2. The International Traffic in Arms Regulations (ITAR) governing the export of defense related articles and services and administered by the U.S. Department of State's Directorate of Defense Trade Controls (DDTC).
3. Economic and trade related sanctions and embargoes administered by the U.S. Department of Treasury's Office of Foreign Assets Control (OFAC).

1.1 Export Control in Academic Setting

In general, activities that are impacted by export controls fall into four broad categories:

1. Activities involving actual export or transmission from the U.S. to a foreign destination of information, technologies, and commodities
2. Release of export-controlled information or technology to Foreign Persons in the U.S. or abroad, commonly referred to as deemed exports
3. Activities involving entities or individuals listed on restricted or prohibited parties' lists
4. Activities or transactions in countries or involving nationals of countries against whom the U.S. has placed economic and trade-related embargoes; comprehensively embargoed destinations include Iran, Cuba, Syria, North Korea, and Crimea region of Ukraine

Although academic and research institutions are not exporters in the traditional sense, there are several activities that can result in actual or deemed exports and hence fall under the purview of export control regulations. The International Traffic in Arms Regulations (ITAR) governing the export of defense related articles and services and administered by the U.S. Department of State's Directorate of Defense Trade Controls (DDTC). Noncompliance with export controls regulations carries severe institutional as well as individual penalties including criminal and civil liability, loss of export privileges, and potential loss of research funding.

2. Export Control Exclusions and Exemptions

Most activities that take place at an academic and research institution such as Emory are not subject to export control regulations. In particular, the following are not subject to export control regulations:

2.1 Fundamental Research Exclusion (FRE)

There are slight differences in how fundamental research is defined under the EAR and ITAR – see the Definition section. In general, fundamental research is research in science, engineering, or mathematics, the results of which ordinarily are published and shared broadly within the research community, and for which the researchers have not accepted restrictions for proprietary or national security reasons. However, the FRE is voided if:

- The researcher agrees to publication restrictions such as may be found in research contracts, Material Transfer Agreements (MTAs) or Non-disclosure Agreements (NDAs);
- The researcher agrees to restrictions on who can participate in the research based on their national origin; or
- The researcher decides to restrict or protect the release or publication or technology or software contained in the research results.

The FRE is limited to results of research and does not extend to physical items such as equipment used in conduct of research or physical items that are products of research.

2.2 Public Domain Exclusion

Information that is published and is generally accessible or available to the public is not subject to export controls. Information is published when it is made available to the public without restrictions, including through:

- Subscriptions available without restriction to any individual who desires to obtain or purchase the published information.
- Libraries or other public collections that are open and available to the public, and from which the public can obtain tangible or intangible document.
- Unlimited distribution at a conference, meeting, seminar, trade show, or exhibition, generally accessible to the interested public.
- Public dissemination (i.e., unlimited distribution) in any form (e.g., not necessarily in published form), including posting on the Internet on sites available to the public; or
- Submission of a written composition, manuscript, presentation, computer-readable dataset, formula, imagery, algorithms, or some other representation of knowledge with the intention that such information will be made publicly available if accepted for publication or presentation,
 - To domestic or foreign co-authors, editors, or reviewers of journals, magazines; newspapers or trade publications;
 - To researchers conducting fundamental research; or
 - To organizers of open conferences or other open gatherings.

Some limitations apply to published encryption software, which remains subject to the regulations. Additionally, the Public Domain Exclusion does not apply to instances where publicly available information is used for prohibited end use such as production of weapons of mass destruction.

2.3 Patent Information

Technology is not subject to export control regulations if it is contained in a patent or published patent application from or in any patent office.

2.4 Educational Information

Information and software that are released by instruction in a catalog course or associated teaching laboratory of an academic institution is not export controlled. This exclusion allows faculty or other teaching staff to release information that may otherwise be export controlled to all students in the U.S. regardless of their citizenship. Online courses are included in this exclusion, but limitations apply to persons who may wish to take an online course while located in an embargoed country. This restriction is due to OFAC sanctions which in general prohibit exportation of services to embargoed destinations. While certain online undergraduate courses are allowable under the regulations, please contact ECRC for specific guidance on providing online education services to persons located in Iran, Cuba, Syria, North Korea, and Ukraine regions controlled by Russia.

3. Key Offices and Individuals

Different operational and functional units across Emory are responsible for activities that are likely to trigger export control concerns. As such, compliance takes a hybrid model, where some requirements and processes are centralized, and others are implemented in cooperation with other functional or operational units.

3.1 Export Control and Research Cybersecurity Office (ECRC), Research Compliance and Regulatory Affairs (RCRA):

The Export Control and Research Cybersecurity Office has oversight for the development, implementation, monitoring, and coordination of the export control compliance program. ECRC partners with other units to develop administrative processes and to design tools for compliance. ECRC is also responsible for providing training and serving as a resource for departments, faculty, and staff across the University.

3.2 Office of Sponsored Programs (OSP)

Office of Sponsored Programs supports Emory researchers with proposals, non-industry contracts and awards for Federal grants, foundation grants, corporate grants, government contracts (Federal, State and local), incoming subcontracts, and outgoing subcontracts. OSP notifies ECRC of grant or contract terms and conditions that pose export control issues.

