University of North Texas

Export Control Manual

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1. UNT COMMITMENT

September 2025

While University of North Texas (UNT) endorses the principles of freedom of inquiry and open exchange of knowledge, UNT recognizes and respects its obligation to compliance with the U.S. export control regulations. The export of certain technologies, software and hardware is regulated and controlled by federal law for reasons of national security, foreign policy, prevention of the spread of weapons of mass destruction and for competitive trade reasons. UNT and all its employees are required to comply with the laws and implementing regulations issued by the Department of State, through its International Traffic in Arms Regulations (ITAR), the Department of Commerce, through its Export Administration Regulations (EAR) and the Department of the Treasury, through its Office of Foreign Asset Controls (OFAC). Regulations outlined in NSPM-33, the CHIPS and Science Act, and Texas SB 1565 provide the framework for UNT's Export Compliance program.

Although most research conducted on U.S. college and university campuses is excluded from these regulations under the Fundamental Research Exclusion, university research involving specified technologies controlled under the EAR and/or ITAR, or transactions and exchanges with designated countries, individuals and entities may require UNT to obtain prior approval from the appropriate federal agency before allowing foreign nationals to participate in controlled research, collaborate with a foreign company and/or share research, verbally or in writing, with persons who are not United States citizens or permanent residents. The consequences of violating these regulations can be quite severe, ranging from loss of research contracts and exporting privileges to monetary penalties and jail time for the individual violating these regulations. Institutional consequences may range from fines, to revocation of institutional export privileges, to institutional debarment from receipt of federal research funds, which would shut down a majority of UNT's research grants and contracts.

UNT senior leadership is fully committed to ensuring export compliance and expects every faculty member, staff, and student to share in that commitment. It is the responsibility of each individual to be aware of and comply with the U.S. export control laws in the performance of their research duties.

If you have any questions concerning how these laws apply to you or any UNT activity, please contact the Office of Research Integrity and Compliance at 940-369-8652 or oric@unt.edu.

Respectfully,

Dr. Pamela Padilla, PhD
Vice President of Research and Innovation
University of North Texas

2. EXPORT COMPLIANCE REGULATIONS

Introduction: This Export Control Manual outlines the policies and procedures that are to be followed when implementing UNT's Export Control Program. This manual has been written to align with the U.S. Department of Commerce Bureau of Industry and Security's recommendations for the format and content of a written Export Control Program. UNT's export control program is an institution-wide program established to ensure that UNT is fully compliant with all applicable U.S. export control laws and regulations. Non-compliance with U.S. export control regulations could result in criminal, civil, or administrative penalties against both UNT as an entity as well as the individual employee who commits the violation. UNT's export control program has the challenging task of maximizing the benefits of UNT's international partnerships, while ensuring compliance with all appropriate U.S. export control laws and regulations.

Three principal agencies regulate export controls from the United States: the U.S. Department of State Directorate of Defense Trade Controls (DDTC) administers export control under the International Traffic in Arms Regulations (ITAR); the U.S. Department of Commerce (DoC) Bureau of Industry and Security (BIS) administers export control of "dual-use" technology under the Export Administration Regulations (EAR); and the U.S. Department of the Treasury Office of Foreign Assets Control (OFAC) administers exports to embargoed countries and specially designated entities.

International Traffic in Arms Regulations (ITAR): UNT works with ITAR controlled technology and is registered with Department of State, Directorate of Defense Trade Controls (DDTC). It is also important to understand that there is a hierarchy to export control regulations, with the ITAR at the top. DDTC's role is to administer the export and re-export of defense articles, defense services and related technical data from the United States to any foreign destination, or to any foreign person, whether located in the United States or abroad. The UNT Office of Research Integrity and Compliance's role is to collaborate with DDTC to obtain any necessary export licenses or draft formal agreements that authorize the export of technology or articles, such as research in rockets or the technology associated with military platforms. This is accomplished through the ITAR, specifically the United States Munitions List (USML), which controls not only end items, such as a rocket engine or military aircraft, but also associated equipment, parts, and components that are incorporated into the end item. Additionally, while the USML primarily covers defense or intelligence related technology and products, certain non-military items, such as commercial launch technology, also fall under the ITAR. The ITAR uses three different terms to designate export-controlled items – technical data, defense articles, and defense services. An updated version of the ITAR can be found here.

Items Controlled Under the ITAR
The United States Munitions List (USML) designates categories and types of equipment as defense articles and associated technical data and defense services. The USML divides defense items into 21 categories ranging from firearms to military spacecraft and launch technology.

