



**George Mason University**  
**Export Compliance Manual**  
**Last Revised: September 2023**

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## PURPOSE

This manual is a key component of the export compliance program at George Mason University and is designed to help faculty, students, staff, and all relevant personnel understand U.S. laws and regulations governing export controls. The manual will give an overview of policies and

procedures and how they apply to relevant activities. More information on our export control procedures can be found on [our website](#).

The official copy of this manual will be maintained by The Office of Research Integrity and Assurance (ORIA), and will be updated for any significant changes to export control regulations.

## OVERVIEW OF EXPORT CONTROLS

As a U.S. university, George Mason University (Mason) is subject to U.S. export control laws and regulations, including: economic sanctions and embargo programs administered by the Office of Foreign Assets Control (OFAC) of the Department of the Treasury, the Export Administration Regulations (EAR) administered by the Bureau of Industry and Security (BIS) within the Department of Commerce, and the International Traffic in Arms Regulations (ITAR) administered by the Department of State's Directorate of Defense Trade Controls (DDTC). As stated in [University Policy 1141](#), all University Community Members must comply with the export and sanctions laws.

### What is an "Export?"

Importantly, export controls govern how intangible information and technologies can be shared with foreign nationals both present in the U.S. and elsewhere, capturing many common activities at our university that make it important to be aware of risk areas and possible noncompliance.

An "export" is any shipment, transfer or transmission of commodities, technology, information, and technical data outside of the United States. An export also includes any oral, written, electronic or visual disclosure of controlled information or software to a non-U.S. person wherever the export is located – even inside the United States ("*deemed export*"). Methods of a release of technology include transmission by fax, telephone discussions, e-mail communications, computer data disclosure, face-to-face discussions, training sessions, and tours which involve visual inspections.

The International Traffic in Arms Regulations (ITAR), administered by DDTC, defines an "export" broadly. The term applies not only to exports of tangible items from the United States, but also includes transfers of intangibles, such as technology or information. Similar to the EAR, the ITAR defines as an "export" the passing of information or technology to foreign nationals even in the United States. As required by the ITAR, Mason is registered by DDTC.

Export controls affect research development because the University is required to obtain prior governmental approval in the form of an export license before conducting certain activities in certain situations. Some examples are listed below:

- Allowing the participation of foreign national faculty, staff, or students in affected research projects (unless an exclusion or exception is otherwise available)
- Presentation or discussion of previously unpublished research at conferences and meetings where foreign national scholars may be in attendance
- Research collaborations with foreign nationals and technical exchange programs
- Transfers of research equipment abroad

- Visits to your lab by foreign scholars

Disclosure or transfer of export-controlled items, including technology and information, to a foreign entity or individual within the U.S. are deemed to be an export to the home country of the foreign national and can occur by such means as:

- Tours of laboratories
- Involvement of foreign researchers or foreign students in the research
- Oral exchanges, emails, or visual inspection
- Hosting a foreign researcher

### Classification

Proper classification of items being exported is critical to ensuring that the relevant regulations are correctly followed. The proper classification of an item is essential to determining any licensing requirements under the EAR and ITAR.

All technology in the United States is subject to the EAR, but importantly the following categories are excluded: printed books, publicly available technology, technology that has been or will be published, technology that arises during or results from fundamental research, and educational technology.

If an item falls under BIS jurisdiction and is not listed on the Commerce Control List (CCL), it is designated as EAR99. EAR99 items generally consist of low-technology consumer goods and do not require a license, unless destined for countries with additional restrictions, such as embargoes or military end-use/user controls.

Commercial and dual-use items that fall under the jurisdiction of BIS may be assigned a specific Export Control Classification Number (ECCN). The ECCN is an alpha-numeric code that describes the item and indicates licensing requirements. For example, Mason laptops are classified as 5A992.c.

The ECCN determines whether a good or technology requires a license, the countries it may be shipped to without a license, and whether there are any license exceptions. Generally, the higher the level of technology represented by, or used to manufacture a particular commodity, the more restrictions will be placed on the exporting commodity.

All ECCNs are listed in the CCL, which provides details on any export considerations for these commodities. ECCN information is generally obtained directly from the manufacturer by reviewing product information, the manufacturer's website, or by contacting the manufacturer directly. Once an item has been classified, the next step is to determine whether an export license is needed based on the reasons for control and the country of ultimate destination. This process is conducted by comparing the ECCN with the Country Chart found in the EAR.

The ITAR uses three different terms to designate export-controlled items: defense articles, technical data, and defense services. With rare exceptions, if an item contains any components that are controlled under the ITAR, the entire item is controlled under the ITAR. For example, a

commercial radio that would normally not be controlled under the ITAR may be classified as a defense article if it contains an ITAR-controlled microchip.

- A “defense article” is any piece of equipment (or component, or part thereof) or technical data that is specifically designed, developed, configured, adapted, or modified for a military, missile, satellite, or other controlled use listed on the U.S. Munitions List (USML).
- “Technical data” includes any information for the design, development, assembly, production, operation, repair, testing, maintenance, or modification of a defense article. It may also include drawings or assembly instructions, operations and maintenance manuals, in addition to e-mail or telephone exchanges in which technical data is discussed.
- The definition of “defense service” means providing assistance, including training, to a foreign person in the U.S. or abroad in the design, manufacture, repair, or operation of a defense article, as well as providing military training or advice to foreign military forces. Defense services also include informal collaboration, conversations, or interchanges concerning technical data.

#### U.S. Economic Sanctions and Embargoes

The [Office of Foreign Assets Control \(OFAC\)](#) within the Department of the Treasury administers, enforces, and investigates violations of U.S. regulations that impose economic sanctions and embargoes against targeted countries or designated persons (individuals/entities). Prohibited transactions with sanctioned entities include trade or financial transactions and other dealings in which U.S. persons may not engage unless authorized by OFAC or exempted by statute.

Most sanctioned and embargoed countries are subject to trade embargoes prohibiting goods, services and technology from being exported to, or imported from, that country by U.S. persons. U.S. persons are generally prohibited from dealing with (including conducting transactions with) a sanctioned country, or work with persons located in the country. In addition, financial transactions with the governments, nationals, or entities of embargoed countries may be prohibited. U.S. persons are also prohibited from “facilitating” another person’s transaction with an embargoed country or government, or a designated person. Under OFAC programs, property and assets of sanctioned countries and persons are blocked if a U.S. person comes into possession or control of such assets, effectively precluding both the sanctioned person and the U.S. person from benefiting from the funds.

U.S. persons and entities are also generally prohibited from providing services to, or conducting financial transactions with, any party on the [Specially Designated Nationals and Blocked Persons List \(SDN List\)](#). The SDN List includes: individuals/entities associated with a rogue regime or a sanctioned activity and non-country-specific individuals and entities, such as terrorist organizations, drug cartels, and other identified parties and individuals.

OFAC sanctions programs prohibit a wide variety of transactions and services, including, but not limited to the provision of services by U.S. persons that may benefit an embargoed country or SDN, engaging in travel-related transactions to / in an embargoed country, or facilitating or financing a transaction by a third party to or with an embargoed country.

#### Authorizations and License Exceptions

If a license is required for a product, the commodity may be eligible for shipment under a license exception. License exceptions may be available for shipments under a specified dollar value, or to certain end-users or governments. However, license exceptions cannot be utilized for shipments to an embargoed country, certain prohibited persons or entities, or for a prohibited end-use (e.g., nuclear, missile or chemical weapons technology).

