STANDARD ADMINISTRATIVE PROCEDURE

15.02.99.M1.01 Export Control Screening of Personnel Actions and Requests for Authorization for all Visitor Types at TAMUQ

Approved December 13, 2012
Revised January 30, 2015
Revised October 14, 2021
Next Scheduled Review: October 14, 2026

Standard Administrative Procedure Statement

It is the policy of Texas A&M University (TAMU), including its branch campus in Qatar, to comply with United States export control laws and regulations including, without limitation, those implemented by the Department of Commerce through its Export Administration Regulations (EAR), the Department of State through its International Traffic in Arms Regulations (ITAR), and the Treasury Department through its Office of Foreign Assets Control (OFAC). This procedure applies only to the Texas A&M University at Qatar campus (TAMUQ).

Reason for Standard Administrative Procedure

This standard administrative procedure (SAP) addresses the unique aspects of operating a branch campus outside the United States to ensure compliance with export control laws and regulations.

Definitions

Export Control Checklists: An export control tool/document containing a series of questions used to identify any potential export control concerns and to document that applicable restricted party screenings have been conducted. There are two checklists:

1. Checklist for Export Controls: TAMUQ All Visitor Requests and Personnel Actions (including student workers)
2. Checklist for Export Controls: External Users of Computing Facilities at TAMUQ

Foreign Person: As defined by System Policy 15.02, Export Controls

Hiring Liaison Office at TAMUQ: The TAMUQ office that collaborates with main campus for candidate hiring approval. The appropriate Hiring Liaison Office depends on the type of hire. For faculty positions it is the TAMUQ Academic Affairs Office and all other hires are processed by The Employee Service Team in Business Operations.

Hiring Supervisor: For purposes of this SAP, Hiring Supervisor refers to the person in the first-line management who hires, monitors and supervises an employee, including a Student Worker, in the performance of his or her assigned or delegated tasks.

Personnel Action: Any action affecting the terms of employment, including, without limitation, hiring, merit, reclassification, promotion, transfer, and equity requests. For purposes of this SAP, the term Personnel Action is used for TAMU/TAMUQ employees, including Student Workers.

Student Worker: A student who is enrolled at TAMUQ and working part-time for TAMUQ as an employee.

Visitor: An individual who is not an employee of TAMUQ. This includes Visiting Scholars, who engage in research and/or scholarship activities, vendors, contractors, etc..

Visitor Host: The TAMUQ employee who secures approval for the visit and takes responsibility for supervising and monitoring the Visitor.

Official Procedure/ Responsibilities/ Process

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1. General

   TAMUQ shall implement processes and procedures to comply with United States export control regulations. TAMUQ will work with TAMU Export Controls Office (ECO) to document and maintain these processes and procedures, through an annual review.

2. TAMUQ Personnel Actions

   2.1 TAMUQ HR is responsible for conducting and documenting the initial review of the completed Export Control Checklist, and appropriate Restricted Party Screening(s). TAMUQ HR is also responsible for verifying and documenting completion of any required export control training.

   2.2 The Hiring Supervisor is responsible for completing the *Checklist for Export Control* as well as completing export control training for TAMU at Qatar before submitting a proposed personnel action.

   2.3 TAMU ECO is responsible for final export control review of the proposed personnel action, when necessary based on applicable processes and procedures.

2.4 Offers of employment extended to Foreign Persons by TAMUQ will state that the offer is subject to export control review consistent with this SAP.

3. TAMUQ Visitors and External Users of Computing Facilities

3.1 TAMUQ is responsible for conducting and documenting the initial review of the completed Export Controls Checklist for All Visitor Requests and TAMUQ External Users of Computing Facilities, and appropriate Restricted Party Screening(s). TAMUQ is also responsible for verifying and documenting completion of any required export control training.

3.2 The Visitor's Host is responsible for completing the, Checklist for Export Controls: External Users of Computing Services or Checklist for Export Controls: TAMUQ All Visitor Types and, as appropriate.

4. ECO is responsible for final export control review of TAMUQ Visitors and External Users of Computing Facilities, when appropriate.

4.1 Any invitation to host a Foreign Person Visitor by TAMUQ will state that the invitation is subject to export control review consistent with this SAP.

5. Dynamic Screening results

5.1 Any dynamic screening results obtained are to be reviewed. If a dynamic screening result cannot be resolved, the dynamic screening will be sent to ECO for additional review.

6. Record Retention

6.1 Records relating to hire of all employees, including student workers, must be maintained consistent with TAMU record retention policy. Records must be retained no less than five years after the termination of employment. Records for Visitors will be retained for a period of five years after the Visitor's last date of visitation to TAMUQ. Restricted Party Screening results, including documentation indicating the methodology for their determinations, will be kept for five years from the date of the screening. This includes any dynamic screening results.

6.2 TAMUQ HR is responsible for monitoring export control training records and complying with the record retention period.

Related Statutes, Policies, or Requirements

International Traffic in Arms Regulations (ITAR) 22 C.F.R. §§ 120-

130 Export Administration Regulations (EAR) 15 C.F.R. §§ 700-799

Office of Foreign Assets Control (OFAC) 31 C.F.R. §§ 500-599

National Security Decision Directive 189, http://www.fas.org/irp/offdocs/nsdd/nsdd-189.htm

Atomic Energy Act of 1954 42 U.S.C Section 2011, et seq. and Nuclear Regulatory Commission Regulations, 10 C.F.R. Part 110

System Policy 15.02 *Export Controls*

University Rule 15.02.99.M1 *Export Controls*

Appendix

Export Control Compliance Program Manual

Contact Office

Export Controls Office
(979) 862-6419