3.3 Payment Services

Payment Services is responsible for administering Policy 2.123, *Export Controls and Restricted Party Screening in Procurement and Payment Applications*. The policy ensures that Emory does not make payments to parties on any restricted list by providing for timely screening of prospective vendors and payees. The policy applies to all Emory University schools, departments, offices, and units. Activities subject to the policy include but are not limited to contracts requiring pre-screening of payees, international subcontracts, procurement transactions, honoraria, payroll, and compensation to research study participants.

3.4 Environmental Health and Safety Office (EHSO)

EHSO services include training and guidance around hazardous materials, tools to maintain compliance, safety assessments, and precaution implementation. The Office promotes safety by driving safe and compliant operations, protecting the health of people on campus and the environment. ECRC works with EHSO to identify export-controlled biologics registered with EHSO.

3.5 Global Engagement, Global Services

Global Services offers a single point of contact to assist faculty and staff with business and administrative questions and issues that can arise when conducting global work (research projects abroad, international collaborations, hosting visitors, etc.). ECRC works closely with Global Services to provide general guidance and to conduct reviews for specific activities.

3.6 Individual Responsibility

Individuals with supervisory or administrative responsibilities that intersect with export controls may be responsible for overseeing compliance functions in their respective responsibilities. These may include those with managerial or supervisory responsibilities over foreign persons, investigators engaged in export-controlled research activities, those hosting international visitors and employees engaging in international research activities and international travel.

4. Research Projects Review

4.1 Sponsored Research Proposals

Emory uses Emory Proposal Express (EPEX) for budget development, electronic routing, and institution approval related to extramural funding. Investigators submitting proposal via EPEX are asked to check ‘Yes’ or ‘No’ to the following statements pertaining to proposed project:

- It may or will potentially involve instruments, software, materials, or technology specially designed or modified for military or defense purposes.
- It may or will involve receiving proprietary, confidential, or other restricted information from the sponsor or a third party.
- It may or will involve the use of information received under a non-disclosure agreement, a material transfer agreement, or a confidentiality agreement.
- It may or will involve shipping or hand carrying materials, samples, equipment, or other technology, or the transmission of technical data or scientific information to foreign persons or to a foreign entity outside the US.

If the response to any of the above statements is “Yes”, the investigator is prompted to complete the Export Control Assessment Form (ECAF), see **Appendix I**. ECRC uses the information provided via the ECAF to review the project for export control compliance. Answering ‘Yes’ to any of the above statements does not hold back proposal submission. However, if the proposal is funded, the ECAF must be completed before the award is set up.

4.2 Awards and Contracts

Most research conducted at Emory qualifies as Fundamental Research (see definition and section 2.1 above) and is generally exempt from export control regulations. However, the Fundamental Research Exclusion can be invalidated if certain provisions are included in the award or contract. These provisions of concern include, but are not limited to

- a) The sponsor retains the right to restrict or approve the publication or release of research results, beyond the standard customary delay needed to protect the sponsor's confidential information or to allow for patent application filings.
- b) The sponsor owns the research data and/or other research results.
- c) Statements indicating that the research is subject to export controls.
- d) Incorporation by reference of Federal Acquisition Regulations (FARs), agency-specific FARs, or other federal agency regulations that impose specific controls on access to, or dissemination of, research results. See Appendix II for examples of restrictive clauses from various U.S. government agencies.
- e) Restrictions on, or prohibitions against, the participation of research personnel based on citizenship or national origin.
- f) Statements that the sponsor anticipates providing export-controlled items or information for use in connection with the research.
- g) The research project involves the use of export-controlled items or technical information obtained from a third party.
- h) Inclusion of Controlled Unclassified Information (CUI) clauses (e.g., DFARS 252.204-7012).

OSP reviews terms and conditions for provisions that may void the FRE. When an export control concern is identified and the relevant provision cannot be negotiated away, OSP notifies ECRC for review. ECRC works with the OSP, Principal Investigator and/or departments as appropriate to resolve the export compliance issue

5. International Visitors and Non-immigrant Employees

Export control review for international visitors and non-immigrant employees is provided for in Policy 7.11 Export Controls and 7.12 Policy for Visiting Scholars and Visiting Students.

Visitors and the activities that they undertake while at Emory may be subject to U.S. export control regulations. Examples of when the regulations can apply include when:

- The visitor will participate in export-controlled research or will have access to export-controlled information or technology.
- The visitor will participate in research or an activity that is subject to a Technology Control Plan.
- The visitor is a national of a comprehensively sanctioned or embargoed country; and/or
- The visitor or the institution they are affiliated with appears in any of the restricted party lists.

Supervisors and departments filing Form I-129 with USCIS must address the release of export-controlled technology to Foreign Persons. Petitioners must indicate if an export license is needed for this technology. If required, the license must be obtained before releasing the technology. ECRC reviews job description and activities of non-immigrant employees to

determine if the job will include release export-controlled technology, source code, or technical data, and supports the hiring department with license application as necessary.

ECRC helps Emory host departments in reviewing visitors and non-immigrant employees, and the related activities to determine applicability of export control regulations. To facilitate the review, hosts or supervisor completes the Deemed Export Review Questionnaire, **Appendix III**, and routes to ECRC for review.

6. International Travel Considerations

Individuals traveling internationally on Emory business or with University property are responsible for complying with U.S. export control laws and regulations. Export control regulations and/or trade sanctions may restrict or prohibit some travel-related activities or destinations, and/or may require licenses for others.

