

**ITAR COMPLIANCE RISK MATRIX FOR UNIVERSITIES**

<b>Version</b>	<b>Date</b>	<b>Description of Changes</b>
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**SUPPLEMENT 1**  
**ITAR COMPLIANCE RISK MATRIX FOR UNIVERSITIES**

This document supplements the Directorate of Defense Trade Controls (DDTC’s) International Traffic in Arms Regulations (ITAR) Compliance Risk Assessment Matrix by providing guidance specific to universities, research institutes, and laboratories. Users should reference both DDTC’s ITAR Compliance Risk Assessment Matrix and this document when assessing their ITAR compliance risk.

*Note: The ITAR Compliance Assessment Risk Matrix is meant to be a tool for organizations to use to review and assess their ITAR compliance risks and gain a general understanding of their overall level of ITAR compliance risk. It is not intended to be comprehensive, nor is it intended to be exhaustive. ITAR compliance risks are specific to each organization’s operations and functions. This information is not intended to serve as a basis for any action or decision on the part of the public or the DDTC. To the extent there is any discrepancy between this information and either the Arms Export Control Act, as amended (AECA) or the ITAR, the AECA and ITAR will prevail.*

<b>ITAR Exposure</b>	<b>LOW RISK</b>	<b>MEDIUM RISK</b>	<b>HIGH RISK</b>
<b>Type of Research Performed</b>	<ul style="list-style-type: none"> <li>Only conducts research that does not involve ITAR-controlled activities or products.</li> </ul>	<ul style="list-style-type: none"> <li>Only conducts research considered Fundamental Research (FR) (see ITAR § 120.34(a)(8)).</li> <li>Occasionally conducts ITAR-controlled research that falls outside the FR (i.e., basic and applied research in science and engineering, ordinarily published and performed at an institution of higher learning in the United States)</li> </ul>	<ul style="list-style-type: none"> <li>Frequently conducts research that ITAR-controlled research that falls outside the FR (i.e., basic and applied research in science and engineering, ordinarily published and performed at an institution of higher learning in the United States)</li> </ul>
<b>Development Work/Product Development</b>	<ul style="list-style-type: none"> <li>Only develops work products that are not subject to the ITAR.</li> </ul>	<ul style="list-style-type: none"> <li>Performs defense services for systems/articles that results in an ITAR-controlled defense article or technical data</li> <li>Develops prototypes covered by ITAR-controlled “specially designed” and developmental subcategories.</li> <li>Performs development work controlled under the ITAR that is segregated from fundamental research.</li> </ul>	<ul style="list-style-type: none"> <li>Performs defense services and/or development work controlled under the ITAR.</li> <li>Export control function is not sufficiently integrated into research and/or student work on campus to comprehensively identify and authorize ITAR-controlled development work.</li> </ul>
<b>Foreign Persons (Including Work on ITAR-Controlled Research)</b>	<ul style="list-style-type: none"> <li>Processes in place to (1) determine if students, employees, faculty, or visitors on campus are a foreign person who may be involved in supporting U.S. government defense contracts, (2) assess whether such</li> </ul>	<ul style="list-style-type: none"> <li>ITAR-controlled work and/or technical data/defense articles on campus, and all foreign persons working on ITAR-controlled research are appropriately export licensed students or scholars.</li> </ul>	<ul style="list-style-type: none"> <li>Compliance program resources insufficient to appropriately vet and address role, proximity, access, and services provided for those who support U.S. government defense contracts.</li> </ul>