The USML has the following categories:
- Category I: Firearms
- Category II: Artillery
- Category III: Ammunition

- Category IV: Launch Vehicles, Guided Missiles, Rockets, Torpedoes, Bombs, and Mines
  - (a) Rockets (including but not limited to meteorological and other sounding rockets), bombs, grenades, torpedoes, depth charges, land and naval mines, as well as launchers for such defense articles, and demolition blocks and blasting caps.
  - (b) Launch vehicles and missile and antimissile systems including but not limited to guided, tactical and strategic missiles, launchers, and systems.
- Category V: Explosives and Energetic Materials, Propellants, Incendiary Agents, Constituents
- Category VI: Surface Vessels of War and Special Naval Equipment
- Category VII: Ground Vehicles
- Category VIII: Aircraft and Related Articles
  - Aircraft, including but not limited to helicopters, non-expansive balloons, drones, and lighter-than-air aircraft, which are specifically designed, modified, or equipped for military purposes. This includes but is not limited to the following military purposes: Gunnery, bombing, rocket or missile launching, electronic and other surveillance, reconnaissance, refueling, aerial mapping, military liaison, cargo carrying or dropping, personnel dropping, airborne warning and control, and military training.
- Category IX: Military Training Equipment
- Category X: Personal Protective Equipment
- Category XI: Military Electronics
- Category XII: Fire Control/Sensors/Night Vision
- Category XIII: Material and Miscellaneous Articles
- Category XIV: Toxicological Agents
- Category XV: Spacecraft and Related Articles
- Category XVI: Nuclear Weapons, Related Articles
- Category XVII: Classified Articles, Technical Data, and Defense Services
- Category XVIII: Directed Energy Weapons
- Category XIX: Gas Turbine Engines and Associated Equipment
- Category XX: Submersible Vessels and Related Articles
- Category XXI: Articles, Technical Data, and Defense Services Otherwise Not Enumerated

§ 121.16 Missile Technology Regime Annex
- Category I – Item 1: Complete rocket systems delivering at least a 500-kg payload to a range of at least 300 km.
- Category I – Item 2: Complete subsystems usable in the systems in Item 1
- Category II – Item 3: Propulsion components and equipment usable in the systems in Item 1
- Category II – Item 11: Avionics equipment, "technology" and components as follows; designed or modified for use in the systems in Item 1

Authorization to Export: Defense articles, technical data, and/or defense services controlled by the ITAR can be exported only by obtaining an export license from Department of State, using a license exemption, or falling under the authority of an agreement, such as a Technical Assistance Agreement (TAA), Manufacturing License Agreement (MLA) or Warehouse/Distribution Agreement (W/DA). If there is ever any doubt about whether an export license is required for any UNT technology, then UNT's Office of Research Integrity and Compliance (ORIC) should be contacted immediately. Once determined that a license is required, then UNT can apply for an export license from Department of State DDTC. The ITAR also contains many license exemptions, but these again should not be utilized without first obtaining

approval from ORIC given that the use of exemptions is complex and require significant review and record keeping prior to using.

Export Administration Regulations (EAR): UNT's controlled research grants also fall under the EAR, which is governed by the Department of Commerce (DoC), Bureau of Industry and Security (BIS). BIS regulates the export of commercial products and technology, sometimes referred to as "dual use", meaning they can be used for both civilian and military purposes. While there are some similarities between the ITAR and EAR, the EAR has more specificity and controls most products and technology developed in the U.S., while the ITAR predominantly focuses on military and space related goods and technology. Also, as stated previously, an ITAR determination must be made first, prior to classifying an item in the EAR. An updated version of the EAR can be found at: https://www.bis.gov/regulations

As previously stated, the EAR controls most commercial items that have the potential for "dual use," or otherwise are of strategic value to the U.S. If the items are listed in the Commerce Control List (CCL), then the item will be assigned an Export Control Classification Number (ECCN), which will detail the export controls of that item. For example, an Apple laptop is controlled under the basket designation known as EAR99 and is only controlled for Anti-Terrorism (AT) reasons. The laptop is EAR99 because it is low-level technology that is not listed on the CCL and was pre-determined to not be ITAR controlled. The benefits of EAR99 is that this technology can generally be exported with No License Required (NLR), unless the export is to an embargoed country, or to a prohibited person or end-use. The opposite side of the CCL is Category 9 for aerospace, propulsion systems, space vehicles, and related equipment that has significant export controls and requires the use of an export license or exception for export to most countries and end-users.

The CCL has the following specific categories and groups:
- Category 0: Nuclear Materials, Facilities & Equipment & Miscellaneous Items
- Category 1: Materials, Chemicals, Micro-organisms & Toxins
- Category 2: Materials Processing
- Category 3: Electronics Design, Development, and Production
- Category 4: Computers
- Category 5 (Part 1): Telecommunications
- Category 5 (Part 2): Information Security
- Category 6: Sensors and Lasers
- Category 7: Navigations and Avionics
- Category 8: Marine
- Category 9: Aerospace, Propulsion Systems, Space Vehicles and Related Equipment

Authorization to Export: As previously stated, items or technology controlled under the EAR can be exported with No License Required (NLR), obtaining an export license from Department of Commerce, or using a license exception. If there is ever any doubt about whether an export license is required, then the Office of Research Integrity and Compliance should be contacted immediately. Once determined that a license is required, then the Research Security and Export Control Officer (RSECO) can apply for an export license from Department of Commerce, BIS. The EAR also contains several license exceptions, but these should not be utilized without first obtaining approval from the RSECO given that the use of exceptions is complex and require significant review and record keeping prior to using.

