
Summary: Whenever a potential export control issue associated with a sponsored project or research activity is identified, The Office of Research and Sponsored Programs will work with all involved parties to determine what course of action should be taken to address the issue. Export control screening of sponsored projects and research activities is a multi-step process requiring collaboration across multiple offices.

Detail: As previously indicated, implementation of the Texas A&M University—Kingsville (TAMUK) Export Controls Compliance Program will be completed in phases. Phase 3 is Research and Sponsored Programs, which is outlined in Section 4.0 of the TAMUK Export Controls Compliance Program Manual.

Proposal Stage: Upon receiving notification from a Principal Investigator (PI) of a proposal to be submitted, the PI will be required to complete the Notice of Intent with PI Export Control Assurances Form, the PI's responses will then be entered into Maestro. Maestro will send electronic notifications to the system member point(s) of contact for export controls based upon the PI's responses. The TAMUK Research Compliance Division will also be notified of any projects in need of an export controls review.

Contract Stage: At the contract stage, contract negotiators will verify the questions completed on the required Assurances Form. In addition, Restricted Party Screenings (RPS) will be performed on all contracts and subawards as needed. RPS will be performed for all sponsors, except state and federal entities, and for all subawardees, except for intrasystem agreements and state and Federal subawardees.

Certain agreement provisions may negate license exceptions and require seeking a license or undertaking monitoring or other activities. These provisions of concern are identified on the TAMUK Export Controls Decision-Making Tree for Administration of Contract Provisions of Concern in Appendix B of the Manual, and are summarized below.

If any of the following provisions is present (and cannot be negotiated away) in a research agreement or subcontract, a Material Transfer Agreement (MTA), or a Non

- d) Incorporation by reference of Federal Acquisition Regulations (FARs), agency specific FARs, or other federal agency regulations which impose specific controls on access to or dissemination of research results (see Section 4.2 of manual).
- 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) Equipment or encrypted software is required to be delivered as part of the project.
- h) The research project will involve the use of export-controlled items or technical information obtained from a third party.
- i) The research will take place outside the United States.

In addition to grants and contracts, ORSP's Research Compliance Division will perform Visual Compliance screenings on research compliance protocols from the Institutional Review Board (IRB), Institutional Animal Care and Use Committee (IACUC), and the Institutional Biosafety Committee (IBC), as triggered by the inclusion of international personnel or collaborations, and will coordinate with the Office of Compliance to log all export controls screenings and to address any restrictions that are revealed as a result of these screenings.

References:

- *Export Controls Compliance Program Manual – Section 4.0*
http://www.tamuk.edu/compliance/TAMUK-Export_Controls_Manual.pdf
- *List of Export Control Delegates*
http://www.tamuk.edu/compliance/Visual_Compliance_Delegate_List.pdf
- *Notice of Intent with PI Export Control Assurances Form*
Attached
- *Decision-Making Tree for Administration of Contract Provisions of Concern*
Attached

For further export controls assistance, please direct questions to the Office of Compliance at ExportControls@tamuk.edu.

Thank you,

Karen B. Royal, J.D., CCEP
Director of Compliance
Texas A&M University-Kingsville

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To ensure quality preparation, the ORSP must receive an intent to submit a proposal not later than a _____
10 days prior to the submission deadline date, a draft for review no later than 5 working days
to the deadline, and a full, final, ready-to-submit proposal no later than 2 working days prior to the deadline.

N I S b a G a P a

Co-Investigator Name(s)		Co-Investigator Contact(s) Info	
		Phone(s)	
		Email(s)	
Department	Proposed Grant Title:		
Short Summary of Project			

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