



**Office of the Vice President
for Research**

MIT

EXPORT COMPLIANCE

MANAGEMENT

PLAN

TABLE OF CONTENTS

<i>Management Commitment to Export Control</i>	1
<i>SCOPE</i>	2
Organizational scope	2
Regulatory	2
<i>EXPORT COMPLIANCE AT MIT</i>	3
Mission	3
Commitment to comply	3
Export control compliance	3
Open access	5
Conflicts between policies	5
Public service	5
<i>COMPLIANCE STRATEGY</i>	5
Tangible exports	5
Deemed exports	6
Education and fundamental research exclusions	6
Restricted technology in planning research	6
Export-controlled data	7
Technology Control Plan (TCP)	7
<i>Roles + Responsibilities for MIT's compliance program</i>	7
Corporation	7
President	7
Provost	7
Vice President for Research	7
Chief Research Compliance Officer	7
Export Control Office (ECO), campus	8
Principal Investigator	9
Office of the Vice President for Finance (VPF)	10
Accounts Payable	10
Procurement	10
Office of the General Counsel	10

Research Administration Services (RAS)	10
What the export control officer looks for in a proposal (with international elements)	11
International travel	12
International Scholar & Student Visa Screening	12
Conferences	12
International shipping	12
Procurement	13
Vendor screening	13
<i>Regulatory agency interaction</i>	<i>13</i>
Department of Commerce (Bureau of Industrial Security)	13
State Department: DDTC	13
Registration	13
<i>Training</i>	<i>14</i>
<i>Recordkeeping</i>	<i>14</i>
<i>Auditing</i>	<i>14</i>
<i>Online Education</i>	<i>14</i>
edX	14
Open Courseware	14
<i>Corrective Action: Voluntary Self Disclosure (VSD)</i>	<i>15</i>
Suspected violation	15
Investigation	15
Disclosures	16
Recordkeeping	16
<i>ATTACHMENT 1: Technology Control Plan Template</i>	<i>17</i>

MANAGEMENT COMMITMENT TO EXPORT CONTROL

A principal objective of research collaborations at MIT is the advancement of knowledge for the “betterment of humankind.” The Institute works with partners around the world when there is mutual agreement on the need to solve major problems, and when, in seeking to solve such problems, it is possible to take advantage of MIT’s great strengths.

MIT researchers are motivated to solve highly challenging problems that may have important long-term impacts. Solving complex problems often involves collaboration with individuals from different organizations and different fields of expertise, both within and outside the United States. These collaborations frequently are highly innovative, imaginative, “first-of-its-kind” projects. Addressing such challenges often involves exchange of technological know-how, tangible items, and software with person across international borders as well with non-U. S. persons at other domestic research organizations and on campus.

MIT values its open research policy and the free interchange of information among scholars. That said, all researchers must comply with U.S. export control laws intended to assure U.S. national security and foreign policy interests. Compliance with these legal requirements can be challenging, as the export regulations are complex, quite dynamic, and often counter-intuitive. Given the cutting-edge nature of so much of our research, adherence with export control laws is both vital and nuanced.

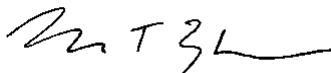
Export compliance requires a proactive, Institute-wide commitment in which each member of a research team plays a role in securing the integrity of MIT’s research. Faculty, research, and administrative staff, and as applicable, students, should understand “the big picture” and also realize their own personal role and responsibility in guaranteeing export compliance. Violating export control regulations can result in damage to an individual’s and MIT’s reputations, and even civil and/or criminal penalties.

The MIT Export Control Office monitors international collaborations, procurement, shipping, and along with Research Administration Services, helps to keep sponsored research proposals clearly in the realm of government-defined fundamental research, the results of which are exempt from export control regulations. The MIT Research Compliance staff keep abreast of current U.S. government regulations, modifying procedures and communicating with the broader MIT community as needed.

This Export Control manual contains procedures to facilitate adherence with the various regulations, including those from the Departments of State, Commerce, Treasury, Energy, Homeland Security, as well as Presidential Executive Orders, the Nuclear Regulatory Commission, and other sources. Following the procedures set forth in this manual should limit the possibility of an inadvertent violation of the export control laws. Should a violation occur, MIT will address it with transparency and efficiency to mitigate any potential harms.

In addition to the resources set forth in this manual, every member of the MIT community is encouraged to seek out assistance in addressing export control issues from the Export Control Office staff, who can be reached at exportcontrolhelp@mit.edu.

Sincerely,

A handwritten signature in black ink, appearing to read 'MTZL', written in a cursive style.