Determining whether a particular exception applies requires review of the specific application as detailed in 15 CFR Part 740, as well as review of the notes on applicable license exceptions following the ECCN entry on the CCL.

#### Fundamental Research

Both the EAR and the ITAR provide that information published and generally accessible to the public through fundamental research is not subject to export controls.

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.

It is not considered fundamental research when there are restrictions placed on the outcome or publication of the research, restrictions on methods used during the research or if foreign persons participate. Proprietary research, industrial development, design, production, and product utilization the results of which are restricted and government funded research that specifically restricts the outcome for national security reasons are not considered fundamental research.

#### Bonafide Employee Exemption

Pursuant to 125.4(10) in the ITAR, export authorizations are not needed for disclosures of unclassified technical data in the U.S. by U.S. institutions of higher learning to foreign persons who are bona fide and full time regular employees. The conditions for this are the following:

- (i) The employee's permanent abode throughout the period of employment is in the United States;
- (ii) The employee is not a national of a country to which exports are prohibited pursuant to § [126.1](#); and
- (iii) The institution informs the individual in writing that the technical data may not be transferred to other foreign persons without the prior written approval of the Directorate of Defense Trade Controls;

To ensure compliance with this exemption, a BFE Agreement must be completed and signed by the employee and an ORIA representative (see Appendix I).

### Penalties for Export Violations

Generally, individuals at Mason who conduct export-controlled research or collaborations without proper safeguards in place or adequate due diligence are at risk of committing export violations, risking penalties and jail time. U.S. export control laws are strict liability (in civil matters) offenses, meaning that liability attaches regardless the violator's intent.

Violators may incur both criminal and civil penalties. Although there is a maximum amount for a civil or criminal penalty, the actual penalty imposed is often multiplied. A series of violations occurring over a period of time may result in hundreds of thousands, or even *millions* of dollars in penalties.

## EXPORT CONTROLS AT MASON

### *Collaborations*

As described earlier, while most activities at Mason may not be subject to export control restrictions, it is essential that the various colleges and schools at Mason verify and confirm that restrictions would not apply. As such, to ensure export compliance requirements are met for any affiliates an Affiliate Export Form (Appendix F) must be completed.

### *International Travel*

Most international travel at Mason does not present an export risk and does not require prior approval from our export office. However, you must contact [export@gmu.edu](mailto:export@gmu.edu) for approval and review if any of the following apply:

- You need to ship or hand carry equipment, tools, technology, or software outside the United States, including a Mason laptop
- You have Mason-related travel to (or wish to present or attend a conference in) any of the following countries: the Crimea, Donetsk (DNR), and Luhansk (LNR) regions of Ukraine; Cuba; Iran; North Korea; and Syria
- You have a TCP in place and would like to travel to an embargoed country

According to [University Policy 1134](#), The University Travel Advisory Committee (UTAC) reviews and approves any travel that is subject to comprehensive economic sanctions or export controls. Hazardous areas may also be identified on a case-by-case basis at the discretion of UTAC. ORIA provides information and resources related to compliance with export control and sanctions laws and regulations by serving on the UTAC.

In addition to serving on the UTAC, ORIA also reviews and approves requests for remote work to determine if any export-controlled activities or equipment will be transferred.

If faculty or staff plan to take their Mason-issued laptops on any international travel, ORIA requires the traveler to complete a laptop certification form (see Appendix A) certifying that no

export-controlled data will be transferred and the individual will maintain control of their laptop and to take an export controls training. For travel to China, Venezuela or Russia, an AES Filing form must also be completed by the faculty or staff member (see Appendix K). Faculty or staff can also request a clean laptop by completing and submitting a Clean Laptop form (Appendix B). For any other equipment taken on travel, individuals must complete a certification or use when traveling form (Appendix C).

### *Research*

If the terms and conditions of an RFP, solicitation, or an award from a sponsor contain any of the following restrictions or limitations, there is a strong likelihood that the U.S. Export Control Laws will apply. This list of questions is a summary of the indicators to watch for:

1. Does the award specifically state that ITAR, EAR, or OFAC laws will apply?
2. Does the award specifically state that the technology involved is export controlled?
3. Has the sponsor specifically stated that the fundamental research exclusion otherwise available to universities does not apply?
4. Does the technology or data involved have military, security, or intelligence applications? Does it appear on ITAR's U.S. Munitions list?
5. Does the technology, data, or material involved have a dual civilian and military application? Does it appear on the Commerce Department's Control List? Does it have an ECCN?
6. Does the research involve the use of encryption technology or encrypted software?
7. Does the research involve classified, secured, or top-secret materials?
8. Will the PI be asked to maintain the confidentiality of sponsor information? Was an NDA or Teaming Agreement executed between the parties?
9. Does the award contain any publication restriction or limitation? This can include the right of the sponsor to review all proposed publications beforehand.
10. Does the award contain DFARS 252.204-7000, Disclosure of Information?
11. Is the award funded by other than 6.1 or 6.2 Congressional appropriations?
12. Does the award prohibit the involvement of foreign nationals? Are project participants limited to US citizens or legal resident aliens only?
13. Does the award involve international travel?
14. Does the award involve the shipment or export of technology, data, or materials outside the United States?
15. Will collaborations with foreign consultants be required?



16. Will the work involve a country that has been embargoed or sanctioned by either the State or Treasury Departments?
17. Does the award contain DFARS 252.204-7012, Safeguarding of Controlled Data?
18. Does the award have any references to “NIST 800-171,” “Controlled Unclassified Information,” “export controlled,” “Covered Defense Information” or “Controlled Technical Information”?

### *Shipments*

For any international shipments, an International Shipping Consultation Form (Appendix D) must be completed and submitted. ORIA will review to determine any export restrictions and applicable licenses needed.

### *Reporting Violations*

Any suspected export violations can be reported to [export@gmu.edu](mailto:export@gmu.edu).

### *Key Offices*

#### *Office of Research Integrity and Assurance (ORIA)*

The Office of Research Integrity and Assurance provides support for implementation of research integrity programs and is responsible for administering the export compliance program at Mason. ORIA also works to maintain the DD2345 certification on behalf of Mason (see Appendix H).

Below are the key contacts for ORIA.

#### Staff

Melissa Perez, Director, Export Compliance & Secure Research, Empowered Official

Juhi Tariq, Associate Director, Export Compliance & Secure Research

#### *Office of Sponsored Programs (OSP)*

The Office of Sponsored Programs (OSP) and ORIA coordinate with Principal Investigators (PI) to determine if a proposed sponsored project is subject to export and/or sanctions regulation; to ensure that security measures needed to prevent unlawful export of controlled items, (including software, technology, or technical data) to foreign nationals, are in place; and to ensure that sponsored project contracts are executed in compliance with applicable export control and trade sanctions laws.

