Why Should I Care About a Technology Control Plan?

A technology control plan is a great way to mitigate the risk of violating export control regulations. Penalties can be harsh. Individuals who violate export regulations are subject to civil and criminal sanctions (including fines and/or prison sentences for individuals), and universities and research institutions are subject to administrative sanctions (monetary fines and loss of research funding and export privileges). Federal regulations have provisions that increase civil penalties for violations of the EAR from $50,000 per violation to the greater of $250,000 or twice the amount of the transaction. The act also allows for criminal penalties of up to $1 million- and 20-years imprisonment.

What is a Technology Control Plan?

A Technology Control Plan helps ensure that controlled materials will not be accessed by unauthorized persons. The need for a plan occurs whenever ITAR, Commerce Controlled List or other controlled items or data are present on campus or when UTEP personnel are using controlled materials while not under the direct control of the provider.

What Are Technology Plans Commonly Used For?

The most common use of a TCP is to identify controlled materials or data and describe how these items will be secured while at the university. It includes plans for storing / housing the items and procedures for guarding against unauthorized access to the restricted items or information. The plans are customized dependent on the security measures needed for the circumstances and situations. It is the responsibility of the PI to manage and enforce compliance within the terms of the TCP. Research & Innovation and the Information Security Office can assist with the development and determine whether or not it is sufficient to adequately protect the item and information for unauthorized access and export (deemed export).

What Does a Technology Control Plan Include?

- A commitment to export control compliance.
- Identification of the applicable export controls and items or technologies subject to the controls.
- A description of the agreed upon security measures to control the item / technology.
- dentification and nationality of each individual who will have access to the controlled item or technology.
- Personnel screening measures for granting access to the controlled item / technology.
- Appropriate security measures for disposal of the item / technology when use is complete.

Get in Touch!

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