



# USG TECHNICAL DATA MARKING EXPORT CONTROL – USDOC/EAR PROCEDURE

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Effective Date: October 23, 2019

Revision History: Noted Below

Responsible University Officer: Vice Provost for Research

Responsible Offices: Office of Research Administration  
(ORA)

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## Procedure Statement

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This standard operating procedure (SOP) document supports the University of Miami's (UM) policy for USG Technical Data Marking as a compliance control tool to safeguard and control information, can alert holders by identifying the technical data and instructions for handling of the data. The SOP is to furnish guidance with a tailored approach for USG Technical Data Marking procedures at UM. **(NOTE: The SOP is "ONLY" for Managed Controlled Program contracts that contain a requirement for "deliverables" to be "marked with a suitable notice or legend".)**

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## Reason for the Procedure

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In response to USG contract requirements, federal regulations and UM policy on export controls and technical marking, documents subject to Fundamental Research, Controlled Unclassified Information (CUI) and Export Control under the ITAR and/or EAR are generally marked as per U.S. Government regulations. The most common practice involves the marking of an entire document such as an engineering drawing package, technical report, software simulations, mishap investigation report, or technical presentation are marked by the proper marking regiment.

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## Who should Know this Procedure?

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Provost, Vice Provosts, Deans  
Associate Vice President for Research Administration  
Director of Export Compliance  
Research Administrators  
Principal Investigators (PI)  
Office of Research Administration  
**(NOTE: The SOP is "ONLY" for Managed Controlled Program contracts.)**

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## Definitions

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<b>EAR</b>	Export Administration Regulations
<b>ECCN</b>	Export Control Classification Number
<b>UM</b>	University of Miami
<b>USDOC</b>	United States Department of Commerce
<b>USG</b>	United States Government

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## Procedures

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The USG Technical Data Marking - "Export Control USDOC/EAR" procedure is for research documents, presentations, software simulations and technical data that contain required contract language for "deliverables" to be "marked with a suitable notice or legend". Recent USG contract language has included markings requirements to safeguard and control information. This procedure will assist authorized holders in the handling, receiving, identification, and storage of documents due to USG contract requirements and terms. *(An "Order of Review" will be conducted to determine the jurisdiction and ECCN of the technology/data.)*



## USG TECHNICAL DATA MARKING EXPORT CONTROL – USDOC/EAR PROCEDURE

Step	Responsibility	Action
1	ORA/ECO	ORA/ECO training of the PI and Research Team pertaining to the USG marking requirement in the contract. Training will be conducted through a Technology Control Plan (TCP) on the "how to mark" the deliverables as per the contract.
2	PI	Drafting of the engineering drawing package, technical report, software simulations, mishap investigation report, or technical presentation.
3	PI	Insertion of the EAR notice on front cover in a font size that is readable when printed. Include the Contract Number in the header or footer.
4	PI	Insert in the remaining pages: "ECCN" and the Contract number into the center of the header or footer in a font size that is readable when printed.
5	PI	Files and stores data in the proper electronic secure storage. (UM Secure Box – Cloud Based.)
6	ORA/ECO	Review and audit of USG Marking requirements from time to time. (Spot check.) This will ensure that "marking" procedures are in line with contract requirements.

### Marking Samples

EAR Marking – Front Cover Notice:
<p><b>EAR ECCN _____.</b></p> <p><b>Export Administration Regulations (EAR) Notice</b></p> <p>This document contains information within the purview of the Export Administration Regulations (EAR), 15 CFR §730-774, and is export-controlled. It may not be transferred/exported to foreign persons in the U.S. or abroad without specific approval of a knowledgeable export control official, and/or unless an export license or license exception is obtained/available from the Bureau of Industry and Security, United States Department of Commerce. Violations of these regulations are punishable by fine, imprisonment, or both.</p>
<p><b>Subject to U.S. Export Control Regulations:</b></p> <p>This document contains information within the purview of the International Traffic in Arms Regulations (ITAR), 22 CFR §120-130 and the Export Administration Regulations (EAR), 15 CFR §730-774, and is export-controlled. It may not be transferred to foreign persons in the U.S. or abroad without specific approval of a knowledgeable export control official, and/or unless an export license, license exemption, or license exception is obtained/available from the Directorate of Defense Trade Controls, United States Department of State or Bureau of Industry and Security, United States Department of Commerce. Violations of these regulations are punishable by fine, imprisonment, or both.</p>
EAR Marking – Remaining Pages Notice centered in header or footer:
<p><b>ECCN – Contract Number</b></p>

**NOTE:** UM-ECO will furnish additional training in the event the data is determined as export controlled.



**USG TECHNICAL DATA MARKING  
EXPORT CONTROL – USDOC/EAR PROCEDURE**

**Signature**

Print Name:	Barbara A. Cole	
Title:	Associate Vice President for Research Administration	
		<i>10.23.19</i>
Signature		Date

**History**

Effective Date	Revision Date	Authors	Description
2019-Oct 23	N/A	William J. Collins	Establish a standard operating procedure for "Export Control USDOC/EAR" documents, presentations, software simulations and technical data that contain required contract language for "deliverables" to be "marked with a suitable notice or legend".

**Point of Contact Numbers**

<b>Associate Vice President for Research Administration</b>	305-284-3965
<b>Director of Export Control Compliance</b>	305-284-9558