ITAR Exposure	LOW RISK	MEDIUM RISK	HIGH RISK
	<p>person requires access to ITAR-controlled work or technical data, and (3) ensure the required export authorizations or safeguards are in place.</p> <ul style="list-style-type: none"> <li>No ITAR-controlled work and/or technical data/defense articles on campus.</li> <li>Vetting of foreign persons is commensurate with risk associated with role (e.g., undergraduate students, graduate students, employees, visiting researchers, public visitors), proximity, access and services provided.</li> </ul>	<ul style="list-style-type: none"> <li>ITAR Compliance Program includes processes to identify foreign persons and their activities on campus who might participate in U.S. government contracts but, is not consistently integrated with the export control function to assure access controls and that appropriate prior approvals/exemptions are obtained.</li> <li>University has a foreign person visitor policy that addresses their role, proximity, access, and services provided, and practices are consistent with ITAR compliance policy.</li> </ul>	<ul style="list-style-type: none"> <li>Policies and procedures not in place to identify and control technical data or defense articles to prevent unauthorized exports to foreign persons on campus.</li> </ul>
<b>Staffing</b>	<ul style="list-style-type: none"> <li>No ITAR-controlled work and/or technical data/defense articles on campus.</li> <li>Processes in place to determine (1) if staff is a foreign person (2) assess whether such person requires access to ITAR-controlled work or technical data and (3) ensure the required export authorizations or safeguards are in place.</li> </ul>	<ul style="list-style-type: none"> <li>Foreign persons on staff with proximity and access to ITAR activities appropriately managed.</li> </ul>	<ul style="list-style-type: none"> <li>Foreign persons on staff and proximity and access to ITAR activities is not appropriately managed.</li> </ul>
<b>Furnishing Defense Services (ITAR § 120.32)</b>	<ul style="list-style-type: none"> <li>University does not furnish defense services.</li> </ul>	<ul style="list-style-type: none"> <li>ITAR compliance program includes appropriate training, education, and consistent processes to evaluate and track activities that may constitute defense services and exports in furtherance of defense services, e.g.: <ul style="list-style-type: none"> <li>Release of technical data</li> <li>DDTC registration, control, ownership, or inspection of defense articles.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>University furnishes defense services that are frequent, of significant duration, performed in more than one university lab, or by more than one research group, or of such complexity that identifying, compartmentalizing, or implementing necessary ITAR compliance is difficult.</li> <li>ITAR compliance program resources are not sufficiently matched with university risk profile such that insufficient processes are in place.</li> </ul>
<b>Access/Release/Operation of ITAR-Controlled Defense Articles, including Technical Data and software</b>	<ul style="list-style-type: none"> <li>University does not have access to or use of defense articles, technical data, or ITAR-controlled software.</li> </ul>	<ul style="list-style-type: none"> <li>University accesses, receives, uses defense articles, technical data, or ITAR-controlled software.</li> <li>ITAR compliance program includes a process to identify, track and put appropriate controls around</li> </ul>	<ul style="list-style-type: none"> <li>ITAR compliance program resources are insufficient and insufficiently integrated with operations to determine whether university accesses, receives, uses defense articles, technical data, or ITAR-controlled software.</li> </ul>

