This checklist serves as a guide to any TCU faculty or staff, who play a role in screening, inviting, welcoming, training and overseeing visiting scholars by providing guidance to help navigate through the administrative and regulatory steps associated with a prospective visit and outlines the responsibilities and burdens. This checklist is not a substitute for applicable policies and procedures, so ensure you have read and are in compliance with all of them. Any term not defined in this checklist has the meaning assigned to it in the Visiting Scholar policy.

<table>
<thead>
<tr>
<th>Completed</th>
<th>Task</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>In consultation with Host Facility/Lab Dean, determine the faculty member who will be primarily responsible for oversight of the Visiting Scholar for the duration of his or her visit.</td>
</tr>
<tr>
<td></td>
<td>Coordinates with the Office of the Provost to obtain appropriate approvals and screenings and once obtained, extends formal invitation to Visiting Scholar, in conjunction with the Invitation Letter.</td>
</tr>
<tr>
<td></td>
<td>Forwards appropriate forms (including all required screening forms, release, and any applicable Visiting Scholar agreements) to Visiting Scholar and coordinates with Visiting Scholar for prompt return of these documents.</td>
</tr>
<tr>
<td></td>
<td>If the Visiting Scholar is a person that requires permission from the United States Citizenship and Immigration Services to enter the country, forwards information relating to approved prospective Visiting Scholar and visit to the Office of the Provost for further screening and approval, as required by law, and works with the Office of the Provost to finalize visa paperwork (if applicable).</td>
</tr>
<tr>
<td></td>
<td>Health insurance is required for a Visiting Scholar entering the U.S. on a J-1 or F-1 visa. TCU cannot allow a visitor to begin their program research without proof of health insurance when they arrive on campus which is in compliance with government regulations.</td>
</tr>
<tr>
<td></td>
<td>Ensures that Visiting Scholar undergoes a criminal background check, receives a proper appointment at TCU and proper training before accessing the Host Facility/Lab.</td>
</tr>
<tr>
<td></td>
<td>Conduct a Restricted Party Screening and document screening results. The U.S. Federal Government offers a free tool to conduct your search, or you may engage a third party service provider of your choice. Please review the attached document, the Office of Research’s webpage, and the various government websites for more information.</td>
</tr>
<tr>
<td></td>
<td>Assess whether any technology or information in the research facilities is subject to Export Control laws and regulations. The attached document and the Office of Research webpage offers some guidance on the matter. If you have questions, please contact the Office of Research.</td>
</tr>
</tbody>
</table>
Ensures that Visiting Scholar fulfills compliance and training obligations, does not bring any proprietary work from his or her home institution into TCU, and signs appropriate intellectual property rights agreement with TCU.

Because the invitation letter gives the Visiting Scholar notice about requirements or conditions relating to the prospective visit, the letter must be signed and returned in advance of the visit. Host must ensure the letter is received, properly signed, and placed in file.

Provides space and supporting services to Visiting Scholar, as appropriate.

**Procedures.** The below procedures address general university requirements. Individual colleges or departments may have a more (but not less) stringent procedure. Exceptions to this procedure may be granted upon written request for the Host.

1. **Eligibility Criteria.** Unless an exception is approved, a potential Visiting Scholar must meet the eligibility criteria set forth herein or other applicable TCU policies.

2. **Preliminary Information/Documentation.** With as much advance notice as practicable, Visiting Scholar shall supply Host with information and documents necessary to show that Visiting Scholar meets the eligibility requirements and to allow TCU to conduct screenings and to make internal decisions about the prospective visit.

3. **Screenings and Approvals.**
   a. Mandatory Preliminary Screenings/Approvals: The Host must ensure that the following screenings/approvals occur before a Visiting Scholar receives an invitation or visits TCU:
      - Approval from Supervisor of the Host Facility/Lab (only if he/she is not also the Host)
      - Approval from the Host’s supervisor (Department Chair, Dean, or Provost, as appropriate)
      - Restricted Party Screening (if applicable)
      - Criminal Background check
   b. Additional Screenings/Approvals: After all mandatory screening and approvals are completed, the Office of the Provost will determine if any additional screenings/approvals are necessary.

4. **Issuing the Invitation.** The Host Unit usually will issue all formal invitation letters to potential Visiting Scholars after Host confirms that all screenings and approvals have been completed. The Host Unit may request that another office (e.g. Office of the Provost, Office of Research) issue the invitation on the Host Unit’s behalf. At a minimum, the Invitation Letter must include provisions regarding all of the following:
   - Description and scope of Visiting Scholar’s work or purpose at TCU
   - Rules and terms of visit, including privileges
5. **Duration of Appointment.** Visiting Scholar appointments are usually made for up to one year and may be renewed for an additional one year, although shorter appointments are possible. An extension beyond the renewal term must be approved by the Host Unit’s Dean and will be granted only for extraordinary and compelling reasons.
Overview

The United States restricts the provision of services and exports to any party listed on any of the many U.S. government export restricted, denial, debarment, designated, or blocked persons lists. These lists are referred to as “Restricted Party Lists” and any person or company identified on one of these lists is called a “Restricted Party”.

The Restricted Party Lists are maintained and updated regularly by the federal agencies that oversees administration and enforcement. There are three main agencies responsible for oversight: the U.S. Department of State, the U.S. Department of Commerce, and the U.S. Department of Treasury. Each agency maintains their own lists, which have been consolidated into one list, the Consolidated Screening List.