6.1 Travel to Comprehensively Embargoed Destinations

Cuba, Iran, North Korea, Syria and some regions of Ukraine: The U.S. government maintains comprehensive trade and economic sanctions which severely restrict the importation and exportation of goods and services to and/or from these countries, including related transactions. Travel-related activities that are allowable for other destinations might require an export license or other authorization if the travel is to an embargoed destination. ECRC assists travelers in reviewing the travel activities and in applying for a license when necessary.

6.2 Travel for International Conferences

Information shared in open conference is considered to be in the public domain and is not subject to export control regulations. If attendance at the conference is restricted or contingent upon accepting a non-disclosure agreement, the information shared may not qualify as being in the public domain.

6.3 Travel with Emory Equipment

Most items, including laptops, tablets, cellphones, and commercial software, if requiring a license, may be taken outside the U.S. on a temporary basis under a license exception called “Temporary Imports, Exports, Re-exports, and Transfers (In-Country) (TMP). Where a license is required, the TMP license exception allows the traveler to take Emory’s property out of the U.S. provided the item is (a) kept under the traveler’s effective control and (b) brought back to the U.S. within a year of the departure date.

Note: TMP does not apply to items listed in the U.S. Munitions List or to specialized equipment such global positioning systems, thermal imaging cameras, and inertial measurement systems.

Travelers should use the Temporary Tools of Trade License Exception checklist, **Appendix IV**, to document the applicability and use of the TMP license exception.

6.4 Travel with Personal Equipment/Items

Personal items including laptops, tablets, or cellphones, if requiring a license, can sometimes be taken under the license exception Baggage (BAG) when a license is required. As best practice, travelers are advised to use the Baggage (BAG) License Exception checklist, **Appendix V**, to document the applicability use of this license exception.

6.5 Traveling with Data or Information

As best practice, travelers should limit data or other information that they take during travel to what is necessary. Travelers should consult their local IT unit for advice on information security during travel. Travelers should not discuss, share, or take data, information, software, or technology that is proprietary, export-controlled, or subject to a nondisclosure agreement or other contractual restrictions.

7. International Shipping

There are several federal regulations and agencies that oversee different aspects of international shipping, including export control regulations, the U.S. Foreign Trade Regulations, U.S. Department of Transportation regulations, and International Air Transport Association (IATA) regulations.

One of the key considerations is to determine if an export license is needed. This depends on the item being shipped, the destination country, the end user, and the end use. ECRC assesses shipments for licensing needs. Restricted Party Screening identifies if the end user is on a restricted or prohibited list. Shippers should fill out the International Shipping Request Form **Appendix VI** and email it to ECRC for review.

In accordance with the U.S. Foreign Trade Regulations (FTR), it is mandatory to file Electronic Export Information (EEI) via the Automated Export System (AES) for specific exports. This includes shipments valued above \$2,500, those requiring an export license, and those exported under most EAR license exceptions and all ITAR license exemptions. For a comprehensive list of general filing requirements, please refer to [15 CFR 30.2 \(a\)](#). Shippers should complete the International Shipping Request Form or contact ECRC for assistance in determining if EEI filing is necessary.

Special shipping documentation including permits may be required when shipping infectious substances, biological materials, or dry ice. At a minimum, the package must meet requirements of the Department of Transport (DOT) regulations (49 CFR 171 – 178) and IATA regulations. The person preparing the package for shipment must be appropriately trained. Completion of the training is important to stay in compliance with U.S. federal and state laws, and to maintain eligibility to apply for grants and funding. Shippers should contact the Biosafety Officer EHSO for more information at biosafe@emory.edu

8. International Collaborations

When evaluating whether an international collaboration is impacted by export controls, key points of consideration should include the following:

- Whether the research activity can be described as fundamental research (see Fundamental Research definition);
- Whether the activity will involve shipping or hand carrying items, including materials, samples, or equipment to Foreign Persons or to a foreign entity outside the U.S.; and
- Whether the collaborating entity or individual(s) on any restricted or prohibited list.

ECRC partners with Global Engagements and other departments to review international activities. Parties to international collaborations that are screened through Descartes Visual Compliance.

9. Export Control Reviews

9.1 Objectives

The goal of export control reviews is to:

- Determine if U.S. export controls or sanctions apply to a given activity.
- Identify steps to ensure compliance with regulations.
- Determine if a license or authorization from OFAC, BIS, DDTC, or other agencies is needed.
- Partner with principal investigators and/or departments to implement internal measures for regulatory compliance.

9.2 Licenses

When ECRC determines that an export license or other authorization from DDTC, BIS, OFAC, or another federal regulatory agency is necessary, ECRC collaborates with the PI, departmental unit, and other relevant parties to collect the information required to request a license or authorization. ECRC submits the request for a license/authorization from the appropriate federal agency on behalf of the PI or requesting departmental unit. No work or other activity for which a license or authorization is being sought may begin until the license or authorization has been granted.

9.3 License Exceptions

There are several EAR license exceptions, ITAR license exemptions, and OFAC general licenses (license exceptions) available under the export regulations. In general, when an exception is available, the export-controlled activity or transaction does not require a specific license from the relevant federal agency (i.e., there is no need for Emory to request authorization). License exceptions include conditions that must be met for the exception to apply, including in some cases, reporting obligations to the relevant federal agency and recordkeeping. If ECRC determines that a license exception is available for a given activity, ECRC will work with PI, departmental unit or other parties as appropriate to document the applicability of the license exception.