Maria T. Zuber

SCOPE

MIT Export control compliance is documented in three separate but complementary locations.

- The [Export Control Website](#) is the most up-to-date resource for education and reference for export control information, processes, and documents, and is publicly available.
- This Export Compliance Management Plan focuses on MIT's policy, operating principles, and methods.
- MIT Campus Technology Control Plans document specific technology on campus that is subject to export control and how it is managed to ensure compliance.

ORGANIZATIONAL SCOPE

This plan is intended to address the following MIT locations:

- The main campus in Cambridge
- The [Bates Linear Accelerator Center](#) in Middleton, MA
- The [Haystack Observatory](#) in Groton, Tyngsborough, and Westford, MA
- Wallace Observatory, Groton, MA
- Singapore-MIT Alliance for Research and Technology (SMART)

The plan is specifically not intended to address export control compliance plans at MIT Lincoln Laboratory (MITLL) in Lexington, MA. MITLL is part of MIT but operates as a Federally Funded Research and Development Center under an Air Force contract. Much of MITLL's works is classified and it operates under rules significantly stricter than those applicable to main campus.

REGULATORY

MIT must comply with the following requirements:

- Export Administration Regulations (**EAR**, Department of Commerce)
 - Export of commercial or dual-use items, equipment, materials, software, and technology
- International Traffic in Arms Regulations (**ITAR**, Department of State)
 - Export of defense items, technical data, and services
- Office of Foreign Assets Control (**OFAC**, Department of the Treasury)
 - Foreign assets and transactions with designated foreign individuals, entities, and countries, including Specially Designated Nationals (SDNs)
- Export and Import of Nuclear Equipment and Material (Nuclear Regulatory Commission, **10 CFR Part 110**)
 - Export of reactors, components, fuel, and related material
- Assistance to Foreign Atomic Energy Activities (**10 CFR Part 810**, Department of Energy)
 - Provision of nuclear technology and services to foreign individuals and entities
- US Department of Homeland Security (**DHS**, Secretary of Homeland Security, 6 U.S.C. 101 note)
 - Critical infrastructure information

EXPORT COMPLIANCE AT MIT

MISSION

MIT's mission is to advance knowledge and educate students in science, technology, and other areas of scholarship that will best serve the nation and the world in the 21st century.

The Institute is committed to generating, disseminating, and preserving knowledge, and to working with others to bring this knowledge to bear on the world's great challenges. MIT provides its students with an education that combines rigorous academic study and the excitement of discovery with the support and intellectual stimulation of a diverse campus community. We seek to develop in each member of the MIT community the ability and passion to work wisely, creatively, and effectively for the betterment of humankind.

MIT admits international students, employs non-U.S. faculty and staff, and hosts international visitors in the most welcoming manner possible in pursuit of its Mission and Objectives, while also committing to compliance with all U.S. laws and regulations, including those governing the export of goods, services, software, technology, and data.

COMMITMENT TO COMPLY

MIT is committed to fully complying with all applicable U.S. laws and regulations, including those governing the export of goods, services, technology, and data. MIT does not discriminate against individuals on the basis of race, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, veteran status, ancestry, or national or ethnic origin.

EXPORT CONTROL COMPLIANCE

MIT's Export Control Office (ECO) is committed to preventing the transfer of potentially dangerous technology, tangible items, and software to entities who could use it to undermine the security of the United States and its allies.

Note, that although some materials may be used for benign research applications on campus, the government may determine that there is a potential for a military application as well.

Mission of MIT Export Control Compliance:

"Protecting MIT's open research policy and the free interchange of information among scholars while complying with U.S. Export Control Law"

Export Control is not so much an isolated process but, is harmonized with processes from other departments to limit risk from MIT's global activities. These processes are described in the ECO wheel of responsibility:



Figure text:

- International People Placement (IPP) checks
- International Coordinating Committee (ICC) evaluations
- Foreign-sponsored or international activities in proposals
- Procurement of export-restricted materials
- Shipping of export-controlled items
- International travel
- Informal International Collaborations (IIC)
- MIT-X course screening of individuals who are personally proscribed or from proscribed Institutions or countries
- Visa checks
- Checking some appointees as visiting scientists, post-docs
- Checking potential learners for on-line or on-campus educational programs

OPEN ACCESS

MIT has a policy of open research and free interchange of information. MIT's policy 14.2 [Open Research and Free Interchange of Information](#) states:

*“Openness requires that as a general policy MIT not undertake, on the campus, classified research or research whose results may not be published without prior permission — for example, without permission of governmental or industrial research sponsors. Openness also requires that, **once they are at MIT, foreign faculty, students, and scholars not be singled out for restriction in their access to MIT's educational and research activities.**”*

“... [E]xceptions to these policies regarding publication, classification, and access by foreign students and scholars may be made, but only in those very rare instances where the area of work is crucially important to MIT's educational mission and the exception is demonstrably necessary for the national good It is the policy of the Institute, therefore, that every research project within the academic structure of MIT ... that requires a classification on the research process, classification as to the source of funds, classification of the research results, or imposition of other restrictions on publication or access must receive the prior approval of the Provost...”