Before TCU personnel have any interaction with foreign persons or entities in association with research, the Consolidated Screening List must be reviewed to determine if the party with which interaction is contemplated is identified as a Restricted Party. This review process is called Restricted Party Screening. Examples of when Restricted Party Screening should take place include the following:

- **Sponsored Research** - When accepting funding from an international entity or when working on an export-controlled research project
  - Sub-awardees to sponsored projects
  - Foreign non-governmental sponsors
- **Visitors** - Visiting scholars and corporate relations visitors prior to coming to TCU
  - University-sponsored applicants on H1-B and J-1 Research Scholar, Professor, and Short-Term Scholar visas
- **International Travel** - When meeting potential foreign collaborators or speaking at a foreign university or institute
  - Foreign sponsors of international travel and international conferences
- **International Shipping** - Sending equipment overseas for fieldwork or sending samples or data to international recipients
- **Research**
  - All personnel and visitors associated with export-controlled research
  - Foreign entities with which TCU has Confidentiality/Non-Disclosure Agreements
  - Outgoing Materials Transfer Agreements to international destinations
  - Collaborators on international memorandums of understanding

TCU personnel, especially those in a managerial/supervisory role, are responsible for ensuring that Restricted Party Screening takes place prior to engaging in research-related activities with foreign individuals or organizations or travel to international destinations, to confirm that the person or entity does not appear on any Restricted Party Lists. All research personnel (compensated or not) are to be screened before any federal funds are released.

**Additional Resources** - The links below go to the federal web pages that further explain the purpose for each list and contain links to download the list.

**Department of State (ITAR):**
- **Nonproliferation Sanctions** - Parties that have been sanctioned under various statutes regarding weapons proliferation. Note: the Federal Register is the only official and complete listing for nonproliferation sanctions determinations
- **AECA Debarred List** - Entities and individuals prohibited from participating directly or indirectly in the export of defense articles, including technical data, and defense services.
Department of Commerce (EAR):
- **Denied Persons List** - Individuals and entities that have been denied export privileges. Any dealings with a party on this list that violate the terms of denial are prohibited.
- **Unverified List** - Individuals and entities who the U.S. Bureau of Industry and Security (BIS) has been unable to verify in prior transactions. The presence of a party on this list does not necessarily mean that the transaction cannot go forward, but it is a "red flag" that must be resolved prior to proceeding with the export.
- **Entity List** - Parties whose presence in a transaction can trigger a license requirement supplemental to those elsewhere in the Export Administration Regulations (EAR). The individual listing specifies the requirements and policy for each party.

Department of Treasury (OFAC):
- **Sanctioned Program and Country Information** - Details the export controls restrictions (e.g., embargoes, targeted sanctions) to specific individuals, organizations, and countries
- **Specially Designated Nationals List** - Details individuals and companies owned or controlled by, or acting for or on behalf of, sanctioned countries. It also lists individuals, groups, and entities, such as terrorists and narcotics traffickers designated under OFAC sanction programs that are not country-specific. Export Administration Regulations (EAR) require a license for exports or re-exports to any party on this list whose entry contains the following suffixes: SDGT, SDT, FTO, IRAQ2, or NPWND.

**Guidance for Restricted Party Screening**

**The Search**

- Use the following link to access the Consolidated Screening List: [http://developer.trade.gov/search-widgets.html](http://developer.trade.gov/search-widgets.html)
- Use the first search option. Enter the name of the individual or entity to be screened. Either the NAME or COMPANY field must be populated for the screening to run. Enter country or other information if available.
- Hit "Search" button for the screening results.

**The Results**

*False Positive Determinations.* In some instances, your screening will result in a positive match. If so, the next step is to determine whether the match is real or a “false positive”. This determination must be made before proceeding with the transaction. To determine false positives, you should request additional information about the individual or entity being screened. Additional information can include the following:

- **For Businesses**
  - Full legal name of business
  - Country of business registration
  - Date of business registration
- **For Individuals**
  - Individual’s full legal name
  - Individual’s date of birth
  - Individual’s place of birth
Under no circumstances should confidential information (e.g., social security numbers) be requested for false positive determinations.

By comparing the information you have about the individual or entity that you screened with the information in the Consolidated Screening List, you should be able to determine whether the match is real or a false positive. Until the status of a potential match has been confirmed, the planned activity or transaction with the entity in question must be put on hold.

**Insufficient Information for a False Positive Determination.** Occasionally, you might have insufficient information to determine whether a match is a false positive. When this happens, please contact The Office of Research for additional guidance.

**Real Matches.** If you determine that the screening resulted in a real match, immediately stop the transaction and contact The Office of Research for additional guidance.

### What Happens if There is a Match

Parties who are identified on a Restricted Party List must be investigated to ensure the result is a true match. Even a true match may not mean that no TCU business can be conducted with such persons. Specific license requirements, terms and conditions, or other factors may apply. TCU will conduct due diligence to help ensure full compliance is achieved.

The Consolidated Screening List does not include state lists or background investigations. State list screening and background checks will need to be facilitated by the department requiring such screening.

In the event that it has been determined an export license or deemed export license is required, The Office of Research will work with the requesting department to submit the application. Please note that this process can take several months for the U.S. Government to review the application, with no guarantee that a license will be issued.

### Recordkeeping

You should keep all documentation relating to your restricted party screenings and your responses to positive matches. This documentation should clearly explain the reasoning behind your false positive determinations and your decisions regarding how to proceed with a transaction. The documentation should include:

- Information used to make false positive determinations
- Information relating to the use of a license or license exception
- Information used to clear false positives

Records should be kept for a minimum of 5 years and should be easily accessible for review. You also must provide a copy of all documentation to the Office of Research.