Office of Foreign Assets Control (OFAC): U.S. economic sanctions broadly prohibit most transactions between a U.S. person and persons or entities in an embargoed country, including in Cuba, Iran, North Korea, Syria, and Sudan. This prohibition includes imports/exports of goods and services, whether direct or indirect, as well as facilitation by a U.S person of transactions between foreign parties and a sanctioned country, such as if someone in Syria asked an employee at UNT to export rocket technology to Syria. More limited sanctions may also preclude certain transactions or require export licenses for additional oversight. Since sanctions evolve based on the international environment, the following link should be utilized to determine if sanctions apply: http://www.treasury.gov/resource-center/sanctions/Pages/default.aspx.

3   EXPORT COMPLIANCE IMPLEMENTATION AND RESPONSIBILITIES

3.1 COMPLIANCE STAFF

The Research Security and Export Compliance Officer (RSECO), as well as the Director of Ethics & International Research Compliance, are the primary points of contact at UNT for export compliance questions and support for export licenses, contract reviews, and agreements.

The International Compliance Coordination Committee (ICCC) assist the university in managing the international compliance management program in adherence to federal laws and regulations and UNT policy, including but not limited to UNT Export Control Policy 13.010. The committee is comprised of the Director, Ethics & International Research Compliance; the Research Security & Export Control Officer; the Chief HR officer; the Executive Director of Advancement Services; the Director, International Affairs; a representative, Office of General Counsel; the Director, IT Governance Risk & Compliance; the Manager, University Integrity & Compliance; the Director, Risk Management Services; and a faculty member. The ICCC will review and revise the Export Control Manual at least every two years.

3.2 FACULTY RESPONSIBILITIES

Principal Investigators (PIs) are the primary points of contact for the Office of Research Integrity and Compliance as PIs are responsible for staffing decisions on grants and contracts.

Training and Technology Control Plans:
Training is the foundation of a successful export compliance program. Well-informed staff minimize the likelihood that inadvertent violations of the law will occur. The greatest risk of non-compliance of export laws and regulations occurs during casual conversations in person, on the telephone, or via e-mail. Live general export control training sessions are available to all university faculty, staff, and students at least once per semester. Targeted training sessions are available on an ad hoc basis per PI request. Recorded export control training sessions and CITI export control training modules are available on-demand.

All research staff associated with an export-controlled research project complete a Technology Control Plan (TCP) prior to engaging in the project. When the Grants and Contracts Administration office identifies an export-controlled research project, they will contact the Research Security and Export

Control Officer (RSECO). The RSECO will contact the PI to complete a draft of Technology Control Plan (TCP) and all research personnel involved in the project will complete export control training prior to starting the project and annually thereafter. Initial training for all members of the project team must occur in a live (Teams or Zoon) format; annual training thereafter can be completed in CITI. If the PI does not respond to RSECO within two weeks, the Vice President of Research and Innovation will contact department chair. Upon completion of the draft of the TCP and export control training, the Research Security and Export Control Officer will connect the PI with UNT System IT for IT security review. When the TCP is finalized, it will be saved with Office of Research Integrity SharePoint files and a copy is sent to PI, Contracts, the Dean, Associate Dean of Research, System IT Compliance, and college IT.

Five months after initial set-up of the TCP, the RSECO will reach out to the PI to complete the Technology Control Plan Biannual Certification within a month. If PI does not respond to RSECO within two weeks, the Vice President of Research and Innovation will contact department chair. Technology Control Plan Biannual Certification is saved with Office of Research Integrity SharePoint files.

Eleven months after initial set-up of the TCP, the RSECO will reach out to the PI to complete the Technology Control Plan Biannual Certification within a month. All personnel listed on the TCP will need to complete export control training annually. If PI does not respond to RSECO within two weeks, the Vice President of Research and Innovation will contact department chair. Technology Control Plan Biannual Certification is saved with ORIC SharePoint files.

Attendees of ITAR-controlled conferences will need to attend an Export Control training session prior to conference attendance. When a coordinator of an ITAR-controlled conference contacts ORIC, the RSECO will confirm that export control training has been completed within the last calendar year. If the training has been completed, the RSECO will provide the date to the coordinator of the ITAR-controlled conference. If the training has not been completed within the last calendar year, the RSECO will reach out to the attendee to coordinate export control training coordination. If the RSECO does not hear from the attendee within two weeks, they will let the department chair and the coordinator of the ITAR-controlled conference know that the attendee has not completed the required training.