ITAR Exposure	LOW RISK	MEDIUM RISK	HIGH RISK
		applicable defense articles, technical data, or ITAR-controlled software.	<ul style="list-style-type: none"> <li>ITAR compliance program resources are insufficient and insufficiently integrated with operations to put appropriate controls around applicable defense articles, technical data, or ITAR-controlled software.</li> </ul>
<b>International Travel</b>	<ul style="list-style-type: none"> <li>University faculty and students conduct no or minimal international travel.</li> </ul>	<ul style="list-style-type: none"> <li>International travel guidance offered to faculty and students, but export control function is not sufficiently integrated to capture all international travel or appropriately review to assess whether licenses are needed and obtain such authorizations (licenses/exemptions).</li> <li>International travel review occurs after travel (e.g., when receipts are submitted).</li> <li>Sanitized loaner laptops and mobile devices are made available and suggested to researchers traveling to § 126.1 countries.</li> <li>Appropriate pre-travel license review is in place to obtain required authorizations (licenses/exemptions).</li> </ul>	<ul style="list-style-type: none"> <li>Policies and procedures not in place to track international travel, obtain prior authorization to hand carry defense articles, or permit access to technical data from abroad.</li> <li>Travelers are not consistently trained on applicable U.S. export control laws and regulations or instructed to not provide defense services, engage with foreign government entities, or access ITAR-controlled technical data overseas without prior export authorization.</li> <li>Sanitized loaner laptops and/or mobile devices are not available, and staff travel with every-day work laptops, even when traveling to 126.1 countries.</li> </ul>
<b>Shipping</b>	<ul style="list-style-type: none"> <li>University does not possess or ship defense articles or technical data.</li> <li>University has restricted party screening processes in place.</li> <li>Shipping department works directly with export control personnel.</li> </ul>	<ul style="list-style-type: none"> <li>University's international shipping program permits shipping of defense articles and retention of documentation by non-administrative departments, relying on training individuals to recognize red-flag shipments and refer them to the export office.</li> </ul>	<ul style="list-style-type: none"> <li>University has a high volume of international shipments and has defense article inventory process not integrated with university's shipping process.</li> <li>Export office is not integrated in the process and restricted party searches are not consistently performed.</li> </ul>
<b>Procurement</b>	<ul style="list-style-type: none"> <li>Systems in place to identify requested purchases of ITAR-controlled products, includes prior notification requirement if item is ITAR-controlled in procurement terms and conditions.</li> <li>Routinely trains procurement staff in how to red flag purchases that may be ITAR-controlled.</li> </ul>	<ul style="list-style-type: none"> <li>Systems in place to identify requested purchases of ITAR-controlled products and accept or reject prior to purchasing/receiving.</li> </ul>	<ul style="list-style-type: none"> <li>Systems not in place to identify requested purchases of ITAR-controlled products and does not routinely include prior notification requirement for ITAR in procurement terms and conditions.</li> <li>Procurement is an independent function with no centralized training and no integration into the export control function to red flag ITAR-controlled purchases.</li> </ul>
<b>Incubator</b>	<ul style="list-style-type: none"> <li>University does not have incubator (or equivalent) programs.</li> </ul>	<ul style="list-style-type: none"> <li>University has incubator (or equivalent) programs, but they are limited to faculty, researchers, and students primarily in support of undergraduate</li> </ul>	<ul style="list-style-type: none"> <li>University has incubator (or equivalent) programs, and they are available to third parties, faculty, researchers, and students. Graduate level courses are</li> </ul>