Specifically, OSP is responsible for:

1. Notifying ORIA of sponsored projects that contain terms or conditions related to or involving:
  - export control regulations
  - foreign person restrictions (or prior approval of project participants on an individual basis by the funder)
  - publication restrictions or pre-publication review requirements
  - security language such as “sensitive but unclassified,”

- safeguarding of controlled unclassified information, controlled defense information, or similar conditions.
  - U.S. government sponsors such as Department of Defense, a branch of the U.S. armed services, NASA, Department of Energy, National Security Agency, any intelligence agency, or similar U.S. or foreign government departments,
  - military applications, articles or defense services,
  - receipt of export-controlled information (as research “inputs”),
  - encryption,
  - bacteria, or viruses (or their toxins and genetic material), or radiation (or countermeasures to it),
  - plant or animal pathogens,
  - foreign collaborators where equipment exchanges are contemplated,
  - delivery of a prototype (including software) or chemical or biological sample or product, when the provided material or information will not be made freely available to the public,
  - international travel or work to be performed outside of the U.S.,
  - parties within or collaboration with, or funding from a country subject to comprehensive U.S. economic sanctions,
  - receipt of a sponsor’s tangible equipment,
  - receipt of biological materials or select agents under a Material Transfer Agreement.
2. Providing adequate documentation to ORIA to perform an export review, including copies of the award and the Statement of Work.
  3. If a TCP is required, ensuring that the TCP is approved by ORIA prior to the release of funds.
  4. Assist the PI and ORIA in negotiating sponsored projects terms and conditions, including written confirmation of fundamental research.
  5. Consulting with the PI and/or ORIA when substantive changes are proposed to a sponsored project that has a TCP (e.g. personnel or equipment added, venue or scope of work changed).
  6. Providing a copy of each Material Transfer Agreement to ORIA and ensuring that the provider has indicated the Export Control Classification Number for each item transferred.
  7. When directed by ORIA freezing any sponsored project funds identified as a source of a potential export or sanctions violation or noncompliance issue.
  8. Maintaining records of sponsored projects with a TCP requirement for 5 years after the close of the project (or longer, at ORIA’s request).

Additionally, in the pre-award phase, RAMP asks a few key questions to ensure the award is routed to [export@gmu.edu](mailto:export@gmu.edu):

1. Does the program involve MILITARY (technology specially designed or developed for a military or intelligence application or use), SPACE or ENCRYPTION (other than ancillary encryption capabilities associated with a commercial item)?

2. Will Mason receive TECHNICAL information that is not publicly available (e.g., proprietary information or U.S. Government limited access/distribution)? This does not include information that may be considered confidential but is not technical in nature.
3. Will Mason receive or generate Controlled Unclassified Information (CUI)?
4. Will Mason take, ship or send any equipment or software (other than open source) outside the U.S. (including temporarily)?
5. Will Mason need to transfer export-controlled equipment or technology to a foreign party (in or outside the U.S.) or provide Mason students and faculty who are foreign nationals with access to export controlled equipment or technology? Technology is export controlled if it is not the result of fundamental research, publicly available, or educational concepts and principles commonly taught in colleges and universities.
6. Will Mason need to interact with individuals from Cuba, Iran, North Korea, Syria, or the following regions in Ukraine: Crimea, the so-called Donetsk People's Republic and the Luhansk People's Republic? This includes collaborations, exporting/importing items from these countries, providing any services to individuals in these countries, or travelling to these countries. This does not include interactions with Mason students, faculty or visiting scholars who are from one of these countries but are physically located in the United States.

#### *Office of International Programs and Services (OIPS)*

Mason's Office of International Programs and Services (OIPS) works with Mason schools that wish to invite foreign scholars to visit Mason, as well as education exchange programs.

OIPS and ORIA work closely to our visitors' activities at Mason meet applicable export control and sanctions regulation requirements as well as risk reviews when needed. As part of this process, Mason hosts may be asked to provide information concerning the visitor's research program, the host's sponsored research projects, and other relevant matters. To streamline this process, OIPS completes and submits the J-1 Visa Export Compliance Form (Appendix E) to ORIA for review.

#### *Purchasing*

Purchasing and ORIA work together to ensure that all vendors are screened through Visual Compliance. Additionally, ECCNs are screened through Visual Compliance and reviewed for any export compliance considerations when an Export Compliance Purchasing Form (Appendix J) is completed and submitted to ORIA.

### **POLICIES AND PROCEDURES**

#### **Training**

Mason is required by the U.S. Government to provide export and sanctions compliance training to faculty members and researchers, including research assistants and appropriate staff. Training covers international travel and provides examples of how export and sanctions laws affect research and collaboration at Mason.

All faculty, researchers, admin support, students from sanctioned countries and individuals traveling with laptops are required to take training. Refresher training is provided to all individuals every 2 years, except for students from sanctioned countries who take it every year.

### Restricted Party Screening

The Federal government prohibits U.S. individuals, companies, or organizations from conducting business with “restricted parties” (i.e., persons, entities, or countries subject to U.S. trade sanctions, embargoes, or other restrictions). Lists of restricted parties are issued by many U.S. Government agencies, including the Department of Commerce, Department of State, Department of Treasury, the Federal Bureau of Investigation, and the Department of Homeland Security. Each list includes both U.S. and foreign individuals and organizations.

Restricted Party Screening (RPS) involves searching these lists for names of individuals, entities, and countries. Departments across the university conduct screening, including HR, Admissions, OSP, OIPS, Purchasing and within the colleges.

At Mason screeners are trained to conduct restricted party screening for applicable entities and transactions including, but not limited to, following entities and individuals:

- ☐ Potential collaborators (both name and affiliated institution)
- ☐ Visiting delegations (both names and affiliated institutions)
- ☐ J-1 applicants (both name and affiliated institution)
- ☐ Affiliates (foreign or U.S.)
- ☐ Vendors located outside of the U.S. or new/unfamiliar vendors
- ☐ Recipients (both name and affiliated institution) of international shipments

We maintain a license to Visual Compliance, a software program that checks all the federal lists simultaneously. All University Personnel are required to contact ORIA prior to entering into a transaction with any entity or individual that is on a restricted party list or prior to exporting any controlled items.

### Technology Control Plans

When export-controlled equipment, data, or technology will be on a project, ORIA will work with the Principal Investigator (PI) to develop and implement a Technology Control Plan (TCP). The template for TCPs can be found in Appendix G.

The TCP identifies the specific measures that will be taken by the Principal Investigator (“PI”) or other Responsible Person and all Mason personnel supporting this program (“Project Personnel”) to ensure compliance with export controls and contractual requirements. Pre-TCPs may be applicable when there is a chance that export-controlled information will be exchanged.

ORIA maintains copies of the signed TCP and recertifies with involved personnel on an annual basis. Once a project has ended, the TCP is closed out with a completed questionnaire and a certification of TCP compliance. Both forms can be provided by ORIA.

### Recordkeeping

ORIA maintains export control records electronically per the requirements of the ITAR, EAR, and OFAC regulations all which requires that exporters must retain records for 5 years after the completion of an export activity and must make those records available to the regulating authority upon request.

## MANAGEMENT COMMITMENT

### *Memorandum*

**From:** Mark Ginsberg, Provost/Executive Vice President  
Deb Dickenson, Executive Vice President for Finance and Administration

**To:** All Faculty, Students, and Employees of George Mason University

**Subject:** Compliance with US Export Controls and Economic Sanctions

**Date:** September 6, 2023

George Mason University promotes and conducts research to advance knowledge, enhance student learning experiences, and build its reputation in the scientific community. While the University endorses the principles of freedom of inquiry and open exchange of knowledge, it is the policy of the University to comply with all laws applicable to research, including laws and regulations relating to export controls and economic sanctions.

The export of certain technologies, software, and hardware, and the provision of services, technology, or other items outside of the United States is regulated and controlled by federal law for reasons of national security, foreign policy, prevention of the spread of weapons of mass destruction, and competitive trade. The University 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 Assets Control (“OFAC”) regulations (collectively, “Export Control and Sanctions Regulations”). In addition, George Mason University’s work involving exports of certain technology to foreign nationals on campus and anywhere in the United States (“deemed exports”) generally is subject to Export Control and Sanctions Regulations.