It is ultimately the individual's responsibility to comply with export control laws, regulations, policies, rules, and procedures, which is why this training is required prior to engaging in export-controlled work.

Possible Violations:

If you aware of a possible violation of export control laws or regulations you are required to promptly report these concerns to the Office of Research Integrity and Compliance (oric@unt.edu). Reporting may be done anonymously.

Possible violations of U.S. export control laws or regulations will be investigated by the compliance team, to the extent deemed necessary. The compliance team will determine whether notification to an appropriate government agency is required.

3.3 DO EXPORT CONTROL REGULATIONS APPLY?

If the terms and conditions of a Request for Proposal (RFP), solicitation, or a document contain any of the following restrictions or limitations, there is a strong likelihood that the US Export Control Laws will

apply.

Below are some indicators that Pre-Award and Research Commercial Agreements watch for:
1. Does the document specifically state that ITAR, EAR, Covered Defense Information (CDI) or Controlled Unclassified Information (CUI) apply?
2. Does the document specifically state that the technology involved is export controlled?
3. Does the technology or data involved have military, security, or intelligence applications?
    a. Does it appear on ITAR's U.S. Munitions list?
4. Does the technology, data, or material involved have a dual civilian and military application?
    a. Does it appear on the Commerce Department's Control List?
    b. Does it have an Export Control Classification Number (ECCN)?
5. Does the research involve the use of encryption technology or encrypted software?
6. Does the research involve national security classified materials?
7. Will the PI be asked to maintain the confidentiality of customer information?
    a. Was an NDA executed between the parties?
8. Does the document contain any publication restrictions or limitations?
9. Are project participants limited to US citizens or legal resident aliens only?
10. Does the document involve the shipment or export of technology, data, or materials outside the United States?
11. Will collaborations with foreign consultants be required?
12. Will the work involve a country that has been embargoed or sanctioned by either the State or Treasury Departments?

3.4 EXPORT LICENSES AND EXCEPTIONS

Licensing is determined by the item being exported, where it is going, who is going to use it, and the end use.

The Research Security and Export Control Officer, in consultation with the Export Control Consultant, determines the type of ITAR license required for each export. The most common DDTC forms used for exporting defense articles include:
1. Form DSP-5, application/license for the permanent export of unclassified defense articles and related unclassified technical data.
2. Form DSP-61, application/license for temporary import of an unclassified defense articles;
3. Form DSP-73, application/license for the temporary export of unclassified defense articles;
4. Form DSP-85, application for permanent/temporary export or temporary import of classified defense articles and related classified technical data.

If there are EAR items which require licensing or possible license exceptions:
1. Export License
2. Use of EAR exception: As already stated, the use of exceptions is complex and requires significant review and approval.

LVS:	Shipments of Limited Value	RPL:	Servicing/Replacement of Parts
GBS:	Country Group B Country Shipments	GOV:	Governments/International Orgs
CIV:	Civil End-Users	GFT:	Gift Parcels, Humanitarian Donations

TSR:	Technology/Software under Restriction	TSU:	Technology/Software Unrestricted
APP:	Computers	BAG:	Baggage
TMP:	Temporary Exports/Imports…	AVS:	Aircraft and Vessels
APR:	Permissive Re-exports	ENC:	Encryption Commodities
AGR:	Agricultural Commodities	CCD:	Consumer Communication Devices
STA:	Strategic Trade Authorization	SCP:	Support Cuban People

3.5 REGISTRATION AND RESTRICTED PARTIES SCREENING

As required of manufacturers and exporters in the United States who engage in the business of manufacturing or exporting defense articles (22 CFR §122.1(a)), UNT is registered with the DDTC.

UNT screens all international parties though Restricted Party Screening (RPS) via the Consolidated Screening List (CSL) or Visual Compliance as required by the United States Government. See Appendix IV: Restricted Party Screening for details.

If a company, entity, or person on the list appears to match a party potentially involved in any UNT export transaction, additional due diligence should be conducted before proceeding. There may be a strict export prohibition, requirement for seeking a license application, evaluation of the end-use or user to ensure it does not result in an activity prohibited by any U.S. export regulations, or other restriction. Prior to taking further action, UNT must work with its Export Control Consultant to check the official publication of restricted parties in the Federal Register or the official lists of restricted parties maintained on the web sites of the Departments of Commerce, State and the Treasury to ensure full compliance with all the terms and conditions of the restrictions placed on the parties on this list.

Visual Compliance runs a search of all UNT users' previous searches daily. If a new result is found, the Office of Research Integrity & Compliance is alerted. The Director, Ethics and International Research Compliance will determine if the result is a valid match and if the collaboration with UNT is current. If the result is a valid match and the collaboration with UNT is current, the Director will contact the Export Control Consultant.

3.6 EXPORT CLASSIFICATION – ITAR/EAR

Individualized training hosted by the RSECO or the Export Control Consultant is available for export classification and the fundamental research exclusion.