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		<p>courses and/or are limited to general scientific, mathematical, or engineering principles commonly taught in schools, colleges, and universities, and university provides training and guidance to the programs so they can assess in advance whether they have received or are creating anything that requires control.</p> <ul style="list-style-type: none"> <li>Export control function is available to such programs to assist with implementing appropriate controls.</li> </ul>	<p>encouraged or required to develop or fabricate prototypes for capstones or industry fellowships.</p> <ul style="list-style-type: none"> <li>Incubator (or equivalent) programs exist but they are not integrated with the export control function and do not receive export control training or guidance to perform their own analysis and implement their own controls.</li> </ul>
<b>Communication Among Departments</b>	<ul style="list-style-type: none"> <li>University is small with centralized and shared services for functions such as human resources, shipping, immigration, technology transfer, procurement, travel, etc.</li> <li>University uses standardized software programs systemwide with automatic triggers for additional review.</li> </ul>	<ul style="list-style-type: none"> <li>University is small to midsized with some autonomous or decentralized units or campuses.</li> <li>Major university services such as human resources, sponsored programs, technology transfers are centralized and/or include automatic triggers for additional review.</li> </ul>	<ul style="list-style-type: none"> <li>Large university with multiple campuses and organizational structures with complex reporting lines.</li> <li>Units operate autonomously using their preferred method for human resources, sponsored programs, etc.</li> <li>Reviews are initiated ad hoc and primarily personal communication.</li> </ul>
<b>International Collaboration</b>	<ul style="list-style-type: none"> <li>University has no international engagement and no research collaborations with foreign entities.</li> <li>Strategic mission of university is focused on domestic activity.</li> <li>Does not perform research in or on behalf of a foreign country.</li> </ul>	<ul style="list-style-type: none"> <li>International engagement and travel are allowed but not encouraged or considered important.</li> <li>International engagement primarily occurs in areas without ITAR-controlled activities.</li> <li>Has research collaborations with entities in ITAR § 126.1 countries and/or performs research in or on behalf of these countries but has centralized programmatic controls to ensure and document ITAR compliance.</li> </ul>	<ul style="list-style-type: none"> <li>International engagement promoted and of strategic importance. University, including science, technology, engineering, and math (STEM) departments, maintains close collaborations with and in foreign countries, which may include foreign campuses in ITAR § 126.1 countries.</li> <li>University does not have processes in place to track international collaborations vis-à-vis access to defense articles or technical data.</li> <li>Has research collaborations with entities in ITAR § 126.1 countries and/or performs research in ITAR § 126.1 countries – with decentralized or no procedures for identifying and addressing controls to ensure and document compliance.</li> </ul>
<b>Inventory and tracking</b>	<ul style="list-style-type: none"> <li>No ITAR-controlled inventory.</li> <li>Screening review to prevent purchase or loan of ITAR-controlled activity.</li> </ul>	<ul style="list-style-type: none"> <li>Routinely performs inventory and has processes in place to track and appropriately control inventory</li> </ul>	<ul style="list-style-type: none"> <li>University has not identified where ITAR-controlled equipment is used.</li> <li>No regularly scheduled inventory tracking.</li> </ul>

ITAR Exposure	LOW RISK	MEDIUM RISK	HIGH RISK
	<ul style="list-style-type: none"> <li>No loaning of university equipment.</li> </ul>	<ul style="list-style-type: none"> <li>access, such that new purchase requests and/or prototypes receive advance review/evaluation.</li> <li>Research equipment loaned with advance screening and review.</li> </ul>	<ul style="list-style-type: none"> <li>Export control is not involved with loans of research equipment.</li> </ul>
<b>Activities of Recharge/Service Centers</b>	<ul style="list-style-type: none"> <li>University performs no ITAR-controlled activities and does not provide rate-based services for a fee to any external entity.</li> </ul>	<ul style="list-style-type: none"> <li>University permits service centers to perform defense services on behalf of internal and external university customers and activities are generally assessed to determine if the activity constitutes a defense service, or otherwise involves a defense article or technical data.</li> <li>Foreign person participants are licensed or exempted.</li> <li>Non-university external clients and activities are assessed, screened and activity and personnel are appropriately controlled, licensed, or exempted as applicable.</li> </ul>	<ul style="list-style-type: none"> <li>University does not evaluate work performed by service centers to assess performance of defense services.</li> <li>High level of foreign person involvement.</li> </ul>
<b>Areas of Research Expertise</b>	<ul style="list-style-type: none"> <li>University is wholly liberal arts.</li> </ul>	<ul style="list-style-type: none"> <li>University has graduate level research programs in science and engineering.</li> </ul>	<ul style="list-style-type: none"> <li>University has graduate level research programs in science and engineering and receives substantial U.S. Department of Defense funding in these areas.</li> </ul>
<b>Campuses/Locations</b>	<ul style="list-style-type: none"> <li>Only one U.S. campus in one location.</li> </ul>	<ul style="list-style-type: none"> <li>International exchange programs are limited to undergraduate exchange.</li> <li>No university owned/operated campuses/locations overseas.</li> <li>Multiple campuses in the United States.</li> </ul>	<ul style="list-style-type: none"> <li>University owned/operated campuses/locations overseas.</li> </ul>
<b>Information Technology (IT) Infrastructure</b>	<ul style="list-style-type: none"> <li>Centrally managed IT.</li> <li>Policy on use of cloud and super-computing, practices align with ITA compliance policy.</li> <li>Data accessible only to U.S Persons.</li> <li>Technical data is not backed up to servers in foreign locations, unless compliant with the provisions of ITAR 120.54(a)(5).</li> <li>IT system is intentionally designed to achieve the level of safeguarded required under the ITAR.</li> </ul>	<ul style="list-style-type: none"> <li>Combination of IT management (some autonomous or decentralized units or campuses maintain independent IT system).</li> <li>University permits use of cloud and super-computing.</li> <li>Research data may be stored outside United States and unconfirmed compliance with the provisions of ITAR 120.54(a)(5).</li> <li>University uses virtual private network (VPN), ITAR-controlled information is transferred</li> </ul>	<ul style="list-style-type: none"> <li>IT departments operate autonomously.</li> <li>No policy or controls on use of cloud or supercomputing or university defaults to cloud for storage and transmission with no assessment of cloud for ITAR-compliance.</li> <li>No compliance program insight into whether data is stored in or outside of the United States.</li> <li>Insufficient ITAR Compliance Program resources and/or integration with IT to track and manage transfer of ITAR-controlled information.</li> <li>Password changes encouraged.</li> </ul>