While most research conducted on US 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 the University to obtain prior approval from the appropriate agency before allowing foreign nationals to participate in controlled research, collaborating with a foreign government, company, university, or other organization, and/or sharing research (verbally or in writing) with persons who are not US citizens, permanent residents, asylees, or refugees.

The Export Control and Sanctions Regulations affect not only research conducted on campus, but also travel and shipping items outside the United States. Simply traveling to certain sanctioned countries could require a license from OFAC. OFAC sanctions prohibit transactions and exchange of goods and services in certain countries and with designated persons and entities.

Multiple lists of denied individuals and parties are maintained and enforced by federal agencies including the Departments of State, Commerce, and Treasury. Shipping items outside the United States as well as taking controlled items, software, or technology on a flight, even if shipping or traveling in the conduct of research, could require a license from these agencies.

Under no circumstances will George Mason University engage in any exports or deemed exports contrary to Export Control and Sanctions Regulations, including provision of services or export of technology or products to entities or individuals in countries that are subject to US economic sanctions. Every George Mason University faculty member, student, and employee shares responsibility for ensuring that George Mason University complies with US Export Control and Sanctions Regulations. Failure to abide by the export policies adopted by George Mason University can result in disciplinary action up to, and including, termination and/or expulsion. **Further, penalties for violations of Export Control and Sanctions Regulations can include substantial fines, imprisonment, and the denial of transaction privileges. The negative publicity resulting from a serious breach can cause irreparable damage to George Mason University's reputation.**

The University has developed training, policies, and procedures that are designed to give our faculty, students, and employees additional tools and information to assist in understanding and complying with these legal requirements. We encourage everyone to access these resources at [Export Controls - Office of Research Integrity and Assurance \(gmu.edu\)](#) so that we can work together to protect the integrity and reputation of our University.

If you have any doubt about the applicability of Export Control and Sanctions Regulations to a specific activity, questions about ongoing controlled activities, or would like to report a possible violation of Export Control and Sanctions Regulations, please contact Melissa Perez, Director of Export Compliance and Secure Research in the Office of Research Integrity and Assurance at (703) 993-5522 or [export@gmu.edu](mailto:export@gmu.edu).

Sincerely,



Deb Dickenson  
Executive Vice President,  
Finance and Administration



Mark Ginsberg  
Provost/Executive Vice President

## Appendix A – Laptop Certification Form



Office of Research Integrity & Assurance  
4400 University Drive, MS 6D5, Fairfax, Virginia 22030  
Phone: 703-993-2308

### Laptop Certification For International Travelers

Members of the George Mason University ("Mason") community are required to comply with the U.S. laws that regulate the transfer of items, software, information, and technology (including laptop computers and programs and data saved or installed on them) to destinations outside of the United States.

This certification is only available for use if you have completed export training. Complete and submit this certification to [export@gmu.edu](mailto:export@gmu.edu) prior to travel, and submit a certification for each international trip where you take your Mason laptop. If you have any questions regarding export control requirements, contact the Office of Research Integrity & Assurance (ORIA) at [export@gmu.edu](mailto:export@gmu.edu).

- The countries I am visiting and the dates of my travel are as follows:

<i>Country(ies)</i>	<i>Departure Date (mm/dd/yy)</i>	<i>Return Date (mm/dd/yy)</i>

- I will take my laptop abroad only as a "tool of the trade" to conduct Mason business. I will return the laptop to the U.S. no later than 12 months after the date of export.
 

Yes	No
-----	----
- I will maintain effective control of the laptop while abroad. (That is, I will retain physical possession of it, or I will secure it in a location such as a hotel safe or a locked and guarded facility.)
 

Yes	No
-----	----
- I will protect information on the laptop from unauthorized access by using secure connections such as a Virtual Private Network (VPN), passwords, and firewalls.
 

Yes	No
-----	----
- I will promptly report to ORIA the loss or theft of the laptop, or any suspected unauthorized access to it.
 

Yes	No
-----	----

- Indicate one of the following by selecting ONE of the options:

I certify that the University laptop that I am taking with me on the travel described above contains only information and data that is publicly available, the results of fundamental research, or educational information, and that the software on the laptop is standard office software or educational versions of commercially available software.

OR

I certify that the University laptop that I am taking with me on the travel described above contains the following information, technical data, or technology that does require a license for export, but this export is allowed under the license or license exception indicated below. I further certify that I will comply with the requirements of this license or license exception.

Description: \_\_\_\_\_

ECCN or USML Category: \_\_\_\_\_

License Number or License Exception or Exemption: \_\_\_\_\_

I certify that to the best of my knowledge and belief all of the information on this form is correct. I also understand that failure to report completely and accurately may result in export control and/or sanctions violations punishable by criminal or civil penalties. If any of the responses to these questions change, I will contact ORIA regarding export compliance.

Signature \_\_\_\_\_

Date \_\_\_\_\_



## Appendix B - Clean Laptop & License Exception Certification for International Travelers



Research Development, Integrity, and Assurance  
4400 University Drive, MS 6D5, Fairfax, Virginia 22030  
Phone: 703-993-2308

### Clean Laptop & License Exception Certification for International Travelers

Members of the George Mason University ("Mason") community are required to comply with the U.S. laws that regulate the transfer of items, software, information, and technology (including laptop computers and programs and data saved or installed on them) to destinations outside of the United States. The Export Administration Regulations' Temporary "TMP" license exception permits the temporary export or re-export of certain items, technology or software for professional use, without an export license, as long as the criteria to which you are certifying below are met, and corresponding records are kept. This exception does **not** apply to any satellite or space-related equipment, components or software, or to any technology associated with high level encryption products or nuclear-related research. 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).

If you wish, you may keep a copy of this form with you when traveling abroad. In the event you are questioned by Customs officials on your return to the United States, it can help demonstrate that your laptop should not be subject to duty charges, and that it does not contain export-controlled technology.

<b>To be completed by traveler:</b>
1. Traveler Name:
2. Traveler Department:
3. Laptop Pickup Date:
4. Travel Departure Date:
5. Travel Return Date:
6. Laptop Expected Return Date:
7. Dell or Mac Preference:
8. Countries Traveling to (or through):

By my signature below, I certify that:

- I will use this laptop for Mason business. I will take the laptop and associated software abroad as a professional "tool of the trade", pursuant to EAR section 740.9 – TMP, to conduct Mason business or research. I will return it to the United States no later than 12 months after my departure date, or provide RDIA with documentation demonstrating proof of its loss or destruction. (export@gmu.edu)
- I will not install export-controlled software or information on the laptop. I acknowledge that I have been granted "administrator" permissions for this laptop. I will not load any software or technical data onto the laptop that is subject to the ITAR, or that requires a license for export to the countries to which I will be traveling.
- I will do my best to keep the laptop secure. I will maintain the laptop under my "effective control" while abroad. That is, I will maintain physical control over the laptop or keep it in a secure environment when it is not under my physical control. I will take security precautions to avoid unauthorized release of any technology I load onto the laptop, such as using secure connections when accessing email and conducting Mason business activities, and using password protection on the laptop.
- I will not take the laptop to sanctioned countries. I am not traveling to or through Crimea Region of Ukraine, Iran, North Korea, or Syria. Prior to any Cuba travel, I will provide RDIA with all necessary information for required US filings.
- In case of mishap, I will cooperate with RDIA. For example, I will promptly report to RDIA the loss or theft of the laptop, its confiscation, or any suspected unauthorized access to it, and will work with RDIA to provide RDIA with documentation such as police reports of theft or impoundment notices.

