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PROCEDURE SUMMARY

Texas A&M AgriLife Research (AgriLife Research) recognizes the importance of maintaining an open research and educational environment that welcomes participation of individuals from around the world as part of the Texas A&M AgriLife mission. Approval procedures must be adhered to in an effort to safeguard against potential violations of federal laws and regulations, Texas A&M University System policies and regulations, and AgriLife Research rules and procedures.

These procedures establish a process for the approval of visiting scholars, remote collaborators, and interns.

PROCEDURES AND RESPONSIBILITIES

1.0 DEFINITIONS

- 1.1 Domestic Person – A United States (U.S.) citizen, a lawful permanent resident of the U.S., or a protected individual (i.e. a refugee or one having political asylum).
- 1.2 Foreign Person – Anyone that is not a U.S. citizen, a lawful permanent resident of the U.S., or a protected individual.
- 1.3 Visiting Scholar – A domestic person employed or affiliated with another organization who has been invited to the University to collaborate on specific research or other scholarly activities.
- 1.4 International Visiting Scholar – A foreign person that is employed or affiliated with another organization who has been invited to the University to collaborate on specific research or other scholarly activities.
- 1.5 J-1 Exchange Visitors – A foreign person, who participates in the U.S. Department of State J-1 Visa Exchange Visitor Program to promote educational and cultural exchanges and then is expected to return to their home country. J-1 exchange visitors are invited for a specific timeframe to serve as a professor, research scholar, short-term scholar or student intern.
- 1.6 Intern – A domestic or foreign person that is a college or university student pursuing a degree (Bachelor's or Master's) invited to receive hands-on experience to learn new techniques, methodologies, and skills.
- 1.7 Remote Collaborators – A domestic or foreign person, not involved in an employer/employee relationship with the University, invited to participate remotely in specific research or other scholarly activities.
- 1.8 Host Faculty Member – A University/AgriLife employee extending an invitation, securing approval for the visit and taking responsibility for overseeing and monitoring the visiting scholar, remote collaborator, or intern.

2.0 GENERAL

- 2.1 Visiting scholars, international visiting scholars, J-1 exchange visitors, and remote collaborators, (collectively known as “visitors”), fall under the scope of this guideline if they will be involved in or require access to one or more of the following:
- i. conducting “hands on” research or teaching
 - ii. touring research labs/facilities that are restricted under United States export controls laws
 - iii. access to research labs/facilities or resources
 - iv. access to University/AgriLife computing systems
 - v. a University/AgriLife identification card, keys to offices or laboratories
 - vi. visitation for a duration of more than 10 days
- 2.2 Interns enrolled as Texas A&M University students or interns participating in a Research Experiences for Undergraduates (REU) or a Research and Extension Experiences for Undergraduates (REEU) program are not subject to the scope of this guideline if acting in their role as students. If interns are involved in activities or require access beyond what is granted to students, as listed in Section 2.1 (i-v), then these guidelines apply.
- 2.3 The host faculty member of the visitor must obtain approval from their department head and the AgriLife Export Controls Office (ECO) before allowing the visitation to begin.
- 2.4 If an international visiting scholar requires access to University/AgriLife IT resources, after checking in with the ISSS office, the visitor or host faculty member must request a NetID from the ECO. The ECO approves requests for visitors for up to one year. If the visit extends beyond one year, the ECO will extend the access.

3.0 J-1 EXCHANGE VISITORS

- 3.1 International Student & Scholar Services (ISSS) are responsible for overseeing and managing the United States Department of State’s J-1 Exchange Visitor Program for scholars, professors, researchers, and student interns at Texas A&M University. J-1 exchange visitors are governed by University SAP 33.99.09.M1.01. All J-1 exchange visitor requests must be submitted to ISSS by the hosting department or by the AgriLife HR Immigration Office at least 60 days prior to the visit.
- 3.2 AgriLife HR Immigration Office provides support and centralized immigration services to the AgriLife departments, and coordinates with ISSS.
- 3.3 The host faculty member will initiate a new Visitor/Foreign Employee request form by using their AgNet email to log into the [Laserfiche Visitor/Foreign Employee request form](#).
- 3.4 Laserfiche form will route internally to the Department Head, AG HR Immigration office, and the EC office. Notification of approval will route to hosting faculty members, AG HR Immigration office, ISSS, and the EC office.
- 3.5 Upon arrival at Texas A&M University all J-1 exchange visitors must check-in with ISSS.

4.0 HOSTING VISITORS

- 4.1 The host faculty member must accept responsibility for the visitor and not be on sabbatical, development or extended leave, or travel for more than three consecutive business days during the visitation period. If circumstances arise necessitating an absence, the host faculty member must select a substitute faculty member and notify the ECO prior to the absence. The substitute faculty member must have a similar ability as the host to monitor the activities of the visitor.