There are two principal ways of determining the classification of a U.S. item:
- **Self-Classification:** The process is completed in conjunction with the Research Security and Export Control Officer who is ultimately responsible and must approve of the classification. The technology or item (particularly its technical parameters) will firstly be reviewed against the ITAR USML as an ITAR determination must be made and recorded for the record for all self-classifications. Following an ITAR determination, a review of the EAR CCL can be completed in conjunction with in-house technical personnel.
- **Commodity Jurisdiction (ITAR):** Since all technology is defaulted as ITAR, until reviewed otherwise, official classifications or Advisory Opinions are only used to verify an ITAR category.

A Commodity Jurisdiction (CJ) request is the formal process through Department of State to request a change of classification from the ITAR to the EAR and are used frequently for military funded technology that is also dual-use.

- **Commodity Classification (EAR):** Additionally, Department of Commerce BIS also provides a formal process for Export Classification after the ITAR determination has been completed. This is called a Commodity Classification and is used to verify an Export Control Classification Number (ECCN), which at times are required by the U.S. government or defense contractors. This request includes an analysis of the technical parameters of both the item and the recommended ECCN. Product brochures or data sheets, if available, should be included with the request, including a description of the item(s) and the requester's views as to why she/he considers a particular ECCN to be the correct category for the item. Although self-classifications can be completed for EAR CCL items, Department of Commerce provides an easy-to-use system for Commodity Classification Requests and these are strongly recommended. Official written classifications may help avoid inadvertent errors or misinterpretations, particularly for items that do not fit neatly into a particular ECCN. It can be very helpful to have written, up-to-date evidence of what the Government considers the proper export classification of a product since this avoids the possibility of a dispute with Government export enforcement officials.

4 INTERNATIONAL VISITORS AND EMPLOYMENT

4.1 INTERNATIONAL VISITORS

UNT frequently hosts non-U.S. citizen/Foreign Person visitors. Some of these individuals are, or could be, UNT employees.

The U.S. Government controls the transfer/export of technology to Foreign Persons and prohibits access to some unclassified information to all non-U.S. citizens. These policies also apply to anyone, including a U.S. citizen representing a foreign interest, e.g., foreign company or foreign government, also called a foreign agent. Various government laws and regulations require the strict control of Foreign Person visits to defense contractor facilities, whether they are employees or visitors. As UNT is involved in applied research, UNT must also comply with Department of Defense (DoD) regulations regarding the admission of Foreign Persons to UNT controlled facilities/labs.

UNT requires that all non-U.S. Citizens/ Foreign Persons, as well as U.S. Persons representing a foreign interest, visiting UNT facilities, provide no less than three months' notification to verify the necessary approvals/clearances (such as citizenship, country of representation, information/facility access requirements, discussion topics, and export/import authority) before the visitor's arrival.

In situations where correspondence through diplomatic channels is necessary, 30-day advanced notice is needed to obtain the appropriate Government-to-Government approvals/clearances. This includes visits requiring the release of unclassified technical data as defined EAR/ITAR.

Government approvals are not necessary for Foreign Person visitors in the following situations:
- There will be no release or discussions of Technical Data.
- There will be no information released other than general business data and information, which has been previously approved for Public Release or is in the public domain.

Each Host shall understand and comply with the following:
1. A UNT employee Host is required for all non-U.S. citizen/Foreign Person visitors in export-controlled facilities/labs.
2. The employee Host shall be a U.S. citizen and a UNT employee in an export-controlled facility/lab.
3. Disclosure of unclassified Technical Data to a Foreign Person constitutes an export and will be subject to controls of the ITAR or EAR.
4. Foreign Persons will be given access only to information necessary in the performance of task assignments and shall be subject to all Government approvals/sponsored visit request.
5. Any information and/or material to be disclosed to a Foreign Person must be approved, e.g., Technical Assistance Agreement (TAA), U.S. Government sponsored visit, or is already in the public domain.
6. Deny a Foreign Person access to export-controlled material and information unless there is an approved export authorization.
7. All electronic computer devices, cameras, and recording devices must be approved before they are authorized in the facility, including information and physical security requirements required by NIST 800-171. Care must also be taken during the visit to prevent inadvertent visual access by the visitor(s) to all active computer screens that may display export controlled technical data.

If a foreign person is in the room, no controlled work on paper, computer, or otherwise may be visible. Hosts must also be aware that Resident Aliens who possess a valid Form I-551, i.e., "Green Card," and are therefore U.S. Persons, are nevertheless non-U.S. citizens. They, and anyone representing a foreign interest, company, or government, may not have access to some unclassified information, such as For Official Use Only (FOUO) and work areas that U.S. Government customers have contractually specified for access by U.S. citizens only.