9.4 Technology Control Plans

A TCP is essential in preventing unauthorized access and/or use of export-controlled information, items, technology, or software. When ECRC review determines that a TCP is necessary, ECRC works with the PI and the relevant departmental unit to develop the TCP. The details of a TCP are specific to the activity and the technology in question and will generally include:

- a) a statement of commitment to comply with export control regulations.
- b) identification of the export-controlled activity or project.
- c) clear identification of the controlled item(s), and identification of the export classification or category, and the reasons for control.
- d) security measures, including physical and IT security plans.
- e) identification of authorized personnel.
- f) personnel screening measures and training.
- g) monitoring and evaluation.

A TCP is a dynamic document that should continually be updated to reflect changes in research or the activity that it relates to such as personnel changes, inclusion of new export-controlled technology, changes in location where the work is conducted, etc. The PI is responsible for briefing research personnel on the provisions of the TCP and informing the ECRC of changes in the research project or activity.

10. Restricted Party Screening (RPS)

The federal agencies responsible for administration of export control regulations and trade-related sanctions maintain lists of persons against whom certain restrictions or prohibitions apply. Other federal agencies maintain lists of individuals and entities excluded from receiving federal contracts, certain subcontracts and certain types of federal financial and non-financial assistance and benefits. Additionally, there are lists maintained by international organizations and foreign governments. Restricted Party Screening is a due diligence process of determining whether parties that Emory is involved with appear on any restricted or prohibited party list. If a transaction or activity involves a party appearing on a list, additional due diligence must be conducted before proceeding with the activity or transaction.

Restricted Party Screening is conducted by different offices/business units across Emory. Emory uses licensed software that consolidates several lists to conduct restricted party screening. The ECRC is responsible for providing users with access to the software, training users, and for evaluating and resolving matching records that cannot be discounted by the screening unit.

11. Training and Outreach

Training is a key part in creating and maintaining a culture of compliance. Export control training, *Export Controls Compliance in Research and Academic Environment* is available on Emory's learning management platform, Brainier. Additionally, ECRC conducts tailored

export control training for persons conducting export control research and those who are identified in a proposed TCP.

12. Recordkeeping

Export control regulations contain detailed stipulations regarding what records must be retained and for how long- see [15 C.F.R. Part 762](#) (EAR); 22 C.F.R section [122.5](#), [123.22](#) and [123.26](#) (ITAR) and [31 CFR 501.601](#) (OFAC). Records related to export-controlled activities or transactions must be kept for the longer of the retention period required by the applicable regulation or the retention period required by Emory. Records that need to be retained include but are not limited to all memoranda, notes, correspondence (including emails), financial records, shipping documentation, and other information related to the export activities. When a license exemption or exception is used, the person making that determination must document that an exception or exemption is available and retain all records as stipulated in this section. Persons and departments conducting RPS are expected to maintain documentation of screening results, including how 'hits' are resolved or discounted.

13. Continuous Assessments and Monitoring

Certain export compliance activities and review processes are centralized within the Export Control and Research Cybersecurity Office (ECRC), while others are executed by different offices in coordination with the ECRC. To ensure adherence to regulations, the ECRC will conduct or coordinate assessments or monitoring activities as outlined in Monitoring Plan – Appendix VII. Instances of noncompliance will be evaluated and addressed through RCRA's noncompliance investigation process. Corrective and disciplinary actions will be determined based on the results of a suspected violation review and may include measures mandated by the University and/or federal government authorities. If corrective actions are necessary, the ECRC will monitor their implementation and measure their effectiveness.

Appendices

Appendix I	Export Control Assessment Form (ECAAF)
Appendix II	Examples of Restrictive Clauses
Appendix III	Deemed Export Review Questionnaire
Appendix IV	Checklist - Temporary Tools of Trade License Exception
Appendix V	Checklist – Baggage License Exception
Appendix VI	International Shipping Request Form
Appendix VII	Monitoring Plan



Export Control Assessment Form

We understand that you will be taking part in activities that may be impacted by U.S. export control regulations. Please complete this form to allow us to evaluate legal and regulatory requirements that may apply. If you have any questions about this form, please contact the Export Control Office (exportcontrol@emory.edu).

The purpose of this questionnaire is to assess risks under U.S. federal export control laws and regulations. Please complete this Export Control Assessment Form as it pertains to your work (e.g., proposal, award).

This form should be completed by the person doing the research (in most cases, the PI). Please answer all questions as accurately as possible. If you are not sure about an answer, please contact the ECO (exportcontrol@emory.edu) for assistance.

1. PI First and Last Name

* must provide value

2. PI Job Title

* must provide value

3. PI School/Unit

* must provide value

- ☐ College of Arts and Sciences
- ☐ Laney Graduate School
- ☐ Oxford College
- ☐ School of Business
- ☐ School of Law
- ☐ School of Medicine
- ☐ School of Nursing
- ☐ School of Public Health
- ☐ School of Theology
- ☐ Yerkes Primate Research Center

4. PI Department

* must provide value

5. Email

* must provide value

6. Phone Number

* must provide value

7. Is this sponsored research?

☐ Yes

* must provide value

☐ No

8. Defense-Related Research

☐ Yes

Will any aspect of the work potentially involve instruments, software, materials or technology specially designed or modified for defense purposes?

☐ No

* must provide value

9. Military Data

☐ Yes

Have you signed or been asked to sign a DoD Form 2345 Militarily Critical Data Agreement related to this project?