CONFLICTS BETWEEN POLICIES

It's not always possible to simultaneously satisfy all three goals — compliance, public service, and open access. MIT's commitment to comply will not be knowingly compromised. This means that MIT may from time to time (as determined by senior MIT leaders) need to make exceptions to its research policies or decline to conduct specific research.

PUBLIC SERVICE

MIT's policy [14.1 Research Policy and Research Support](#) states that, in addition to the primary purpose of Institute research to advance knowledge and further the educational program,

“The Institute also has an inherent obligation to render public service, especially to any branch of local, state, or federal government, and in fulfilling this special responsibility undertakes research when it can do so without impairing its primary functions and when its available personnel and facilities and its experience qualify it to perform a needed service.”

COMPLIANCE STRATEGY

TANGIBLE EXPORTS

MIT has deployed eShipGlobal, a shipping service designed for university communities, to departments, labs, centers, and institutes (DLCIs) across the campus. eShipGlobal is a web-based shipping software solution customized for MIT. It is expected to make shipping simpler, more visible, and manageable, and more compliant with export control and hazardous material regulations. All international shipments should be carried out through eShipGlobal whenever possible. When another method of shipment must be used, all such international shipments should be checked by the ECO.

DEEMED EXPORTS

MIT, like other U.S. universities, has a substantial population of non-U.S. students, scholars, faculty, and staff. MIT has several strategies to reduce the risk of prohibited deemed exports. Releases of controlled technology to foreign persons inside the U.S. are "deemed" to be an export to that person's country or countries of nationality. "Deemed" exports are described in 734.13(b) of the EAR.

EDUCATION AND FUNDAMENTAL RESEARCH EXCLUSIONS

Activity and information that meet the export control regulations' requirements to qualify as higher education or fundamental research are out of scope of the export control regulations.

Educational information released by instruction in catalog courses taken with the expectation of a degree and associated teaching labs of academic institutions is not restricted by the EAR. Under the ITAR, information concerning general scientific, mathematical, or engineering principles commonly taught in schools, colleges, and universities is excluded from the ITAR definition of controlled technical data. This renders MIT's catalog courses out of scope of both sets of regulations.

Research that has not accepted restrictions on publications or foreign national participation is considered fundamental research and not subject to the EAR. MIT's policy is to accept only research that qualifies as government-defined fundamental research. According to the EAR, "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. ¹

MIT Research Administration Services (RAS) is actively involved in the research proposal, negotiation, and award process to assure that campus research is structured without restrictions on access or publication of results, so as to qualify as fundamental research. When this cannot be accomplished, MIT will decline or discontinue the activity, or propose it for consideration off-campus or elsewhere.

RESTRICTED TECHNOLOGY IN PLANNING RESEARCH

Occasionally, discussions with potential sponsors to determine mutual interest in sponsored research, or to plan the potential research, involve access to restricted information. In this case, the restricted information is likely to be received only by a small number of faculty or research staff, including the Principal Investigator. The discussions are pre-research, not involving research activity. Since such discussions would not conflict with the Open Access policy (no research yet means no restriction on access yet), it may be sufficient for the individuals who will receive the restricted information to document (via email, or a Technology Control Plan (TCP) "lite", for instance) their understanding of the restriction and how they will protect and dispose of the restricted information. Should restricted technology or software be required on an ongoing basis, the PI should contact the ECO to determine the need for a TCP.

¹ Bureau of Industry and Security, U.S. Department of Commerce, Export Administration Regulations (Part 734.8)

EXPORT-CONTROLLED DATA

MIT limits the amount of export-controlled data on campus, in support of the open access policy, but sometimes it's unavoidable.

TECHNOLOGY CONTROL PLAN (TCP)

Technology Control Plans delineate security procedures to protect restricted export-controlled material to prevent deemed exports to foreign nationals on campus.

MIT reviews research proposals and agreements, non-disclosure agreements, and data use agreements, and collaborates with OSATT (material transfer agreements) and OGC (TLO license agreements) to ensure that any use of export-controlled material is identified. Where appropriate, a Technology Control Plan is developed with the responsible individual (RI) to prevent prohibited deemed exports.