Traveler Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Appendix C - Certification for Use When Traveling Abroad with Mason-Owned Equipment (other than laptops)



Office of Research Integrity and Assurance  
4400 University Drive, MSN 6D5, Fairfax, Virginia 22030  
Phone: 703-993-5445 Fax: 703-993-9590

### **Certification For Use When Traveling Abroad With Mason-Owned Equipment (other than laptops)**

Members of the George Mason University community are required to comply with the U.S. laws that regulate the transfer of items, software, information, and technology (including programs and data saved or installed on them) to destinations outside of the United States. This certification should only be completed after discussing your travel and the relevant export control requirements with the Office of Research Integrity & Assurance (ORIA). This certification must be completed and submitted to [export@gmu.edu](mailto:export@gmu.edu) prior to the travel described below. Please check the appropriate answer and complete all blanks.

1. I have discussed my upcoming travel with ORIA. ☐ Yes ☐ No
2. The equipment I am taking abroad is (description and GMU ID#): \_\_\_\_\_
3. I will take the equipment abroad only as a "tool of the trade" to conduct Mason business. ☐ Yes ☐ No
4. I will return the equipment to the U.S. no later than 12 months after the date of export. ☐ Yes ☐ No
5. I will maintain effective control of the equipment while abroad. (That is, I will retain physical possession of it, or I will secure it in a location such as a hotel safe or a locked and guarded facility.) ☐ Yes ☐ No
6. I will promptly report to ORIA the loss or theft of the equipment, or any suspected unauthorized access to it. ☐ Yes ☐ No
7. The countries I am visiting are (includes countries transiting, if any): \_\_\_\_\_
8. My departure date is: \_\_\_\_\_
9. My return date is: \_\_\_\_\_

I certify that to the best of my knowledge and belief all of the information on this form is correct. I also understand that failure to report completely and accurately may result in export control and/or sanctions violations punishable by criminal or civil penalties. If any of the responses to these questions change, I will contact ORIA regarding export compliance.

Signature: \_\_\_\_\_ Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_  
Use Digital Signature (or hand-sign, print name, date and send pdf to ORIA at [export@gmu.edu](mailto:export@gmu.edu))

.....  
**For ORIA use only**

The ECCN for the equipment is: \_\_\_\_\_

☐ Neither the equipment nor any information, technical data, or technology stored on the equipment requires a license for export under any U.S. export control regulation, including the Export Administration Regulations (15 CFR §§730-774) and the International Traffic in Arms Regulations (22 CFR §§120-130).

OR

☐ The equipment and/or information, technical data, or technology stored on the equipment does require a license for export, but this export is allowed under the following license or license exception: \_\_\_\_\_

ORIA signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Print name: \_\_\_\_\_

## Appendix D - International Shipping Consultation Form

**Office of Research Integrity and Assurance**4400 University Drive, MSN 6D5, Fairfax, Virginia 22030  
Phone: 703-993-5522 Fax: 703-993-9590**International Shipping Consultation Form**

Members of the George Mason University community are required to comply with the U.S. laws that regulate the transfer of items, software, information, and technology (including programs and data saved or installed on them) to destinations outside of the United States. Please check the appropriate answers, complete all blanks, and submit the form to the Office of Research Integrity & Assurance (ORIA) at [export@gmu.edu](mailto:export@gmu.edu) so that ORIA can determine whether an export license is required. If you need help completing the form, just reach out to us at the same email, and we will be happy to discuss your situation.

1. A description of the equipment I am exporting is: \_\_\_\_\_
2. The equipment part number is: \_\_\_\_\_
3. The equipment manufacturer is: \_\_\_\_\_
4. The equipment is being exported to the following country: \_\_\_\_\_  
(for exports to China, Russia, or Venezuela, complete the AES Federal Filing Request Form if not using a freight forwarder)
5. The name of the person receiving the equipment is: \_\_\_\_\_
6. The recipient's affiliated organization and address are: \_\_\_\_\_
7. The recipient and affiliated organization have been screened. ☐ Yes ☐ No
8. The recipient will use the equipment for this purpose: \_\_\_\_\_
9. The equipment will return to the US: ☐ Yes ☐ No  
(If Yes, estimated return date: \_\_\_\_\_)
10. I have contacted the manufacturer to request the Export Control Classification Number (ECCN)/USML Category for the equipment: ☐ Yes ☐ No  
(If known, the ECCN/USML Category is: \_\_\_\_\_)

I certify that to the best of my knowledge and belief all of the information on this form is correct. I also understand that failure to report completely and accurately may result in export control and/or sanctions violations punishable by criminal or civil penalties. If any of the responses to these questions change, I will contact ORIA.

Signature: \_\_\_\_\_ Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_  
Use Digital Signature (or hand-sign, print name, date and send pdf to ORIA at [export@gmu.edu](mailto:export@gmu.edu))

**For ORIA use only**

The Export Control Classification Number (ECCN)/USML Category for the equipment is: \_\_\_\_\_  
The export is authorized under the following license or license exception/exemption: \_\_\_\_\_

The recipient and affiliated organization have been screened ☐ Yes ☐ No

ORIA signature: \_\_\_\_\_ Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_

## Appendix E – J-1 Visa Export Compliance Questionnaire

**J-1 Visa Export Compliance Questionnaire.** *Revised by ORIA and OIPS on 11/11/2022*

J-1 Applicant: \_\_\_\_\_  
Department/Unit: \_\_\_\_\_  
PI/ Supervisor/Host: \_\_\_\_\_  
(name, title, phone number, email)  
Position Number: \_\_\_\_\_  
Grant Number (if paid from a grant) \_\_\_\_\_

**If the Sponsoring Agency, grant number, or any other information on this Form changes,  
please notify OIPS immediately**

**Will the visa holder participate in Sponsored Research? Yes / No** \_\_\_\_\_

a. Name of External Sponsoring Agency \_\_\_\_\_  
b. GMU Grant Number or Proposal Number \_\_\_\_\_

**Will the employee be supported by any Department of Energy grants, awards, or  
scholarships? Yes / No** \_\_\_\_\_

a. If Yes, will your employee need access to any Department of Energy sites, information, or  
technologies? Yes / No \_\_\_\_\_  
b. If Yes, provide the fund number: \_\_\_\_\_

**Characterize any research to be performed** (sponsored or not and including Basic, Applied,  
Product Development, Testing, etc) **and describe the specific purpose and technology area of the  
research:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Will the research involve military, defense, intelligence, space or encryption? Yes / No** \_\_\_\_\_

a. If yes, please describe \_\_\_\_\_

**Will the visa holder be provided with or have access to any information, materials, or software  
that is export controlled or sponsor or 3rd party proprietary or confidential? Yes / No** \_\_\_\_\_

a. If yes, please provide the description \_\_\_\_\_  
\_\_\_\_\_

**Will the visa holder be provided with any government furnished equipment, information, or  
software? Yes / No** \_\_\_\_\_

If yes, please provide the description \_\_\_\_\_

Signature of PI/ Supervisor/Host \_\_\_\_\_ Date: \_\_\_\_\_

Signature of the Department Chair \_\_\_\_\_ Date: \_\_\_\_\_

## Appendix F – Affiliate Export Form

### Affiliate Faculty Export Compliance Questionnaire

Affiliate Faculty Name: \_\_\_\_\_

G Number (if assigned): \_\_\_\_\_

Supervisor Name: \_\_\_\_\_ Email \_\_\_\_\_

Department/Unit: \_\_\_\_\_

Please answer the following questions to the best of your ability:

