



Office of Export Controls

University of Missouri-Columbia

Standard Operating Procedure

OEC Coordination with Office of Sponsored Programs
Administration

OEC Coordination with Office of Sponsored Programs Administration

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1.0 Purpose

To describe the procedures for coordination between the Office of Export Compliance (OEC) and the Office of Sponsored Programs Administration (OSPA) through the entire life cycle of all sponsored projects in order to ensure that sponsored research activity is conducted in accordance with applicable regulations and University policy.

2.0 Scope

This SOP applies to all sponsored activities at the University of Missouri.

3.0 Policy/Procedure

In support of each other and to ensure compliance with the law, the OEC and OSPA will work collaboratively to perform export control analyses for all sponsored activities at the proposal stage, when an award is being negotiated, and during the administration and closeout of an active restricted research project.

OSPA responsibilities

1. Identify proposals for work to be funded by the Department of Defense (DoD) and its component agencies or the National Aeronautics and Space Agency (NASA), including any industry flow-through.
 - a. Provide PIs with the appropriate information sheet, based on sponsoring agency, regarding proposals for fundamental research.
 - b. Include fundamental research language in proposal as directed by the PI or departmental research staff.
2. Identify and notify OEC of any proposal or solicitation involving any of the following red flags:

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- a. International collaboration (a foreign sponsor, subcontractor, consultant, etc.)
 - b. *Specific* export control restrictions that indicate that the proposal or the project (once awarded) will be subject to export control or sanctions regulations¹
 - c. Foreign person restrictions that would limit the participation of non-U.S. persons or non-U.S. citizens in the project
 - d. Publication restrictions *unrelated to third party proprietary or confidential information*² that prohibit or otherwise require sponsor approval of any publications resulting from or related to the project
 - e. Publication restrictions that (1) prohibit or otherwise require sponsor approval of any publications resulting from or related to the project and (2) pertain to third party proprietary or confidential information relating to the following research areas and/or key words:
 - i. Military, intelligence, or munitions
 - ii. Space, satellite, missile or rocket technology
 - iii. Nuclear, energy, propulsion
 - iv. Unmanned / autonomous vehicles, systems, or aircraft
 - v. Infrared ("night") vision
 - vi. Encryption or source code
 - vii. Pathogens, viruses, bacteria, toxins, or select agents
 - viii. Nano or composite materials
 - f. Security language such as a DoD Contract Security Classification Specification (DD-254) or other indications that the project will be classified for national security purposes, or that project staff will be required to obtain a Personnel Security Clearance (PCL) in order to perform work on the project
 - g. Export control markings (i.e., Controlled Unclassified Information / CUI or Controlled Technical Information / CTI)³ appear on the solicitation and/or proposal documents, or will be required on technical documents, reports, publications, etc. upon award
3. Identify and notify OEC of any agreements or modifications requiring review:
- a. Agreements for projects that involve international collaborations and/or international travel
 - b. Any agreement funded by the DoD, a DoD component agency, NASA, or an intelligence agency (including flow through)
 - c. Agreements containing references to (CUI/CTI)
 - i. Award documents are marked with CUI or CTI markings
 - ii. Award requires CUI or CTI markings on technical reports or other project deliverables
 - iii. Award requires IT or other security controls to protect CUI⁴
 - d. Specific export control restrictions, such as foreign national or publication restrictions unrelated to certain third party proprietary or confidential information,

¹ A statement that MU is required to comply with export and sanctions regulations is not an access or dissemination restriction.

² Third-party or sponsor provided proprietary or confidential information that is financial or business information, clinical trial or human subjects data, or demographic information is not export controlled technology that requires export control review in order to accept a contractual requirement for MU to protect that information or otherwise limit publication of research results.

³ CUI is information that requires safeguarding or dissemination controls but is not classified; examples of markings include Export Control / EXPT; For Official Use Only / FOUO, Protected Critical Infrastructure Information / PCII; Critical Energy Infrastructure Information / CEII; or Sensitive Security Information / SSI; or Controlled Technical Information (CTI) markings (i.e., Department of Defense Distribution Statements B, C, D, E, or F). More information available at <https://www.archives.gov/cui/registry>

⁴ Including any indicator or statement that an award will contain the DFARS 252.204-7012 Clause (Safeguarding Covered Defense Information and Cyber Incident Reporting)

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- or security language
 - e. Modifications such as a no-cost time extension, change in scope of work, or international travel not included in the original proposal to any project under a Technology Control Plan or marked with the Export Control attribute in PeopleSoft
 - f. A subcontract, including the associated DD254, or consulting agreement issued by OSPA for work to be performed on a classified contract
4. Provide to OEC adequate documentation and information to perform a review. As appropriate and available, this includes:
 - a. Solicitation
 - b. Proposal, including statement of work and budget
 - c. Award
 - d. Prime award
 - e. Negotiate agreements, as appropriate and with input from the PI and the OEC, to remove restrictive award clauses.
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 6. Ensure that OEC has completed its review, communicated a final determination of whether a project will be considered restricted research, and provided any required compliance documents (i.e., a Technology Control Plan / TCP) prior to processing an award for setup, issuance of a MoCode, expenditure of funds, etc.
 7. Notify the OEC when a restricted project (under a TCP or marked with the Export Control attribute) is ready to begin or has completed the close-out process

OEC Responsibilities

1. Review proposals and agreements, with input from the PI and OSPA, to determine if a project will be conducted as fundamental or restricted research.
 - a. Assist OSPA, with input from the PI, in negotiating agreements to remove restrictive award clauses when possible.
 - b. Collaborate as needed with the PI to determine whether the technology involved in a research project is specified on the ITAR USML or the EAR CCL.
 - c. If required, advise the PI and OSPA of the need for a TCP, consult with the PI during the preparation and review of the TCP, and conduct training for PIs and research staff working on projects subject to a TCP.
 - d. Notify OSPA to assign the export control attribute in PeopleSoft to a restricted research project.
 - e. Document the review process and outcome for each proposal and award referred to the OEC.
2. Screen non-U.S. persons and entities involved in sponsored research activities against government lists of prohibited parties.
3. Conduct training for OSPA and other University personnel involved in research administration on their roles and responsibilities in relation to export control regulations and University policies and procedures.
4. Maintain documentation required by applicable laws, regulations, and University policies in regards to restricted agreements.
5. Assist OSPA with security documents for subcontracts associated with classified contracts (i.e., subcontract DD-254 / Contract Security Classification Specification).

Principal Investigator (PI) Responsibilities

1. Identify all foreign national participants, including faculty, staff, students, visiting scholars, subcontractors, collaborators, volunteers, etc. prior to submitting proposal (if known) or upon award.
2. Coordinate with OSPA to determine whether a fundamental research assertion should be included in a research proposal prior to submission when the sponsor (including flow through) is the Department of Defense (DoD) or a component agency, an intelligence agency, or the National Aeronautics and Space Administration (NASA)
3. Assist the OEC in determining if the technology involved in the research is specified or enumerated on the U.S. Munitions List (ITAR) or the Commerce Control List (EAR), as needed.
4. Collaborate with the OEC in the development of a TCP, if required, and implement the research security measures outlined therein.
5. Provide technical assistance and advice to the OEC during the process of drafting and submitting any license applications needed to conduct a restricted research project.
6. Notify the OEC when new staff (students, postdocs, visiting scholars, etc.) are added to a restricted research project, or there is a change in the scope of work.
7. Prevent unauthorized access to export controlled technology or data until the OEC has determined that an exclusion applies or an export license has been obtained.