☐ No

* must provide value

10. Work Scoped as Export-Controlled by Sponsor

☐ Yes

Are you aware of any pre-award sponsor information that defines the scope of work as export controlled either under the Export Administration Regulations (EAR) or the International Traffic in Arms Regulations (ITAR)?

☐ No

* must provide value

11. Nondisclosure/Confidential Data Agreements

☐ Yes

Do you anticipate that Emory will be required to sign a Non-disclosure Agreement (NDA) or other Confidential Data Agreement (CDA) to receive proprietary, or export-controlled information from the sponsor or a related third party?

☐ No

* must provide value

12. Publication Restrictions

☐ Yes

☐ No

Do you anticipate that there will be any restrictions on publishing or otherwise disseminating the results of the research project?

* must provide value

13. Unpublished Technical Specifications

☐ Yes

☐ No

Do you anticipate that the project will require the sharing of technical specifications or other technology relating to an instrument or equipment (including vendor-proprietary installation or repair information) that is not available through published materials such as commercially available manuals with foreign nationals who are part of the research team?

* must provide value

14. Proprietary Instruments or Software

☐ Yes

☐ No

Do you anticipate that the project will require release of a party's *proprietary* instrument or software design technology with the research team?

* must provide value

15. Encryption Software

☐ Yes

☐ No

Will you be using non-commercial (specially-licensed, non-mass market) encryption or information security software?

* must provide value

16. Shipping

☐ Yes

☐ No

Will the project require the international transfer or export (by any means e.g., shipment, courier, hand carried) of any item pursuant to the scope of work?

* must provide value

17. Travel

☐ Yes

Do you anticipate traveling internationally in connection with the project?

☐ No

* must provide value

18. Sanctioned/Embargoed Countries

☐ Yes

Will there be any project-related transactions or engagement with individuals or institutions from the following sanctioned countries: Iran, Cuba, Syria, North Korea, Crimea Region of Ukraine?

☐ No

* must provide value

Please contact Export Control Office (exportcontrol@emory.edu) if you procure or receive export controlled instruments, software, or materials of any kind to execute your project. These would include items that the vendor or provider marks or otherwise identifies as "ITAR" or "export controlled".

DO NOT ANSWER - ECO USE ONLY

☐ Approved

☐ Approved with conditions

☐ Not approved/returned

Submit

Examples of Restrictive Clauses

Federal Contracting Clauses

- [DFARS 252.204-7000 \(DEC 1991\) - Disclosure of Information.](#)
- [DFARS 252.204-7000 \(AUG 2016\)](#)
- [DFARS 252.204-7008](#) - Compliance with Safeguarding Covered Defense Information Controls
- [DFARS 252.204-7012](#) – Safeguarding Covered Defense Information and Cyber Incident Reporting
- [DFARS 252.204-7019](#) Notice of NIST SP 800-171 DoD Assessment Requirements
- [DFARS 252.204-7020](#) NIST SP 800-171 DoD Assessment Requirements
- [DFARS 252.204-7021](#) Cybersecurity Maturity Model Certification Requirements
- [DFARS 252.225-7048](#) Export Controlled Items
- [FAR 52.204-21](#) – Basic Safeguarding of Covered Contractor Information Systems
- [FAR 52.227-17](#) - Special Works (DEC 2007)
- ARL 52.004-4400 - Approval of Foreign Nationals Performing under Contract required.
- ARL 52.005-4401- Release of Information (JULY 2002)
- AFMC 5352.227-9000 - Equipment and technical data generated controlled by ITAR.
- DEAR 952.204-71 - Sensitive Foreign Nations Controls (MAR 2011)
- RL 52.005-4401 Release of Information
- ER 52.0000-4017 Foreign Nationals

Other Commonly-encountered Restrictive Clauses

- DOE Foreign National Pre-approval (FORM NETL-F)
- DOE 10 CFR 810 Foreign National restrictions per NNSA/RSICC-issued software code
- DHS: U.S. Citizen-only clauses
- NASA: China entity prohibition re NASA funding

Deemed Export Review Form

Instructions: This questionnaire must be completed by the sponsoring faculty member or supervisor who is directly knowledgeable of the visitor's/non-US person's activities. The form should not be completed by someone acting on behalf of the sponsor/supervisor who is not directly knowledgeable of the activities.

Important Background Information. Please read before completing the form.

The U.S. export control regulations apply to the release of technology or source code ("technology") to a foreign person within the U.S. A foreign person is defined by the regulations as someone who is not a U.S. citizen, a U.S. permanent resident (Green Card holder), or any other protected individual (legal asylee or refugee). Under the regulations, the transfer or release to a foreign person of "technology" is an export to the foreign national's country of citizenship or permanent residence and may require export license or authorization. Information collected in this form is used for the following purposes:

- **Certification for H-1B, or O-1 Petitions**

The U.S. Citizenship and Immigration Services (USCIS) requires that an employer, when filing a H-1B, or O-1 petition, certify that (i) it has reviewed the Export Administration Regulations (EAR) administered by the U.S. Department of Commerce and the International Traffic in Arms Regulations (ITAR) administered by the U.S. Department of State, and (ii) it has determined whether or not a license (prior authorization) is required from either of these Government agencies to allow foreign national employee access to export controlled items or technology controlled under the EAR or ITAR.

