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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 (AgriLife) mission. Approval procedures must be adhered to in efforts to safeguard against potential violations of federal laws and regulations, Texas A&M University System (A&M System) policies and regulations, and AgriLife Research rules, procedures, and obligations.

These procedures establish compliance guidelines for the approval of visiting scholars, scientists, or interns.

PROCEDURES AND RESPONSIBILITIES

1.0 GENERAL

- 1.1 For purposes of these procedures, both domestic and international visitor types have been delineated into two categories: exempt and non-exempt.
- A. Exempt Visitors—visitors are exempt from the visitor exchange program (visiting scientists, scholars, or interns) if none of the conditions in 1.1.B exist, and if one or more of the following conditions exist with respect to the anticipated visit:
1. the visitor will meet with colleagues to discuss a possible research project or collaboration;
 2. the visitor will tour labs or research facilities that are not otherwise restricted under United States (U.S.) export control laws; or
 3. the visitor will participate in general academic or scientific meetings, presentations, or interviews.
- B. Non-Exempt Visitors—non-exempt visitors are those who are part of the visitor exchange program (visiting scientists, scholars, or interns), thus one or more of the following apply:
1. the visitor will be involved in a research project or collaboration, or will have access to laboratories to observe or conduct research;
 2. the visitor will be issued a Texas A&M University (TAMU)/AgriLife Research identification card, keys to offices or laboratories, or otherwise given access to TAMU/AgriLife Research computing systems in any way or manner; or
 3. the visitor will be paid an honorarium, will be reimbursed for expenses, or will be provided something of monetary value.
- 1.2 Visiting scholars, scientists, or interns are not AgriLife Research employees.

- 1.3 A host is the employee who extends the offer, secures approval for visits, and takes responsibility for overseeing and monitoring the visiting scholar, scientist, or intern when that individual is accessing AgriLife Research (and any other AgriLife entity such as TAMU College of Agriculture and Life Sciences [College], Texas A&M AgriLife Extension [AgriLife Extension], and Texas A&M Veterinary Medical Diagnostic Laboratory [TVMDL]) facilities and resources.

2.0 DOMESTIC VISITORS

- 2.1 Exempt Domestic Visitors—Domestic visitors who are exempt in accordance with definitions contained herein require no advanced approval by AgriLife Risk and Compliance. Note: No completion of AgriLife forms AG-713, *Export Controls Compliance Review | Visitor Exchange Programs and Employment*, is needed.
- 2.2 Non-Exempt Domestic Visitors—Domestic visitors who are non-exempt in accordance with definitions contained herein require completion of AgriLife forms AG-713 and AG-718. Review and approval procedures of non-exempt visitors are contained in section 4.0 of this procedure.

3.0 INTERNATIONAL VISITORS

- 3.1 Exempt International Visitors—International visitors who are exempt in accordance with definitions contained herein require no completion of AgriLife forms AG-713 and AG-718. However, AgriLife Research employees intending to invite or host exempt international visitors shall contact AgriLife Risk and Compliance in advance of the intended visit. AgriLife Risk and Compliance will conduct restricted party screenings (RPS), and consult with the host to ensure that the visitor will not be given access to any restricted items or information.
- 3.2 Non-Exempt International Visitors—International visitors who are non-exempt in accordance with definitions contained herein require completion of AgriLife form AG-713. Review and approval procedures of non-exempt visitors are contained in section 4.0 of this procedure.

4.0 REVIEW AND APPROVAL PROCEDURES OF NON-EXEMPT VISITORS (VISITING SCHOLARS, SCIENTISTS, OR INTERNS)

4.1 Review of Initial Requests

- A. Upon receipt of an initial inquiry from an individual or entity, the AgriLife Research host—either the recipient or initiator of the request—should discuss such intended visit with the department/unit head to consider implications for the department/unit prior to acknowledging receipt of the request. If unusual or unique circumstances exist, AgriLife Research hosts and department/unit heads should discuss the request with the Director and/or the Vice Chancellor and Dean.
- B. Any response or requests for additional information should clearly state that the request is being considered.

4.2 Approval Procedures

- A. A completed AG-713 (and associated documents) must be submitted and approved before the AgriLife Research host extends an offer to the visiting scholar, scientist, or intern.
- B. After department/unit head signature has been obtained, AG-713 forms (and associated documents) shall be routed to AgriLife Risk and Compliance for additional approval routing.
- C. Once the visit is approved, AgriLife Risk and Compliance will forward the completed AG-713 to TAMU Immigration Services for Faculty and Scholars (ISFS). The department/unit will then consult with TAMU ISFS for visa and/or visitor exchange programs.

- D. After the AG-713 is approved, all visiting scholars, scientists, or interns may execute an AG-718 if appropriate.
- E. Further instructions can be obtained in the *AgriLife Export Controls Compliance Program Manual*.
- F. Extending Invitations

After a completed AG-713 (and any associated documents) have been approved, the host employee may extend an invitation. TAMU ISFS will assist with other requirements of the visitor exchange program.
- G. Changes in Terms of the Visit

Any changes in the initial terms and intent of the visit require the host employee to immediately notify AgriLife Risk and Compliance.

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 Risk 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

AgriLife Research employees hosting visiting scholars, scientists, or 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 Participants 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 Risk and Compliance at 979-845-7879.

REVISION HISTORY

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