4.2 EMPLOYMENT OF FOREIGN NATIONALS

The ability to hire non–immigrant foreign nationals for certain positions may be restricted or prohibited by export control laws. For example, non-immigrant foreign nationals may be restricted or prohibited from performing employment responsibilities relating to certain information technology systems positions to the extent the work will involve access to controlled information or items.

After the Assistant Director, Immigration Services runs a Restricted Party Screening, they will contact the Research Security and Export Control Officer (RSECO) with the Deemed Export form for foreign nationals employed by UNT who are being sponsored for an H-1B or an O-1 visa. The RSECO will review the form to determine if the potential hire is from a sanctioned country (and if so, will contact the Export Control Consultant) and check if the potential hire will be working on an active sponsored research project (if so, the RSECO will review the Award Agreement to ensure that there are no restrictions on foreign nationals for the project).

5   INTERNATIONAL TRAVEL

International travel on behalf of UNT may be subject to export control regulations due to the technology, equipment, software, and technical data (in physical, digital, or voice-transmitted form) being taken out of the country, and/or due to the travel destination. All university related international travel must be registered prior to travel to obtain approval through Risk Management Services: https://riskmanagement.unt.edu/emergency/international_travel.html.

Once the traveler has registered with Risk Management and they have completed their review, then Risk Management will contact the Research Security and Export Control Officer to inform the RSECO of the approved international travel. The RSECO will send faculty, student, and staff travelers an International Travel Device Checklist prior to travel. The RSECO will check to see if faculty member has any active sponsored projects. If the researchers has active projects, RSECO will check the award agreement or contract to determine if there are any restrictions. If there are restrictions, the RSECO will email the traveler to remind them of the restriction. The RSECO will ask the traveler if any UNT lab equipment will be taken and what activities will occur during trip (presentations, etc). RSECO will include guidelines about electronic devices based on destination. If equipment will be taken, RSECO will check with Export Control Consultant to determine if a license is needed based on equipment and destination. The RSECO will offer the traveler a loaner laptop and coordinate the checkout process.

The RSECO will run a restricted party screening on entities and collaborators involved in the trip. If a positive result appears on the restricted party screening, the RSECO will consult with the Export Control Consultant for guidance. Once the review of the device checklist is complete, the RSECO will update the spreadsheet in Office of Research Integrity and Compliance SharePoint.

6   SHIPPING

UNT's Research Security and Export Control Officer must be consulted and approve any shipment of export-controlled items outside or inside the U.S. (including hand–carrying items such as equipment, computers, materials, or data) 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.

The simple act of sending a package to a foreign collaborator can result in a violation of export controls. Also, shipping to countries subject to embargoes must first be cleared by the Research Security and Export Control Officer.

Every effort should be made to correctly label a package and accurately represent the classification of the item because mislabeling and misclassification, regardless of intent, is a violation. Under– invoicing or under–valuing an exported item is a violation, or reporting an incorrect export value on a Shippers Export Declaration also violates export regulations.

Any potential export control issues regarding shipping should be referred to the Office of Research Integrity and Compliance for assistance and resolution.

7   RECORDKEEPING

All export control records will be retained for a minimum period of five (5) years from the date of export or from the date of license expiration, as per the requirements of ITAR Section 123.22 and EAR Section 762.6. These records must be organized to be available when requested by U.S. governmental authorities or for internal audit purposes. Records include printed and hard copy documents, as well as electronic records (including e-mail, e-mail attachments, and other electronic files).   All export-

controlled data is kept on the UNT internal server with access provided only to designated employees.

8   INTERNAL AUDIT AND MONITORING

To assist employees in complying with export control procedures, the UNT Office of Research Integrity and Compliance will conduct periodic reviews and self-assessments of the UNT Export Controls Compliance Program. Monitoring of the Technology Control Plan procedure is ongoing.

9   INFORMATION TECHNOLOGY

ITAR/EAR controlled information and technology is considered Covered Defense Information (CDI), specifically Controlled Unclassified Information (CUI). CUI requires additional physical and information security controls that can be found at http://nvlpubs.nist.gov/nistpubs/SpecialPublications/NIST.SP.800-171.pdf. These controls include information security controls, such as encryption of email, hard-drives, computer servers, and any place where CUI is transmitted or stored at rest, including the implementation of multi-factor authentication.

UNT employees shall not:
- Electronically store export–controlled documents on "cloud servers" (e.g. DropBox, Google Drive, etc.); or
- Allow unauthorized second–party access to export–controlled electronic documents.

UNT employees shall strictly adhere to protocols outlined in technology control plans assigned to specific projects, items, and/or information to protect unauthorized access—inclusive of electronic data protection—of such items.