- **J-1 Exchange Visitors and Other Non-Immigrant Visa Holders**

Information is used to determine if J-1 Exchange Visitors and other Non-immigrant visa holders will be exposed to export control items or technology. This form should also be used for all other non-immigrant employee visa categories including but not limited to F-1 Graduate Researchers and F-1 with Optional Practical Training (OPT) authorization.

The Export Control Office uses information provided in this form in determining whether prior export control authorization from a governing U.S. agency is required. If a license is required, the Export Control Office works with the sponsoring faculty member or supervisor to prepare necessary documents and to request the license on behalf of the faculty member, or to develop a Technology Control Plan (TCP). A TCP may be used, for example, to restrict access to export-controlled data/information.

Please refer all questions to Export Control Office, exportcontrol@emory.edu

Faculty/Sponsor Name _____ Department _____ School _____

Visitor's Full Name _____

1. Will the visitor's activities/assignment be performed at one the following schools?

- School of Medicine
- Woodruff School of Nursing
- Rollins School of Public Health
- Emory College of Arts and Sciences

NO ☐ If NO, provide a summary of work assignments below, sign the form and submit form. **YOU DO NOT NEED TO COMPLETE THE REST OF THE FORM.**

Yes ☐ If YES, PLEASE COMPLETE THE REST OF THE FORM.

2. Will the visitor perform any activity under a sponsored research agreement (e.g., grant, CRADA, contract, recharge service agreement, Capstone, etc.) that restricts or prohibits the participation of foreign persons? This includes restrictive clauses or requirements in the agreement restricting foreign nationals or non-U.S. persons participation in the research.

Yes ☐ No ☐ Uncertain ☐

3. Will the visitor perform any activity under a sponsored research agreement (e.g., grant, CRADA, contract, recharge service agreement, Capstone, etc.) that restricts or prohibits the research team's right to publish any of the data or research results? (Note: A sponsor's right to review and exclude from intended publication proprietary or confidential data does not count as a publication restriction).

Yes ☐ No ☐ Uncertain ☐

4. Will the visitor be **provided with access** to any of the following (whether or not actually required for his/her work assignment and whether through hard or soft copy):

- a. Technical data or information that has been stamped or otherwise designated by the sponsor or collaborating institution as being "export controlled".

Yes ☐ No ☐ Uncertain ☐

- b. Sponsor or third-party proprietary or confidential information, materials, or software that is the subject of a Non-Disclosure Agreement (NDA) or equivalent confidentiality agreement.

Yes ☐ No ☐ Uncertain ☐

- c. Third party, proprietary technology for the development of cryptography, or source code containing cryptographic functionality.

Yes ☐ No ☐ Uncertain ☐

- d. Third party, proprietary information pertaining to the “use” or “development” or “production” of instruments, materials, software, or scientific processes (technology), **For purposes of this Question:**
- “Use” means that the visitor would be performing one or more of the following types of activities pertaining to a controlled item beyond merely operating the item for its intended purpose: installation, maintenance, repair, and overhaul/refurbishing – based on a proprietary and controlled (non-public domain) manufacturer manual or other equivalent documentation.
- “Development” means technology pertaining to a sponsor’s proprietary R & D and development project - - i.e., not intended for publication; design research, design analysis, design concepts, assembly and testing of prototypes, pilot production schemes, design data, process of transforming design data into a product, or configuration design.
- “Production” means technology pertaining to sponsor-proprietary product engineering, manufacture, integration, assembly (mounting), inspection, testing, quality assurance.

Yes ☐ No ☐ Uncertain ☐

5. Will the visitor be provided access to research equipment, instruments, materials, software, and/or technical data in any form (e.g., blueprint, sketches, specifications, documented technology, vendor operational manual/instructions, data results) that is governed under the International Traffic in Arms Regulations (ITAR). ITAR covers any item (equipment, instruments, materials, software, and/or technical data as exemplified above) specifically designed, developed or modified for military, defense or space applications. This may include items procured from a vendor or otherwise received from a research sponsor or collaborating institution. For purposes of this question, “access” means any visual or physical access to the item, regardless of whether such access is required for the visitor to perform work assignments.

Yes ☐ No ☐ Uncertain ☐

By signing this document, I confirm that I work, or will work, in a capacity that enables me to anticipate the details of the job duties and responsibilities regarding the employment/visitor’s activities. I am familiar with the setting in which the prospective scholar/employee will be working, including access to equipment, software, and technical information. Additionally, I agree to notify the Export Control Office (exportcontrol@emory.edu) before the duties of the prospective scholar/employee are modified in a way that would change responses to this questionnaire. I affirm that the contents of the foregoing certification are true, to the best of my knowledge, information, and belief.

Signature _____ Date _____

CHECKLIST: TEMPORARY (TMP) TOOLS OF TRADE LICENSE EXCEPTION

The export of items, technology, commercial software, and encryption code is subject to export control regulations. The Department of Commerce's Export Administration Regulations (EAR) makes an exception to licensing requirements for the temporary export or re-export of certain items, technology, or software for professional use as long as the criteria to which you are certifying below are met.

The exception does not apply to any EAR satellite or space-related equipment, components, or software, or to any technology associated with high-level encryption products. In addition, this exception does not apply to items, technology, data, or software regulated by the Department of State's International Traffic in Arms Regulations (ITAR), or when traveling to embargoed or sanctioned countries such as Iran, Syria, Cuba, North Korea, Sudan and Crimea.