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	<ul style="list-style-type: none"> <li>Routine password changes required, and multi-factor authentication used.</li> </ul>	<p>through encrypted file transfer protocols/encrypted email only.</p> <ul style="list-style-type: none"> <li>Routine password changes required.</li> </ul>	
<b>Media/Public Relations (PR)/Filming Requests</b>	<ul style="list-style-type: none"> <li>No ITAR-controlled activities, defense articles, or technical data on campus.</li> </ul>	<ul style="list-style-type: none"> <li>No media/PR/filming requests/visits permitted to labs with ITAR-controlled activities, defense articles, or technical data unless appropriately managed by export control function.</li> </ul>	<ul style="list-style-type: none"> <li>Media/PR/Filming requests are not integrated with ITAR compliance program.</li> </ul>
<b>Publication Restrictions</b>	<ul style="list-style-type: none"> <li>University protocol precludes accepting publication restrictions and practice is in line with that protocol.</li> <li>Publication restrictions are coordinated with ITAR compliance program and are strictly reviewed through lifecycle.</li> </ul>	<ul style="list-style-type: none"> <li>University protocol permits accepting publication restrictions but only with approval and awareness of compliance program and senior leadership</li> </ul>	<ul style="list-style-type: none"> <li>University has no protocol on publication restrictions</li> <li>individual labs/departments make ad hoc decisions to accept or decline and the compliance program is not integrated into/notified of the decision for tracking purposes</li> </ul>
<b>Technology Transfer/Patents</b>	<ul style="list-style-type: none"> <li>University's technology transfer office is integrated with the ITAR Compliance Program such that restrictions are highlighted on funding associated with work that results in an invention disclosure and ITAR Compliance Program input is sought prior to filing for patent protection and/or making available for commercial license.</li> <li>The technology transfer office receives periodic training to assist in red-flagging disclosures that may relate to or contain controlled technical data or defense articles.</li> </ul>	<ul style="list-style-type: none"> <li>Restrictions are highlighted on funding associated with work that results in an invention disclosure and technology transfer office is encouraged to seek ITAR compliance program input, but the processes are not integrated to assure checks and balances prior to filing for patent protection or making available for commercial license.</li> </ul>	<ul style="list-style-type: none"> <li>The technology transfer office operates independently of the ITAR compliance program and is only made aware of relevant funding restrictions if the researcher provides this information when making an invention disclosure.</li> </ul>
<b>Classified Work</b>	<ul style="list-style-type: none"> <li>University does not accept classified work.</li> </ul>	<ul style="list-style-type: none"> <li>University performs classified work but does not receive or retain classified materials on campus.</li> </ul>	<ul style="list-style-type: none"> <li>University performs classified research.</li> <li>No program in place to control classified research or the compliance program not involved.</li> </ul>