

USG TECHNICAL DATA MARKING EXPORT CONTROL – USDOC/EAR PROCEDURE

<u>Se</u>	Sections:					
	Procedure Statement	Effective Date: October 23, 2019				
	Reason for the Procedure	,				
	Who Should Know This Procedure	Revision History: Noted Below				
	Definitions	•				
	Procedures	Responsible University Officer: Vice Provost for Research				
	Signature	•				
	History	Responsible Offices: Office of Research Administration				
	Point of Contact Numbers	(ORA)				

Procedure Statement

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".)

Reason for the Procedure

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.

Who should Know this Procedure?

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.)

Definitions

EAR
EXPORT Administration Regulations
ECCN
EXPORT Control Classification Number
University of Miami
USDOC
United States Department of Commerce
USG
United States Government

Procedures

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.)



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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	PIECE	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		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:

EAR ECCN_____

Export Administration Regulations (EAR) Notice

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.

Subject to U.S. Export Control Regulations:

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EAR Marking - Remaining Pages Notice centered in header or footer:

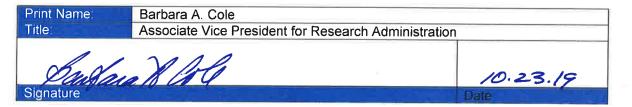
ECCN - Contract Number

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



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Signature



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

Associate Vice President for Research Administration

305-284-3965

Director of Export Control Compliance

305-284-9558