- 4.2 The Laserfiche form must be completed for each visitor and approved by the host faculty member's department head or unit director, once approved it will route to each office internally. An updated CV or resume must be attached within the Laserfiche form.
- 4.2.1 The Laserfiche form should be submitted no less than 60 days prior to the start of the visit. Forms submitted after this point may not complete the review process prior to the proposed visitation date.
- 4.2.1.1 A Laserfiche form submitted for a visitor residing in and affiliated with an entity or institution located in a Country of Concern as determined by the list published by the System Research Security Office (RSO) must be submitted to the ECO no less than 60 days prior to the start of the visit.
- 4.2.1.2 Visitors residing in and affiliated with an entity or institution located in a Country of Concern will be subject to System Regulation 15.05.04 and require an additional review by the RSO, consultation by the Office of General Council, and a final determination by the Vice Chancellor for Research. The ECO will provide the determination to the host faculty member.
- 4.2.2 The Laserfiche form may not be submitted more than 180 days prior to the visitation.
- 4.2.3 The ECO will conduct a review and restricted party screening on the visitor, their affiliated institution/entity, and funding source. All requests are subject to additional screenings as appropriate. Approved or denied Laserfiche forms are forwarded to the host. Approval from the ECO must be received before access to any facilities or resources can be granted.
- 4.3 The host faculty member must complete the *Export Controls & Embargo Training - Basic Course* online (TrainTraq # 2111212). The training must be completed every two years. In the case of an absence of the host faculty member (section 4.1), the substitute faculty member must also complete the training course.
- 4.4 All visitors and their affiliated entity will receive the generated Visiting Scholar Agreement, that addresses patents, intellectual property, confidentiality, publications and waiver of liability and hold harmless. The Visiting Scholar Agreement is auto generated from the information obtained in the approved visitor/foreign employee request. The Visiting Scholar Agreement will route in the Laserfiche form both internally and externally to all required signees.
- 4.5 Prior to making changes to the nature, purpose, or location of the visit, the host faculty member must obtain department head or unit director and the ECO approval via a new Laserfiche form.
- 4.6 Prior to making changes to the duration of the visit, the host faculty member must obtain department head or unit director and the ECO approval via a new Laserfiche form. If the host faculty member proposes to extend the visitation, the Laserfiche form must be submitted to the ECO no later than 10 days prior to the end date of initially approved visitation. If the revised visitation period extends beyond the end date listed in the Visiting Scholar Agreement, a revised agreement will be generated to all parties once the visitor/foreign employee request has been approved. New approval notifications will route to all offices once the forms have been completed.

5.0 EXPORT CONTROLS COMPLIANCE

- 5.1 In accordance with AgriLife Research Rule 15.02.99.A1, *Export Controls*, AgriLife Research is committed to complying with U.S. export control laws and regulations as promulgated by the U.S. Department of State through its International Traffic in Arms Regulations (ITAR) and the U.S. Department of Commerce through its Export Administration Regulations (EAR), as well as those imposed by the U.S. Treasury Department through its Office of Foreign Assets Control (OFAC).

- 5.2 No international visitor may have access to export-controlled items or information unless expressly permitted via an approved technology control plan, license, or as authorized in writing by AgriLife Ethics and Compliance.
- 5.3 In accordance with AgriLife Research Rule 15.02.99.A1, *Export Controls*, it is the individual responsibility of AgriLife Research employees to promptly disclose any violation of export controls laws, regulations, policies, rules, or procedures either via the Ethics Point Hotline or the export controls empowered official.
- 5.4 If a proposed activity is denied by the AgriLife Research Associate Director, and the host employee would like to appeal the decision, they may do so in accordance with procedures contained within AgriLife Research Procedure 15.02.99.A1.01, *Export Controls*.

6.0 RESEARCH COMPLIANCE PROTOCOLS

- 6.1 AgriLife Research employees hosting visiting scholars, remote collaborators, and interns shall adhere to any research compliance obligations and procedures to include but not limited to those applicable to non-disclosure agreements, export controls, animal welfare, biosafety, and human subjects research protocols.

RELATED STATUTES, POLICIES, OR REQUIREMENTS

[International Traffic in Arms Regulations \(ITAR\) 22 CFR 120-130](#)

[Export Administration Regulations \(EAR\) 15 CFR 730-774](#)

[Office of Foreign Assets Control \(OFAC\) 31 CFR 500-598](#)

[National Security Decision Directive 189](#)

[Atomic Energy Act of 1954 and Nuclear Regulatory Commission Regulations to 10 CFR Part 110](#)

[System Policy 15.02, *Export Controls*](#)

[AgriLife Research Rule 15.02.99.A1, *Export Controls*](#)

[AgriLife Research Procedure 15.02.99.A1.01, *Export Controls*](#)

[*AgriLife Export Controls Compliance Program Manual*](#)

[System Policy 15.99.01, *Use of Human Subjects in Research*](#)

[AgriLife Research Procedure 15.99.01.A0.01, *Human Subjects in Research*](#)

[System Policy 15.99.05, *Research Compliance*](#)

[System Policy 24.01, *Risk Management*](#)

[System Regulation 24.01.01, *Supplemental Risk Management Standards*](#)

[AgriLife Research Procedure 24.01.01.A0.06, *Safety of Non-Employees*](#)

[AgriLife Form AG-713, *Export Controls Compliance Review | Visitor Exchange Programs and Employment*](#)

[AgriLife Form AG-718, *Visiting Scholar Agreement*](#)

CONTACT OFFICE

Questions regarding this procedure should be referred to AgriLife Ethics and Compliance at 979.314.3442.

REVISION HISTORY

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