ROLES + RESPONSIBILITIES FOR MIT'S COMPLIANCE PROGRAM

MIT is registered with the U.S. Department of State to allow it to engage in a range of important export activities on the MIT campus and Lincoln Laboratory. The registration requires MIT to execute a registration statement every year.

CORPORATION

The members of the Executive Committee of the Corporation are identified on the annual US Department of State Registration as "Member(s) of the Board of MIT's Directors, Senior Officers, Partners, and Owners".

PRESIDENT

The President is a member of the Executive Committee of the Corporation, identified on the annual registration statement.

PROVOST

The Provost is the "Senior Officer" who signs the annual registration statement.

VICE PRESIDENT FOR RESEARCH

The Vice President for Research (VPR) is identified on the registration statement as a "Member of the Board of Directors, Senior Officers, Partners, and Owners", and is the responsible MIT officer for oversight of the export control compliance program.

The VPR reviews and approves exceptions to MIT's open access research policy as documented in Technology Control Plans, enabling fundamental research that uses export-controlled technology and information to proceed.

CHIEF RESEARCH COMPLIANCE OFFICER

The Chief Research Compliance Officer (CRCO) is responsible for the execution of the export control compliance program. The CRCO signs Technology Control Plans for MIT, when approved by the VPR.

EXPORT CONTROL OFFICE (ECO), CAMPUS

The campus Export Control Office (ECO) develops and manages export control procedures and coordinates with administrative and academic department, labs, and centers to execute the export control compliance program. This includes offices involved with international students and scholars, education, equipment purchases and disposal, financial transactions and environmental health and safety issues with foreign nationals and countries.

The ECO consults with the Office of the General Counsel (OGC), the Technology Licensing Office (TLO), the Office of the Vice President for Finance (VPF), and Environment Health and Safety (EHS) to provide export control guidance.

The ECO reviews cases submitted to MIT's International Coordinating Committee (ICC) to identify potential export issues in new research endeavors.

The ECO develops informational materials and delivers training, including maintaining a robust website to educate faculty, staff, and students on export control compliance.

The ECO promotes compliance with export control regulations by working directly with researchers, sometimes on-site in laboratories; reviewing research proposals and working with investigators and sponsors to enable compliant research and collaborations. The ECO reviews RAS research proposals identified as potentially involving export-controlled technology and performing necessary technology evaluations. The ECO collaborates with contract negotiators to resolve problematic clauses in federal and sponsored project agreements. The ECO responds to questions about the application of export control regulations to specific technology and to provide guidance and assistance to faculty and staff in meeting regulations. It establishes and fosters relationships with investigators working in fields where export control regulations intersect to better ensure compliance. The ECO also works with investigators to conduct assessments of labs, records, and documents, to better ensure compliance with applicable export control regulations.

The ECO serves as the liaison with the Departments of Commerce, State, and Treasury and any other federal agencies regarding export control matters, drafting and submitting export control license applications and institutional registrations when necessary, and keeps abreast of new laws and regulations affecting research compliance program compliance with export control regulations and respond to proposed regulatory changes. All interactions with government enforcement agencies are coordinated with the Office of General Counsel (OGC).

The ECO maintains documentation of reviews and decisions concerning export control compliance as part of the Export Compliance Management System. The ECO assists investigators with the creation, revision, maintenance, and implementation of any required TCPs; reviews and recommends approval and modification of all TCPs; seeks additional feedback as warranted from other Institute Offices; and oversees and assists in the preparation and submission of export licenses, technical assistance agreements, commodity jurisdiction and classification requests, and other export control-related documents.

The ECO reviews research proposals and agreements, non-disclosure agreements, and data use agreements, and collaborates with OSATT Core (material transfer agreements) and TLO (license agreements) to ensure that any use of export-controlled material is identified. Where appropriate, a Technology Control Plan is developed with the responsible individual (RI) to prevent prohibited deemed exports.