UNT employees shall mark documents with proper disclaimers as specified by the research agreement notifying the reader of the possibility of ITAR or EAR controlled data, such as:

> *This document may contain technical data which may be controlled by the US International Traffic and Arms Regulation (ITAR) 22 CFR part 120-130 or Export Administration Regulation (EAR) 15 CFR part 730-774. If this data is determined to be export controlled, it may not be exported, transmitted, shared, disclosed, or provided to any non- US Persons as defined by the ITAR and EAR either verbally or visually without first complying with the export control requirements of the ITAR or EAR. It is the recipient's responsibility to assure this item can be legally shared with another party. The following links to the ITAR and EAR are provided for your reference.*

10   U.S. GOVERNMENT ENFORCEMENT

The U.S. government has built in various enforcement mechanisms to ensure compliance with export control laws. U.S. Customs officials have the authority to check any export or import against its license at the borders. For dual-use items, Department of Commerce officials also investigate violations. Licensing authorities often require pre-license checks and post-shipment verifications.

Criminal and civil penalties for export control violations can be severe. For munitions export control violations, the statute authorizes a maximum criminal penalty of $1 million per violation and, for an

individual person, up to 10 years imprisonment. In addition, munitions violations can result in the imposition of a maximum civil fine of $500,000 per violation of the ITAR, as well as debarment from exporting defense articles or services. For dual-use export control violations, criminal penalties can reach a maximum of $500,000 per violation and, for an individual person, up to 10 years imprisonment. Dual-use violations can also be subject to civil fines up to $12,000 per violation, as well as denial of export privileges. It should be noted that in many enforcement cases, both criminal and civil penalties are imposed.

11 DISCIPLINARY ACTIONS

As stated, there are severe institution and individual sanctions for violations of export controls laws, including the loss of contract funding, loss of export privileges, as well as civil and criminal penalties, up to and including imprisonment. In the event of non-compliance with processes set forth in this manual or UNT Export Control Policy 13.010, an internal audit will be completed and forwarded to the Empowered Official. Additionally, faculty/staff may be subject to disciplinary action up to and including termination in accordance with UNT policies and regulations.

Common sense is key when identifying potentially problematic transactions. You should stop the transaction if:

An international collaborator -
- Is reluctant to provide end-use/user information
- Is willing to pay cash for high-value shipments
- Has little background or history in the relevant research/business
- Appears unfamiliar with the product or its use
- Orders products/quantities incompatible with the relevant research/business
- Provides vague delivery dates or locations

A shipment involves -
- Freight forwarder designated as consignee/end-user
- Intermediate consignee's business or location incompatible with end-user's
- Shipments directed to trading companies, freight forwarders, or companies with no connection to buyer/institution
- Requests for packing inconsistent with normal mode of shipping
- Choice of circuitous or economically illogical routing, or through multiple countries;

The end-user requests -
- Equipment inconsistent with inventory
- Spare parts in excess of projected needs
- Performance/design specs incompatible with resources or environment
- Technical capability/end-use incompatible with consignee's line of research/business
- End-use at variance with standard practices
- Middleperson from third country to place order
- Refuses to state whether goods are for domestic use, export, or re-export

If in doubt, consult the Office of Research Integrity and Compliance.

12 OFFICE OF RESEARCH INTEGRITY AND COMPLIANCE CONTACT INFORMATION

Ph: 940-565-4643
oric@unt.edu

13   APPENDIX I: FREQUENTLY ASKED QUESTIONS

How do I know if I need Export Control training?

All research staff associated with export activities will attend an Export Control training session annually and will be asked to review and sign a Technology Control Plan (TCP) prior to engaging in an export-controlled activity. Attendees of ITAR-controlled conferences will need to attend an Export Control training session prior to attending the conference.

It is ultimately the individual's responsibility to comply with export control laws, regulations, policies, rules, and procedures, which is why this training is required prior to engaging in export-controlled work.

Where can I access Export Control Training?

On-demand export control training can be accessed through CITI training. You can also attend the live training sessions hosted by the Research Security and Export Control Officer or request a targeted training for your research group.

Who do I contact if I have questions?

If you have any questions please contact the Research Integrity and Compliance Office at oric@unt.edu.

Can I take my UNT laptop on international trips?

It depends. Sponsored research should not be taken out of the country, and that includes taking a university-issued laptop if information is saved to that computer. Travelers going to China may not take their UNT laptops with them under and circumstances due to Chinese laws banning certain data encryption technology. Travelers going to high-risk destinations may borrow a loaner laptop from ORIC.

Can I ship samples overseas?

Some items shipped overseas may need export control approval. Please check with your department's shipping liaison or the Research Security and Export Control Officer before any international shipping.

Can a conversation be subject to export control regulations?

Yes. Certain types of information shared with a foreign national can constitute an export. PIs working on sponsored projects must adhere to information access protocols when conversing with foreign nationals.

What do I do if I become aware of a potential violation?

Potential violations should be reported to the Research Security and Export Control Officer (via oric@unt.edu) as soon as you become aware of them. Do not hesitate or try to gather additional information. There can be civil penalties for failure to report potential violations immediately.