The Temporary (TMP) license exception to the U.S. export controls regulations can be used if ALL of the following apply to the Emory item (e.g., material, device, equipment, including any stored/installed "technology" or software, which also has to meet these exception requirements):

- ☐ 1: The item is of the usual and reasonable kind and quantity to be used in the intended lawful activities by the traveler abroad (e.g., research, etc.);
- ☐ 2: The item will remain under the effective control of the traveler abroad by retaining physical possession of it, and securely storing the item (e.g., under lock and key, hotel safe, etc.) when not in direct physical possession;
- ☐ 3: The item will not be sold, leased, rented, gifted, or otherwise disposed of while abroad;
- ☐ 4: The item will return to the U.S. within one year;
- ☐ 5: The item is not being taken to Cuba, Iran, North Korea, the Sudan, or Syria;
- ☐ 6: The item is not a defense article described on the [United States Munitions List](#) (USML)
- ☐ 7: The item is not controlled for encryption purposes (i.e., has an ECCN designation of 5A002, 5D002, or 5E002 on the Commerce Control List). If you do not know whether encryption controls apply, please contact Export Control Office exportcontrol@emory.edu.
- ☐ 8: Any "technology" or software that is described on the Commerce Control List (CCL –found at <https://www.bis.doc.gov/index.php/regulations/commerce-control-list-ccl>) will be secured against unauthorized access through the use of appropriate secure network connections, passwords, and firewalls, and will not be disclosed to foreign nationals abroad unless authorized under the regulations;
- ☐ 9: The item will not be used for any kind of military, nuclear science, weapon/defense, aircraft, or space-related end-use.

Note: "technology" generally refers to any information, specifications, technical data, or instructions that pertain to any item or software described on the CCL or USML (for example, design specifications for controlled items and equipment; protocols for the production or development of controlled materials, biologics, or chemicals; training instructions related to the development, production, or use of controlled items and equipment, etc.). Technology does not necessarily pertain to the device on which it is stored.

If any of the criterion above does not apply, please contact Export Control Office, exportcontrol@emory.edu.

I certify that the above criteria apply.

Travelers signature: _____ Date: _____

Keep a signed copy of this certification to document applicability of the license exception. Provide a copy to ECP prior to travel – exportcontrol@emory.edu.

CHECKLIST: BAGGAGE (BAG) LICENSE EXCEPTION

The Baggage (BAG) license exception to the U.S. export controls regulations can be used if ALL of the following apply to the personal item (e.g., personal effect, device, equipment, including any stored/installed “technology” or software, which also has to meet these exception requirements):

- ☐ 1: The item is personally owned by the traveler or immediate family members;
- ☐ 2: The item will be used only by the traveler or immediate family members;
- ☐ 3: The item will not be sold, leased, rented, gifted, or otherwise disposed of while abroad;
- ☐ 4: The item will return to the U.S. with the traveler or be consumed abroad;
- ☐ 5: The item is not described on the United States Munitions List (USML - found at https://www.pmddtc.state.gov/regulations_laws/itar.html);
- ☐ 6: The item will not be taken to Cuba, North Korea, the Sudan, or Syria if it is controlled for encryption purposes (i.e., has an ECCN designation of 5A002, 5D002, or 5E002 on the Commerce Control List). If you do not know whether encryption controls apply, the manufacturer of a particular device or software should be able to provide this information, either via their website or by phone;
- ☐ 7: Any “technology” or software that is described on the Commerce Control List (CCL – found at <https://www.bis.doc.gov/index.php/regulations/commerce-control-list-ccl>) will be secured against unauthorized access through the use of appropriate secure network connections, passwords, and firewalls, and will not be disclosed to foreign nationals abroad unless authorized under the regulations;
- ☐ 8: The item will not be used for any kind of military, nuclear science, weapon/defense, aircraft, or space-related end-use.

Note 1: “Technology” generally refers to any information, specifications, technical data, or instructions that pertain to any item or software described on the CCL or USML (for example, design specifications for controlled items and equipment; protocols for the production or development of controlled materials, biologics, or chemicals; training instructions related to the development, production, or use of controlled items and equipment, etc.). Technology does not necessarily pertain to the device on which it is stored.

Note 2: This license exception cannot be used to take items controlled under U.S. export controls regulations into the country of Iran. The export of such items is permitted only by specific license or other exception under applicable law or regulation.

Keep a signed copy of this checklist to document applicability of the license exception.

International Shipping Request Form

Please Read: The purpose of this International Shipping Form is to identify any international shipment, which requires prior export control authorization from U.S. Government export authorities and/or special U.S. Customs filing.

Items that can ship WITHOUT review/approval:

Unless the following items are shipped to Iran, Syria, Cuba, and/or North Korea, or to a Restricted or Prohibited party, they do **NOT** require an export review, approval, or license. Several operational and business units across Emory can screen activities against restricted or prohibited parties' lists. **If you need help in screening your shipment recipient, please contact Export Control Office – exportcontrol@emory.edu.**

- Basic laboratory supplies (test tubes, beakers, etc.)
- Basic office supplies
- Personal items such as clothing, toiletries, beauty products, etc.
- Textiles
- Household goods
- Promotional items (ex. cups, pens, folders, sweatshirts)
- Food products
- Artwork and artifacts
- Currency
- Documents containing published/publicly available technical data or non-technical data

Please complete this form as fully as possible. Questions should be directed to exportcontrol@emory.edu

REQUESTOR'S NAME:

First

Last

Request Date:

Department:

Requested on Behalf Of (if different than Requestor):

First

Last

Sponsored Project Code (if applicable):

RECIPIENT NAME:

First

Last

Company/Institution/Organization

Recipient Address:

Street Address

Address Line 2

City

State/ Province/ Region

Postal / Zip Code

Country

Has the consignee(s) been screened through Visual Compliance?