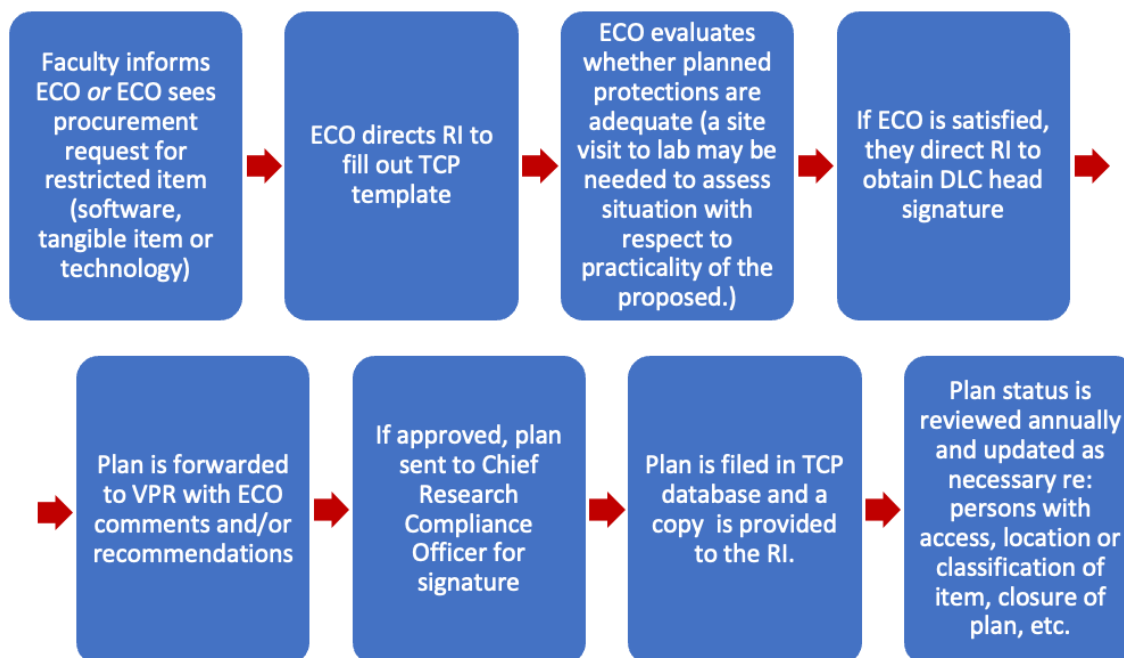
PRINCIPAL INVESTIGATOR

The principal investigator (PI) works with the ECO to determine if technology/equipment involved in the research program may be subject to export controls. The ECO will aid researchers in trying to reach such determinations and, when necessary, will seek support from outside counsel.

Occasionally, export-controlled technology is identified by a federal or industrial contracting officer and sometimes the restrictions are clearly identified in a Broad Agency Announcement (BAA) or in a Request for Proposal (RFP). In such instances, the MIT researcher must assess whether such restricted technology or software is substantially remote from those portions of the research that will ultimately be critical to publication of the research results. For example, access to controlled proprietary software necessary only to increase the speed of processing research data may be needed by only one member of a research team (i.e., the systems programmer). Provided there are no ultimate restrictions on the ability to publish the intellectually significant elements of the research results, the research may still qualify as Fundamental Research, excluded from the EAR or ITAR. The ECO can help the PI with this determination.

The PI is the Responsible Individual (RI) for providing the ECO a rationale for why an exception to MIT's policies should be made for the research project and the procedures to-be followed to ensure compliance with the export regulations and MIT's policy on Openness in Research, set forth in a Technology Control Plan. These will be reviewed by the ECO and forwarded with recommendation to the Vice President for Research. Upon VPR approval, the CRCO will sign the TCP.

See diagram below for TCP development process:



OFFICE OF THE VICE PRESIDENT FOR FINANCE (VPF)

ACCOUNTS PAYABLE

The Accounts Payable (AP) Office maintains a database of MIT vendors.

When a new vendor is added to the database, AP uses the Visual Compliance tool to assure that the vendor is not identified on any of the US government's restricted party lists.

The database is screened regularly to assure that changes in the restricted party lists have not resulted in an MIT vendor being identified on the lists.

AP attempts to determine whether an apparent match means that an MIT vendor is the individual or entity on restricted party list, using available information. They may consult with the ECO if unable to make a clear determination.

PROCUREMENT

Procurements made through MIT's Buy2Pay (B2P) system are forwarded to the ECO for review for restricted items and to see if a Technology Control Plan needs to be put in place before the item is received on campus. Before making a procurement of technology through use of a procurement card (PCard) or method other than B2P system, the purchaser should consult with the ECO to assure that the item to be purchased is not restricted.

OFFICE OF THE GENERAL COUNSEL

Many export control cases are a matter of risk management and often are not black or white. In these cases, the ECO consults with OGC on interpretation of regulations, how they might apply to the academic setting, and discusses whether guidance from outside counsel should be sought.

OGC collaborates with the campus ECO to review proposed online courses and consults on international people placement, reviewing foreign remote work requests.

MIT's campus ECO consults OGC on many one-of-a-kind cases too numerous to delineate here.