1. Is the affiliate faculty in the US on a non-immigrant visa?      Yes      No
  
2. Will the affiliate faculty's work be performed in the US for the duration of the assignment?      Yes      No  
 If "no", List the country or countries where the work will be performed: \_\_\_\_\_
  
3. Will the affiliate faculty conduct research at Mason?      Yes      No  
 If "yes", Characterize the research to be performed (Basic, Applied, Product Development, Testing, etc.) and describe the specific purpose and technology area of the research, or state "N/A"  
 \_\_\_\_\_
  
4. Will the research involve military, defense, intelligence, space or encryption?      Yes      No      N/A  
 If "yes", please describe:  
 \_\_\_\_\_
  
5. Will the affiliate faculty participate in Sponsored Research?      Yes      No      N/A  
 If "yes", name of external sponsoring agency: \_\_\_\_\_  
 If "yes", GMU grant number or proposal number: \_\_\_\_\_
  
6. Will the affiliate faculty be provided with or have access to any information, materials, or software that is export controlled or sponsor or 3rd party proprietary or confidential?      Yes      No  
 If "yes", please describe:  
 \_\_\_\_\_
  
7. Will the affiliate faculty be provided with any government furnished equipment, information, or software?  
 Yes      No  
 If "yes", please describe:  
 \_\_\_\_\_

Signature of Supervisor \_\_\_\_\_ Date \_\_\_\_\_

Signature of Department Chair or Dean \_\_\_\_\_ Date \_\_\_\_\_

----- for internal use only -----

Start date: \_\_\_\_\_ End date: \_\_\_\_\_

Affiliate faculty name screened in Visual Compliance?      Yes      No

Date screened: \_\_\_\_\_ Screened by: \_\_\_\_\_

If not screened, please explain: \_\_\_\_\_



## Appendix G – Technology Control Plan Template

### I. Background

George Mason University (Mason) is committed to complying with applicable Federal regulations concerning safeguarding of Controlled Unclassified Information (“CUI”), Covered Defense Information (“CDI”) and other data and equipment with dissemination controls such as material subject to the International Traffic in Arms Regulations (“ITAR”) and the Export Control Regulations (the “EAR”) (collectively, “Controlled Materials”).

Mason has received the [INSERT AGREEMENT NAME/NUMBER] (the “Agreement”) from [PRIME] which will require Mason to receive and/or generate Controlled Materials in accordance with:

- [insert]

This Technology Control Plan (“TCP”) identifies the specific measures that will be taken by the Principal Investigator (“PI”) or other Responsible Person and all Mason personnel supporting this program (“Project Personnel”) to ensure compliance with Federal and contractual requirements. Any deviation from this TCP requires written prior approval from the Office of Research Integrity and Assurance (“ORIA”). ORIA must also be notified in advance, in writing, before Project Personnel obtain any ITAR-controlled technical data, software, or equipment.

### II. Safeguarding

Project Personnel are responsible for safeguarding Controlled Materials at all times by having "one lock" by using at least one physical mechanism to prevent access by unauthorized persons.

#### A. Work Area

Locations where work is to be performed with Controlled Materials must have restricted access. Restricted access is defined as having a clearly defined perimeter, which is adequate to protect against oral (in the case of discussions involving Controlled Materials) and visual disclosure of the Controlled Materials. Physical barriers are strongly recommended, but are not required, as long as oral and visual disclosure can be prevented. Project Personnel within the restricted area are responsible for challenging all persons who may lack appropriate access authority.

#### B. Physical Storage

Hard copies of Controlled Materials must be secured in a locked room, storage device, or container when not in the personal possession of approved Project Personnel. Keys or combinations to storage containers used to secure Controlled Materials will only be

issued to the approved Project Personnel authorized in this TCP. Electronic devices containing Controlled Materials must be physically secured or in the possession of an approved user at all times.

***The location(s) where work will be performed with the Controlled Materials is:***

[INSERT LOCATIONS; INCLUDE ANY REMOTE WORK LOCATION ADDRESSES]

***The method(s) of securing Controlled Materials (hard copies) is as follows:***

[Examples .... having an external building door that is locked with a key and a file cabinet or other large, lockable container.]

***The location(s) where the Controlled Materials (hard copies) will be stored when not in use is:***

[INSERT LOCATION]

### **C. Information Security**

[SELECT THE APPROPRIATE OPTION]

Mason's Secure Research Computer (SRC) resources are the only information technology resources approved for use in this TCP, and Project Personnel must follow SRC policies and procedures. The terms of the project's SRC system security plan will be incorporated into this TCP.

or

Mason's Enterprise CUI (eCUI) resources are the only information technology resources approved for use in this TCP, and Project Personnel must follow eCUI policies and procedures. The terms of the project's eCUI system security plan will be incorporated into this TCP.

or

[Insert sponsor or other approved IT system] resources are the only information technology resources approved for use in this TCP, and Project Personnel must follow the applicable policies and procedures associated with these resources. The terms of the project's system security plan will be incorporated into this TCP.

### **D. Marking**

All documents containing Controlled Materials, and all other media containing Controlled Materials, including working papers, must be appropriately marked and handled in accordance with:

1. agency-specific marking instructions that are required by law, regulation or applicable contract;  
  
    **or**, in the absence of such specific instructions,
2. the instructions contained in 32 C.F.R. 2002 and the CUI Registry’s Marking Handbook, including any specific markings required by law, regulation, Government-wide policy, or those of any CUI marking waiver that has been granted to the disseminating agency by the CUI Executive Agent (National Archives and Records Administration – “NARA”). Non-CUI and non-ITAR information must be marked and handled in accordance with the directions of the relevant agency authority, the applicable contract, or applicable laws and regulations.

Any Controlled Materials received by you that you know is improperly marked or unmarked must be treated as if it were appropriately marked. In the event you receive improperly marked or unmarked Controlled Materials, you must contact your designated agency representative for instructions on correct marking of such material, and notify Mason’s Associate Director of Export Compliance and Secure Research as soon as possible.

#### **E. No Unauthorized Exports**

No export of Controlled Materials is permitted under this TCP except if it is approved in advance, in writing, by ORIA. This prohibition on exports includes, but is not limited to, “deemed” exports to foreign nationals in the United States, as well as the permanent or temporary shipment or transfer of Controlled Materials out of the United States. If any Project Personnel inadvertently exports any Controlled Materials, they will notify ORIA immediately.

### **III. Responsibilities**

All Project Personnel needing access to Controlled Materials or secure computing resources must sign Attachment A and agree to the following:

1. Training. All Project Personnel are required to complete training related to this TCP and required for use of secure computing resources.



2. Travel. All Project Personnel with access to export-controlled Controlled Materials must receive prior written approval from ORIA for any international travel to militarily embargoed countries (for current list see [http://www.pmddtc.state.gov/embargoed\\_countries/](http://www.pmddtc.state.gov/embargoed_countries/))
3. Monitoring. Project Personnel agree to cooperate fully with any compliance checks or other actions initiated by ORIA as part of its program to monitor this TCP's requirements.
4. Purchases. Project Personnel who are responsible for making purchases under this TCP must ensure that all vendors, both foreign and domestic, are first screened against the restricted party lists maintained by the US Government. Project Personnel must notify ORIA if there is a potential match.