APPENDIX II: TECHNOLOGY CONTROL PLAN PROCEDURES

Step 1: Initiation of Process
Contracts contacts Research Security and Export Control Officer (RSECO) to inform Office of Research Integrity and Compliance (ORIC) of a contract involving controlled information.

Step 2: TCP Draft
RSECO send blank TCP template to PI to complete draft of TCP

Step 3: Training (to be completed concurrently with Step 2)
All personnel listed on TCP complete training if not already completed.

Step 4: IT Review
RSECO connects PI with UNT System IT for IT security review.

Step 5: Physical Security
RSECO visits lab space to conduct physical security review.

Step 6: Finalize the TCP
 PI to sign Technology Control Plan and all personnel complete Export Control training.
   a. If PI does not respond to RSECO within two weeks, the Vice President of Research and Innovation will contact department chair.
   b. TCP is finalized and saved with Office of Research Integrity sharepoint files and a copy is sent to:
      - PI
      - Associate Dean for Research
      - IT Manager, College
      - Contracts
      - System IT compliance

Procedure: Annual Certification of Technology Control Plan Procedure

Purpose: To annually review the Technology Control Plan.

1. RSECO reaches out to PI to complete draft of TCP Annual Certification one month prior to annual expiration.
2. PI to completes Technology Control Plan Annual Certification and all personnel complete annual training.
      a. If PI does not respond to RSECO within two weeks, the Vice President of Research and Innovation will contact department chair.
3. Technology Control Plan Annual Certification is saved with Office of Research Integrity sharepoint

files.

APPENDIX III: RESTRICTED PARTY SCREENING PROCEDURES

Initial Screening

1. Office of the Provost, faculty member, Research Commercial Agreements, International Student and Scholar Services, or Grants and Contracts Office contacts Research Security and Export Control Officer to request a restricted party screening when reviewing potential collaborations or award sponsors.

2. RSECO runs restricted party screening in Visual Compliance and replies to request with PDF results.
      a. If No Matching Results Found, no further steps are taken.
      b. If results found and match the entity, RSECO will contact Export Control Consultant to determine next steps.

Dynamic Screening Process

1. Research Security and Export Control Officer receives Dynamic Screening report with a listed entity.

2. RSECO determines if the collaborator or sponsor is part of an active sponsored project.
      a. If collaborator/sponsor is active and a match for listed entity, RSECO will contact Export Control Consultant to determine next steps.

APPENDIX IV: INTERNATIONAL TRAVEL PROCESSING PROCEDURES

1. Risk Management contacts Research Security and Export Control Officer to inform of approved international travel.

2. The traveler will be provided information about the Loaner Laptop program.

3. RSECO checks to see if faculty member has any active sponsored projects.
      a. If no projects, no further steps are taken for this step.
      b. If active projects, RSECO will check NOGA/contract to determine if there are any restrictions.

4. RSECO contacts faculty member to ask if any UNT lab equipment will be taken and what activities will occur during trip (presentations, etc). RSECO will include template language about devices based on destination.
      a. If no equipment will be taken, no further steps are taken for this step.
      b. If equipment will be taken, RSECO will check with Export Control Consultant to determine if a license is needed based on equipment and destination.

5. RSECO runs restricted party screening on entities and collaborators involved in trip.

6. RSECO updates spreadsheet in ORIC SharePoint.

APPENDIX V: EXPORT CONTROL RESPONSIBILITY MATRIX

	Ensure Adequate Resources	Track Training Requirements	Resolve Issues	Screen collaborators & sponsors	Identify controlled items/activities	Classify items/activities	Licensing determinations	Apply for licenses	International Travel Review	Complete Export Control Training	Host Export Control Training	Recordkeeping	Technology Control Plans	External Point of Contact	Shipping
Senior University Management	X														
Senior School Administration	X		X												
Empowered Official (VPRI)	X		X											X	
Dir, Ethics & Intnl Research Compliance	X											X		X	
Research Sec & Export Control Officer		X		X	X	X	X	X	X		X	X	X	X	X
University Compliance			X												
PIs				X						X			X		
Risk Management									X						
International Scholars Student Services				X											
UNT System IT													X		
Office of General Counsel			X											X	
Intnl Compliance Coord Comm			X												
College Research Officers*												X			
Grants & Contracts Administration (Contracts)					X										
Advancement				X											
Department Shipping Liaison															X
Grants & Contracts Administration (Pre-Award)			X												

*Role specific manual available in 2025

APPENDIX IV: RESTRICTED PARTY SCREENING RESPONSIBILITY MATRIX

Populations Screened	User Title	User Backup
Visiting Scholars UNT researchers listed on proposals Intnl appointments & collaborators	Research Security & Export Control Officer	Export Control Consultant
Sponsors	Pre-Award Grants & Contracts Analyst	Director, Grants & Contracts Admin
Deemed Exports Employed international students	Assistant Director, Immigration Services	Director, Global Partnerships
Donors	Gift Policy & Compliance Manager	Director, Gift Administration