RESEARCH ADMINISTRATION SERVICES (RAS)

Research Administration Services (RAS) has the immediate responsibility for the business administration aspects of research projects sponsored by the government, Office of Strategic Alliances and Technology Transfer (OSATT), or foundations in accordance with the established policies of the Institute.

Government-sponsored research is normally carried out under contracts, cooperative agreements, or grants, depending on which agency is sponsoring the work and, to some extent, on the nature of the program.

RAS review of research proposals and agreements includes careful attention to provisions that might render the research ineligible for treatment as fundamental research under the ITAR, the EAR, or DOE Part 810, depending on the jurisdiction of the research technology.

It is essential that all research conducted on the MIT academic campus qualifies as fundamental research unless specifically exempted by MIT senior leaders. In addition to supporting the philosophy behind MIT's research policies, it's an integral part of MIT's export control compliance, enabling open access to research, publication without prior

approval, a campus environment where doors are open unless there is a specific need for control, and a campus culture that assumes the unrestricted exchange of information to the greatest extent possible.

1. Principal investigators need to know how fundamental research is defined by the government regulations in order to comply with MIT's policy of only accepting fundamental research. What constitutes government-defined fundamental research is stressed in the export control awareness outreach to DLCs. Upon request, ECO offers Project-specific, DLC-specific guidance:
 - a. Content can be adjusted to fit the audience, and Q&A can be made specific to the research area.
2. When PIs enter proposals in Quali Coeus for review and submission, three yes/no questions (Job Aid) are included to help highlight identify potential export control concerns.
 - a. Questions are:
 - i. Will you receive material or equipment, or information or software not publicly available, that might be subject to US export controls, including items originating outside the US (which are controlled when in the US)?
 - ii. Will any part of this project be conducted outside the US (including subaward arrangements, but not including conferences)?
 - iii. Will you send information, software, material, or equipment outside the US?
3. A research proposal that is not consistent with the relevant ITAR, EAR, or DoE Part 810 definition of fundamental research is not acceptable to MIT and will not be submitted. Similarly, a research agreement that is not consistent with the definition of fundamental research is not acceptable to MIT and will not be accepted.
4. When a research proposal satisfies the relevant definition of fundamental research but is expected to involve the use of restricted technology, the Principal Investigator or other appropriate Responsible Individual will be required to submit a [Technology Control Plan](#), which will:
 - a. Request approval from the Vice President for Research for an exception to the Open Access policy.
 - b. Document how the PI or other Responsible Individual (RI) will manage the restricted technology, identifying the parties with access, the information to be controlled, rules for access and mechanisms for preventing unauthorized access to prevent export control violations by individuals or MIT.

WHAT THE EXPORT CONTROL OFFICER LOOKS FOR IN A PROPOSAL (WITH INTERNATIONAL ELEMENTS)

- International teaching
- MIT sponsored or co-sponsored conferences/workshops
- Transfer of material to foreign countries
- Whether collaborators/sponsors/institutions are on restricted party lists
- Informal Collaborators
- Controlled Unclassified Information (CUI) requirement: Controlled Unclassified Information (CUI) is information that requires safeguarding or dissemination controls pursuant to and consistent with applicable law, regulations, and government-wide policies but is not classified under Executive Order 13526 or the Atomic Energy Act, as amended.
- Is the country sanctioned with respect to technology?
- Are there prototype deliverables?
- International visitors to MIT or MIT people visiting overseas
- Research performed overseas or field work (deployment) in international settings
- Restrictions on which foreign nationals may work on research
- Publishing restrictions

- Will restricted material (data, info, tools, S/W) will be needed to accomplish the research – will a TCP be needed?
- Sensitive technologies
- Does the proposal read as a services/consulting/tech transfer rather than Fundamental Research?
- Technology (know how) transfer
- Deliverables (international) other than reports – crossing into manufacturing or export-controlled prototypes
- Malign Foreign Talent Recruitment Programs
- Contests
- Consortium memberships
- Foreign Sponsor

The ECO will work with the Principal Investigator, sponsor, and RAS staff when necessary to try to restructure the research and proposal, so they are consistent with the applicable definition of fundamental research.

INTERNATIONAL TRAVEL

The ECO works with the MIT Security and Safety Office to help travelers understand the implications of applicable sanctions, document qualification for general licenses when available, or apply for specific licenses when needed. MIT's Office of General Counsel has prepared updated guidance regarding international travel preparation and law enforcement interactions at the border. Please consult the [OGC/international-travel-preparation web pages](#) for more information.