In addition, the PI/Responsible Person has the following responsibilities:

1. The PI/Responsible Person will notify ORIA:
  - prior to adding new Project Personnel
  - when Project Personnel will no longer support the project
  - when the scope of the project changes
  - to request modifications to this TCP
2. Certification. Upon reasonable request from ORIA, the PI/Responsible Person will confirm in writing that the project is ongoing and that it is being carried out in compliance with the approved TCP.
3. Recordkeeping. The PI/Responsible Person must retain project records for five years from the date of the termination of the project (or longer, if necessary, to comply with other regulatory requirements or the terms and conditions of the award).
4. Hiring. When hiring for the project, include the following language in the job posting: "Must be eligible to receive unclassified technical data pursuant to the International Traffic in Arms Regulations."

#### **IV. End-of Project Requirements**

Upon completion of this project:

- the PI/Responsible Person and ORIA will conduct a review to confirm that the terms of the TCP have been followed, and the PI/Responsible Person will sign a certification to that effect.
- all Controlled Materials must be disposed of in accordance with sponsor terms and applicable US laws and regulations. Hard copies will be disposed of by cross-cut shredding, incineration or return to the provider (Note that an export license or other

authorization may be required to return materials to a foreign provider). Electronic files will be destroyed in accordance with the policies and procedures associated with the secure computing system.

This TCP must be maintained as long as Controlled Materials related to this project are retained by Mason.

**Attachment A: PI /Responsible Person and Project Personnel Acknowledgment of Technology Control Plan (TCP)**

I have read and understand the provisions of the TCP and certify my intent to abide by the TCP's terms. I have reviewed Attachment E and will contact ORIA if I have any questions concerning this training.

I have been informed that I can be held personally liable if I export or unlawfully disclose, regardless of means or format, export-controlled materials (including but not limited to software or technical data that is subject to the International Traffic in Arms Regulations), or other Controlled Materials to unauthorized persons or locations. I understand that my obligation to protect export-controlled materials and Controlled Materials continues beyond the end of my participation on this project. I understand that I am obligated to follow the policies and procedures associated with the secure computing resources, and to protect all export-controlled materials and Controlled Materials.

I understand that individual penalties exceeding \$1,000,000 and 20 years imprisonment are possible for violations of U.S. export laws and regulations, and that unauthorized disclosure of Controlled Materials can lead to breach of contract claims, damages, and other serious consequences for individuals and for Mason. I have been informed that individuals, including complicit supervisors, companies, and institutions may be targeted in investigations related to the unauthorized release of export-controlled or other Controlled Materials.

PI Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

**Project Personnel:**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Attach additional pages as necessary.

**Attachment B: Acknowledgment of Department/Center Responsibilities in Connection with  
Technology Control Plan**

[DEPARTMENT OR CENTER NAME] will notify the Office of Research Integrity and Assurance (ORIA) if:

- (1) the PI/Responsible Person resigns, retires or otherwise ends their employment at Mason, or is replaced by another PI/Responsible Person; or
- (2) it becomes aware of any deviations from the TCP requirements.


The Department/Center agrees to cooperate fully with any compliance checks or other actions initiated by ORIA as part of its program to monitor this TCP's requirements.

**Print Name:** [CENTER DIRECTOR OR DEPARTMENT CHAIR NAME AND TITLE]

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## Appendix H – DD2345

MILITARILY CRITICAL TECHNICAL DATA AGREEMENT		OMB No. 5704-0097 OMB approved expiration 20250731	
For use with the Joint Certification Program (Read the Agency Disclosure Notice and Instructions on the back before completing this form.)			
1. TYPE OF SUBMISSION (X one) <input type="checkbox"/> a. INITIAL <input type="checkbox"/> b. REVISION <input checked="" type="checkbox"/> c. RENEWAL			
2. ENTITY OR INDIVIDUAL DATA (Referred to as a "Certified Contractor" upon approval by the Joint Certification Program Office)			
a. NAME OF ENTITY OR SOLE PROPRIETOR (print name, full legal entity) George Mason University		b. ADDRESS (Physical Address in U.S. - including P.O. Box(es) only) 4400 University Drive Fairfax, VA 22030	
c. NAME (For Use by DATA CUSTODIAN ONLY - DO NOT USE FOR ANY OTHER PURPOSES) Office of Sponsored Programs			
d. CAGE CODE (Mandatory) 7X764			
3. DATA CUSTODIAN (Primary)		3.1. DATA CUSTODIAN (Alternate)	
a. NAME (First, Initial, Last): Melissa R. Perce		a. NAME (First, Initial, Last): NA	
b. TELEPHONE NUMBER (Work/Res): 11 (703) 991-5522		b. TELEPHONE NUMBER (Work/Res):	
c. OFFICIAL TITLE: Associate Director, Export Compliance & Security Risk		c. OFFICIAL TITLE:	
d. BUSINESS EMAIL ADDRESS: mperce21@gmu.edu		d. BUSINESS EMAIL ADDRESS:	
4. DESCRIPTION OF RELEVANT BUSINESS ACTIVITY			
1 We are neither a Prime or Subcontractor 2 We are neither a Prime or Subcontractor 3 We are a university 4 Public research university with DOD funding 5 No company manufactures our products 6 Services related to USM: Cat XI & COT Cat I-II 7 Registered with DODIC 8 We do not have an export license 9 Bidding on DOD Solicitations with export controlled technical information packages; attending conferences/workshops/symposiums where export controlled technical information is shared. 10 SAM.gov (mperce21@gmu.edu). 11 No Government Agency requester			
5. AS A CONDITION OF RECEIVING MILITARILY CRITICAL TECHNICAL DATA, THE ENTITY AND/OR INDIVIDUAL CERTIFIES THAT:			
a. They acknowledge all responsibilities under applicable U.S. export control laws and regulations including the obligation to determine, determine, determine, determine or export license from the U.S. Government prior to the release of military critical technical data with the United States; or applicable foreign export control laws and regulations, and agree not to export, re-export, or otherwise transfer such data to a third party without a license or other authorization.		b. They certify the CITIZENSHIP/PRESIDENCY STATUS of the individual(s) designated by name in Item 5 above, who will be the custodian(s) of the military critical technical data on behalf of the entity, who will be a person(s) certified lawfully for permanent residence in (X) 1. THE UNITED STATES ( ) 2. CANADA Data Custodian(s) must be designated in the entity's country of certification.	
c. The entity is required to inform persons or organizations of the U.S. Government, or the Canadian Government or foreign suppliers, that may be engaged or plan to engage as specified, disclosed in Item 4.		d. They are not themselves detained, sanctioned or otherwise prohibited to perform on U.S. or Canadian Government contracts, are not involved in U.S. or controlled Canadian export control laws and have not had a certification revoked under the provisions of U.S. DoD 5220.25 or Canada's IJCX.	
e. They are not providing access to military critical technical data to persons other than their employees or authorized personnel, or to third parties in violation of their obligations with access to military critical U.S. DoD 5220.25, Canada's IJCX or the U.S. or Canadian Government agency that provided the data and technical data.		f. Any person employed by or acting for persons designated by the certified entity to act on their behalf, who will have access to military critical technical data and control, sanctioned, or otherwise prohibited to perform on U.S. or Canadian Government contracts or has violated U.S. or controlled Canadian export control laws or has had a certification revoked under the provisions of U.S. DoD 5220.25 or Canada's IJCX.	
6. AUTHORIZED ENTITY REPRESENTATIVE CERTIFICATION			
certify that the information and certifications made by the Data Custodian and myself are true, complete, and accurate to the best of my knowledge and belief and are made in good faith. I understand that a knowing and willful false statement on this form can be punished by fine or imprisonment or both. (If U.S. certifiers use U.S. Code, Title 18, Section 1001 and the Canadian certifiers use the Canadian Criminal Code)			
a. NAME OF INDIVIDUAL (First, Middle Initial, Last) Michael W. Laskowski	b. TITLE Associate VP, Research Services	c. SIGNATURE 	d. DATE SIGNED 11/1/2022
7. CERTIFICATION ACTION (For JCPO Use Only)			
a. CERTIFICATION APPROVED. This certification number, along with a statement of the entity's military critical technical data also must be included with each request for military critical technical data.		b. CERTIFICATION NUMBER	c. EXPIRATION DATE (YYYYMMDD)
8. DOD OFFICIAL (For JCPO Use Only)		9. CANADIAN OFFICIAL (For JCPO Use Only)	
a. NAME OF U.S. REPRESENTATIVE (First, Middle Initial, Last)		a. NAME OF CANADIAN REPRESENTATIVE (First, Middle Initial, Last)	
b. TITLE		b. TITLE	
d. SIGNATURE	e. DATE SIGNED	d. SIGNATURE	e. DATE SIGNED