☐ YES ☐ NO

ITEM DESCRIPTION:

Please include a detailed description of the item(s) that will be shipped. If you know the manufacturer and model name of the item, please include it in the description.

For shipments that include multiple items, please attach a complete list of items in a Word or Excel document.

Please check to indicate any of the following included in the intended shipment:

- ☐ Laboratory instruments
- ☐ Tools (of a specialized mechanical nature)
- ☐ Samples/prototypes (including fabricated materials)
- ☐ Biological materials or specimens
- ☐ Specialized scientific software (not including typical operational software such as Microsoft Office, Adobe, etc.)
- ☐ Software programs containing or constituting specialized cryptographic functionality (not including routine commercial laptop cryptographic protection)
- ☐ Technical data related to any of the foregoing

Does the shipment contain Hazardous Materials or controlled biologics?

☐ YES ☐ NO ☐ UNKNOWN

If yes, have you received approval from EHSO to ship the items to the intended recipient?

☐ YES ☐ NO

Does the shipment require an executed MTA prior to shipment?

☐ YES ☐ NO ☐ UNKNOWN

If yes, have you contacted Office of Technology Transfer (OTT) to begin the MTA process?

☐ YES ☐ NO

Please identify (if known) the export control classification of the items in this shipment (Provide ECCN or USML Category, or respond "Unknown"):

What is the recipient's intended end use of the items?

Is the recipient a member of a foreign government, military, intelligence agency, and/or police unit?

☐ YES ☐ NO ☐ UNKNOWN

Is the export intended as a permanent export or will the item be returned?

Will the recipient re-export the items to a different final recipient?

☐ YES ☐ NO ☐ UNKNOWN

What is the estimated value of the shipment?

Please contact the Export Control Office (exportcontrol@emory.edu) with any questions or concerns.

Appendix VII

Monitoring Plan

Certain export compliance activities and review processes are centralized in the Export Control Office (ECO), while others are performed by other offices in coordination with ECO. To ensure compliance, ECO will conduct or coordinate the following monitoring activities:

Activity	Frequency	Description	Parties/Who	Documentation
Technology Control Plans	Annual	<p>The TCP is a dynamic document that is continually updated to reflect changes in the relevant activity such as personnel changes, inclusion of new export-controlled technology, change in location or export control items etc.</p> <ul style="list-style-type: none"> ECO will annually review the activities covered by existing TCPs. Review includes reviewing activities and/or items covered by the TCP; reviewing physical and information security plans; personnel review to ensure that all persons involved in the research are listed in the TCP as participants; and review of any required training completions. Depending on the activity, PI is responsible for conducting periodic self-audit and evaluations throughout the life of a TCP and informing the ECO of any change in the research project or activity. The specifics of PI led self-audits are detailed in each TCP. 	Export Control Office PI or person named as responsible individual on the TCP	Document review in a monitoring Spreadsheet
Export Licenses and other Authorizations	Annual	<p>Export licenses come with provisos that the license holder must comply and flow down to end users or recipients.</p> <ul style="list-style-type: none"> ECO will review existing licenses on an annual basis to ensure compliance with license terms and conditions and note down any concerns. Where a license relates to an ongoing activity (e.g., deemed export license) ECO will notify PI, supervisor or other person concerned of the expiry date of the license, and work with concerned person(s)/department to apply for renewal of license when necessary. 	Export Control Office PI or person named as responsible individual on the License Other parties as appropriate	Document review in a monitoring spreadsheet
Restricted Party Screening (RPS)	Annual	Emory uses Descartes Visual Compliance®, a third-party cloud-based screening software to perform restricted party screenings. RPS is conducted both centrally by ECO as well as by other department/operational units whose functions include performing restricted party screening for various reasons.	Export Control Office	Document in Monitoring Spreadsheet

Activity	Frequency	Description	Parties/Who	Documentation
		<ul style="list-style-type: none"> Once a year, ECO will request Visual Compliance for a list of registered users and confirm with relevant units of the need for users continued access. Accounts that are no longer active will be expired/deactivated. To ensure consistent screening across the university, ECO will, once a year, contact active users with reminders to follow RPS procedures. 		
Risk Assessments	Every 3 years	<ul style="list-style-type: none"> Identify, analyze, and prioritize compliance risks, that may be as a result of changes in regulatory requirements, involvement in new research areas or business, etc. recommend risk mitigation strategies. implement mitigation strategies 	Export Control Office	Written Report
Compliance Gap Analysis	Every 3 years	<ul style="list-style-type: none"> Systematic evaluation of Export Control program activities to assess compliance with internal policies and procedures. Evaluate the sufficiency of sample/select internal processes to prevent non-compliance events by benchmarking with peer institutions. Where gaps are identified, recommend stop-gap measures and implement as appropriate. 	Export Control Office	Written Report
Continuous Improvement	On-going Basis	<ul style="list-style-type: none"> ECO will evaluate and in coordination with relevant units revise existing processes. The goal of continuous evaluation is to increase efficiency and effectiveness of the Program. 	Export Control Office Other Operational Units as appropriate	Revised Procedures and Processes (as necessary)