INTERNATIONAL SCHOLAR & STUDENT VISA SCREENING

International visiting scholar and visiting student applications from high-risk countries are reviewed by the ECO for risk.

CONFERENCES

The campus ECO is available to consult with members of the MIT community traveling to conferences where:

- An MIT community member may be exposed to restricted technology. In this case, the ECO will explain the restrictions associated with the restricted technology.
- The ECO can respond to questions on the status of the export-controlled material the MIT community member is contributing.
- The ECO can provide guidance to avoid an impermissible interaction with individuals or organizations on restricted lists such as the Treasury Department's sanctioned list, the Commerce Department's Entity List, or other US restricted party lists, or discussing nuclear technology with individuals not from the Part 810 Generally Authorized Countries List.

Particular care should be exercised in answering questions at networking breaks.

INTERNATIONAL SHIPPING

MIT faculty and staff are encouraged to contact the campus ECO to establish whether an intended shipment is legal to the intended destination (recipient, organization, and country) for the intended end use.

PROCUREMENT

VENDOR SCREENING

MIT will not issue payments or purchase orders in conflict with the U.S. Department of Treasury's Office of Foreign Asset Control (OFAC) sanctions programs. The ECO reviews purchases made through the automatic B2Pay system to determine if a payment to an international vendor may raise such a concern.

The Procurement group screens new vendors, using Visual Compliance, before adding them to the vendor database. Any matches are reviewed to determine whether the match is valid.

In addition, the vendor database is periodically rescreened using eCustoms batch screening.

REGULATORY AGENCY INTERACTION

DEPARTMENT OF COMMERCE (BUREAU OF INDUSTRIAL SECURITY)

Much of MIT's export-controlled activity is regulated under the Export Administration Regulations (EAR). The EAR is administered by the Bureau of Industrial Security (BIS), an agency within the U.S. Department of Commerce. MIT maintains a productive relationship with BIS in determining how export control regulations may apply to innovative technology produced by the MIT research community.

STATE DEPARTMENT: DDTC

REGISTRATION

MIT is a registrant with the State Department's Directorate of Defense Trade Controls.

A single registration covers the MIT academic campus and MIT Lincoln Laboratory, both of which operate under the control of the MIT Corporation.

The individuals identified as "Member of the Board of Directors, Senior Officers, Partners and Owners" are:

- Institutional officers:
 - President
 - Executive Vice President and Treasurer
 - Senior Vice President and Secretary of the Corporation
 - Chair of the Corporation
- Senior leadership:
 - Provost (authorized senior officer signing the application and designating the key senior officer responsible for the export compliance program)
 - Vice President for Research (key senior officer listed on registration who will oversee the export compliance program and be responsible for designating empowered officials)
- Executive Committee of the Corporation

TRAINING

The ECO creates and continually updates and maintains export control general training presentations, and specific focus modules such as nuclear and space. ECO schedules training opportunities for departments, labs, centers, and research teams. MIT offers a customized CITI training module on Export Control Compliance.

RECORDKEEPING

The Export Control Regulations require a five-year record retention for export control records. Records include but are not limited to emails, notes and documents, and databases. MIT fully complies with this requirement.

AUDITING

The MIT Audit Division plans and conducts audits of MIT's ECO. The most recent audit on export control was conducted in 2023.

ONLINE EDUCATION

EDX

MIT and Harvard were the founders of edX (www.edx.org) and continue to be on its board of directors. MIT also participates, as MITx, in developing and delivering courses through edX.