DD FORM 2345, OCT 2022

PREVIOUS EDITIONS OBSOLETE.

## Appendix I – Bonafide Employee Agreement



Office of Research Integrity and Assurance  
4400 University Drive, MS 8D5, Fairfax, Virginia 22030  
Phone: 703-993-5522; Fax: 703-993-9590

### Bona Fide Employee Agreement

Pursuant to §125.4(b)(10) of the International Traffic in Arms Regulations (ITAR), George Mason University (Mason) is permitted to disclose unclassified technical data in the U.S. to foreign persons who are their bona fide and full time regular employees. This agreement applies to the following bona fide and full time regular employee of Mason (Mason Employee):

Name: \_\_\_\_\_

Title: \_\_\_\_\_

According to §120.10 of the ITAR, technical data is information which is required for the design, development, production, manufacture, assembly, operation, repair, testing, maintenance or modification of "defense articles." This includes information in the form of blueprints, drawings, photographs, plans, instructions or documentation. Defense articles are items used in warfare and are included on the U.S. Munitions List.

Technical data does not include information concerning general scientific, mathematical, or engineering principles commonly taught in schools, colleges, and universities, or information in the public domain. It also does not include basic marketing information on function or purpose or general system descriptions of defense articles.

To meet the requirements of this exemption, Mason Employee certifies:

(i) Mason Employee's permanent abode throughout the period of employment is in the United States; and

(ii) Mason Employee is not a national of a country to which exports are prohibited pursuant to §126.1 of the ITAR. (See <https://www.ecfr.gov/cgi-bin/retrieveECFR?qp=&SID=70e390c181ea17f847fa696c47e3140a&mc=true&r=PART&n=pt22.1.126#se22.1.126.11>)

As a condition of continued employment at Mason, Mason Employee agrees not to transfer technical data to any foreign person without the prior written approval of the U.S. State Department's Directorate of Defense Trade Controls and Mason's Associate Director of Export Compliance & Secure Research.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Mason Employee Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Juhi Tariq  
Associate Director, Export Compliance & Secure Research

## Appendix J – Export Compliance Purchasing Form

### Export Compliance Equipment Purchasing Form

When ordering equipment it is important to ask the vendor or manufacturer for the Export Control Classification Number (ECCN). The ECCN tells us how the equipment is controlled under the export regulations and when a license is needed to export it. This can help our office advise faculty and researchers if they need to ship or hand carry the equipment outside the U.S., if the equipment needs to be sent to a foreign manufacturer or repairs or replacement, and it also helps ensure that we do not have any “deemed” export violations on campus.

If you are ordering equipment that meets any of the following conditions, please ask the vendor or manufacturer for the ECCN, complete this form, and submit it to our office:

- Equipment that is over \$2,000, *excluding* basic office equipment such as computers, laptops, printers
- If the manufacturer is located outside the U.S.
- If the purchasing paperwork includes export control language
- If the person who will use the equipment intends to hand carry or ship the equipment to another country

Please note that this form is for purchases of equipment. You do not need to obtain an ECCN for purchases of basic office supplies.

Description of item being ordered: \_\_\_\_\_

Department: \_\_\_\_\_

Faculty member (if ordering for someone else): \_\_\_\_\_

Mason fund number (if applicable): \_\_\_\_\_

Vendor/manufacturer information:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Website: \_\_\_\_\_

ECCN from vendor or manufacturer: \_\_\_\_\_

If none received, please explain: \_\_\_\_\_

*If the vendor or manufacturer indicates that the item is controlled under the International Traffic in Arms Regulations (ITAR), ask for the U.S. Munitions List (USML) category and send to [export@gmu.edu](mailto:export@gmu.edu). Our office must provide prior written approval for purchases subject to the ITAR.*

Please complete, sign, and submit to [export@gmu.edu](mailto:export@gmu.edu) and attach a copy of the purchase order.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Print name: \_\_\_\_\_

\*\*\*

*For ORIA to complete if no ECCN is provided above:*

ECCN: \_\_\_\_\_

Describe how the ECCN was obtained (e.g., email from manufacturer, manufacturer's website, self-classification):

\_\_\_\_\_

## Appendix K – AES Filing Form



**Office of Research Integrity and Assurance**  
4400 University Drive, MSN 6D5, Fairfax, Virginia 22030  
Phone: 703-993-5522 Fax: 703-993-9590

### AES Federal Filing Request Form

Shipping or hand carrying Mason-owned laptops or equipment to China, Russia, or Venezuela requires an advanced Electronic Export Information (EEI) filing with the U.S. Government, as does hand carrying Mason-owned laptops for pre-approved travel in Cuba. In order for our office to prepare that filing, please provide the below information prior to export. If you are using a freight forwarder for shipping, confirm that they will prepare the EEI filing.

Destination: China: \_\_\_\_\_ Russia: \_\_\_\_\_ Venezuela: \_\_\_\_\_ Cuba: \_\_\_\_\_

*For laptops:*

Specific make/model: \_\_\_\_\_  
Serial number: \_\_\_\_\_ Weight: \_\_\_\_\_ Value: \_\_\_\_\_

*For Equipment:*

Specific make/model: \_\_\_\_\_  
Quantity: \_\_\_\_\_ Shipping weight: \_\_\_\_\_ Value: \_\_\_\_\_  
Export Control Classification Number (ECCN): \_\_\_\_\_  
*(Request this information from the manufacturer. For more information see [Export Administration Regulations \(EAR\) \(doc.gov\)](#))*

*For hand carries:*

Date of departure: \_\_\_\_\_ Time of departure: \_\_\_\_\_  
Name of departure airport: \_\_\_\_\_  
Name of Airline: \_\_\_\_\_ Flight number: \_\_\_\_\_  
Address where you are staying at your destination: \_\_\_\_\_

Complete and submit the Mason Laptop Export Certification Form (or the Non-Laptop Equipment Certification): [Export Control Forms - Office of Research Integrity and Assurance \(gmu.edu\)](#)

*For shipments:*

Shipment date: \_\_\_\_\_  
Port of export: \_\_\_\_\_ Method of transportation: \_\_\_\_\_  
Carrier: \_\_\_\_\_

Complete and submit the International Shipping Consultation Form: [International Shipments and Recordkeeping Requirements - Office of Research Integrity and Assurance \(gmu.edu\)](#)

I certify that to the best of my knowledge and belief all of the information on this form is correct. If any of the responses to these questions change, I will contact ORIA immediately.

Signature: \_\_\_\_\_ Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_