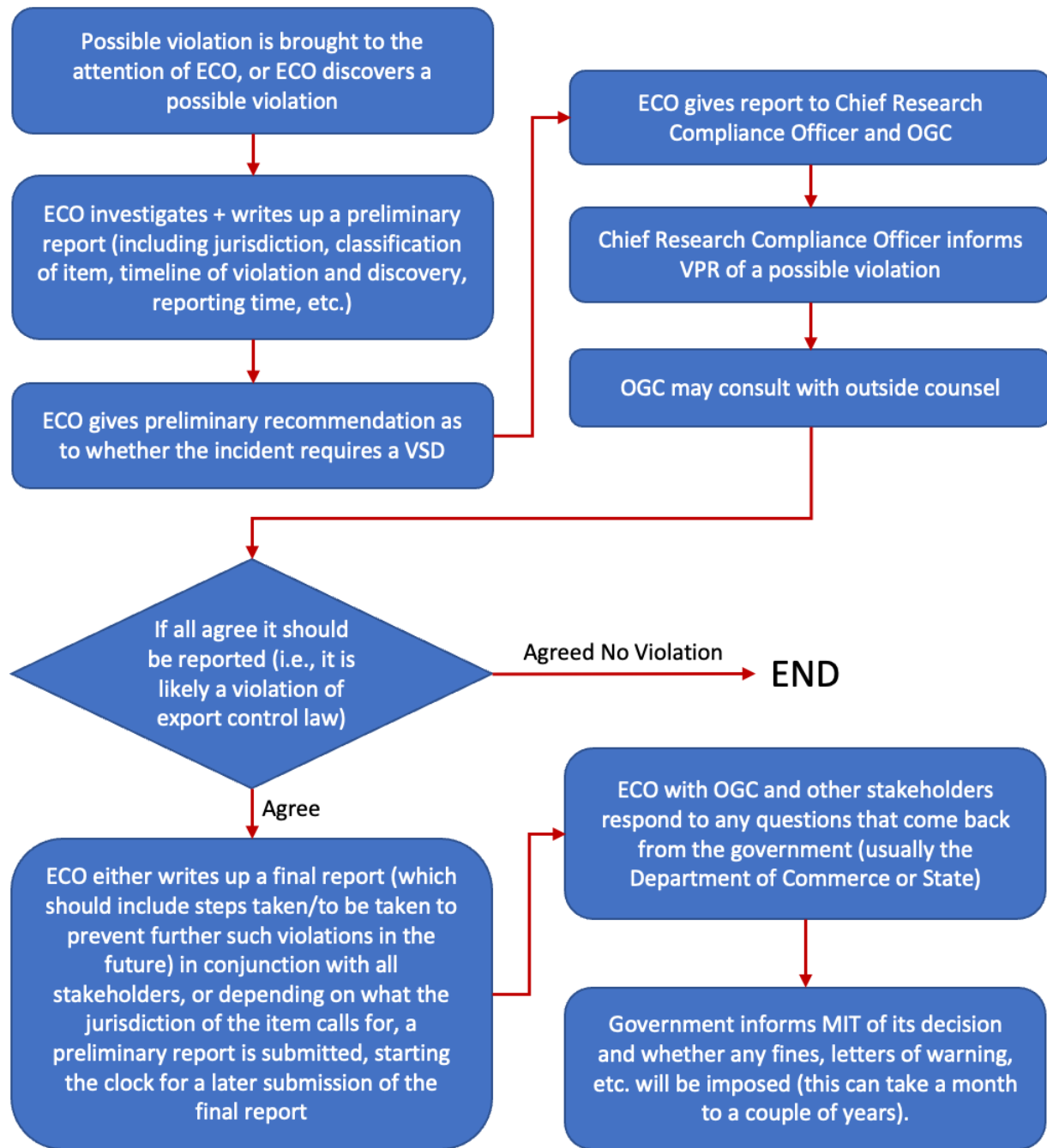
The U.S. Treasury Department's, Office of Foreign Assets Control (OFAC), with some general license exceptions, advises that providing courses to students ordinarily resident in Iran, Syria, North Korea, Cuba, and Russia-controlled Crimea is a service requiring an OFAC license. The details of the general license exceptions vary from country to country regarding the provision of non-technical courses or introductory technical courses required for non-technical undergraduate degrees. For the most up-to-date information check [OFAC](#).

The ECO along with the Office of General Counsel, determines which countries need to be blocked from new courses being offered.

OPEN COURSEWARE

MIT's Open Courseware (ocw.mit.edu) is a collection of course material taught at MIT. Open Courseware is considered "published" and therefore is out of scope of the U.S. export regulations.

CORRECTIVE ACTION: VOLUNTARY SELF DISCLOSURE (VSD)



SUSPECTED VIOLATION

INVESTIGATION

The ECO, collaborating with the Office of General Counsel, will:

1. Interview individuals with information concerning suspected violation
2. Gather documents and data related to the suspected violation
3. Analyze the suspected violation to determine what violations may have occurred

4. Review the results with the Chief Research Compliance Officer and the Office of General Counsel
5. Use the incident as an opportunity to educate all involved individuals about export control
6. Take other remedial actions as necessary.

DISCLOSURES

The ECO will review suspected violations with the Office of General Counsel and jointly determine whether disclosure is warranted.

Disclosures will be complete and accurate.

RECORDKEEPING

All voluntary disclosure documents and communication are maintained in the Export Control QuickBase database.

ATTACHMENT 1: TECHNOLOGY CONTROL PLAN TEMPLATE

The Technology Control Plan Template can be downloaded from <https://research.mit.edu/document/request-export-control-exception-open-research-policy-mit-technology-control-plan-tcp-0>.