The purpose of this form is to determine whether your research information on the ACCRE tape backup system requires additional security in order to comply with Federal Export Administration Regulations (EAR), International Traffic in Arms Regulations (ITAR), Patient Health Information (PHI), Research Health Information (RHI) and/or related Vanderbilt University policies and procedures. Please complete this form and submit it to Carie Lee Kennedy at carielee.kennedy@vanderbilt.edu.

The ACCRE Tape Backup System is a fully in-house service. All hardware and tapes used in this system are fully contained in the Hill Data Center.

1) I, ____________________________________________, am the Principal Investigator for the following research group using the ACCRE tape backup service and I am familiar with and/or have discussed this disclosure form with researchers and/or personnel who are familiar with the data, information, technology, images, software, etc. contained in the files on tape backup at ACCRE. I am also familiar with the Federal regulations that control the use and disclosure of data, information, technology, and software known as the Export Administration Regulations (referred to as “EAR”) located at 15 CFR Parts 730-774 and the International Traffic in Arms Regulations (referred to as “ITAR”) located at 22 CFR Parts 120-130 and if I work with health information, I am only familiar with the definition of PHI and RHI.

ACCRE Tape Backup Group: ______________________________________________________

☐ YES, I am familiar with or have discussed this disclosure form with researchers and/or personnel in the above referenced group who are familiar with the data, information, technology, and the software contained in the files on tape backup at ACCRE.

☐ YES, I am familiar with EAR and ITAR and if I work with health information, I am also familiar with PHI and RHI.

If you are not familiar with the EAR and ITAR regulations, please review the information at the following links before proceeding:

Export Control Basics: http://www.bis.doc.gov/licensing/exportingbasics.htm
Deemed Exports: http://www.bis.doc.gov/deemedexports/deemedexportsfaqs.html
Vanderbilt Export Compliance (VEC): www.vanderbilt.edu/exportcompliance

If you are not familiar with PHI and RHI requirements, please review the information at the following links before proceeding:


2) Please indicate whether or not your files on the ACCRE tape backup system contain any data, information, technology, images, or software controlled under EAR/ITAR.

☐ NO, the files in the above referenced group on the ACCRE tape backup system do not contain any data, information, technology, images, or software that is controlled under either EAR/ITAR. In addition, the citizenship/visa status of ACCRE employees is not relevant so any ACCRE staff member may have access to the files of any users and/or data contained in my group.

☐ YES, the files in the above referenced group on the ACCRE tape backup system contain data, information, technology, images, software, etc. that are controlled under either EAR or ITAR. Please select the appropriate reasons for restriction(s) and provide the additional required details:
ACCRE TAPE BACKUP SERVICE

Disclosure

(EAR, ITAR, Proprietary, PHI and RHI Information)

☐ EAR: ECCN # ______________
☐ Sponsored or ☐ Non-Sponsored Research

☐ ITAR: Category __________
Who is the sponsor? ____________________________

3) Please indicate whether or not your files on the ACCRE tape backup system contain any data, information, technology, images, or software that is considered proprietary. (Where proprietary is defined as “data which embody trade secrets developed at private expense, where such data 1) is not generally known or available from other sources without obligation concerning their confidentiality; 2) has not been made available by the owner to others without obligations concerning their confidentiality; and 3) is not already available to the Government without obligation concerning their confidentiality.”)

☐ NO, the files in the above referenced group on the ACCRE tape backup system do not contain any data, information, technology, images, or software that are considered proprietary.

☐ YES, the files in the above referenced group on the ACCRE tape backup system contain data, information, technology, images, software, etc. that are considered proprietary. Please select the appropriate reasons for restriction(s) and provide the additional required details:

☐ Proprietary Data
Who is the sponsor? ____________________________

☐ Sponsored or ☐ Non-Sponsored Research

4) Please indicate whether or not your files on the ACCRE tape backup system contain any data, information, technology, images, or software controlled under Protected Health Information (PHI) or Research Health Information (RHI).

☐ NO, the files in the above referenced group on the ACCRE tape backup system do not contain any data, information, technology, images, or software controlled under PHI or RHI.

☐ YES, the files in the above referenced group on the ACCRE tape backup system contain data, information, technology, images, software, etc. that are controlled under either PHI or RHI. Please select the appropriate reasons for restriction(s) and provide the additional required details:

☐ PHI: IRB # __________
Who is the sponsor? ____________________________

☐ Sponsored or ☐ Non-Sponsored Research

☐ RHI: IRB # __________
Who is the sponsor? ____________________________

5) Note: Should the files on the ACCRE tape backup system become EAR, ITAR, PHI, RHI or proprietary, you must fill out a new disclosure form and submit it immediately.

6) Important information regarding your ACCRE Tape Backup Service:

a. Notify Vanderbilt Export Compliance (VEC) if/when a group’s research contains export-controlled data.

b. Groups with export-controlled data must verify citizenship(s)/visa status of all members of their group and confirm that their technology is approved for export to the countries of its members. ListVUE is available to assist in determining whether a license is required for export or deemed export of your controlled data to a particular country. Records regarding the export of data should be kept for five years from the last active date of the group.

c. The ACCRE tape backup system can involve transferring data over the Vanderbilt network to ACCRE. Any group with ITAR, EAR, PHI or RHI data stored outside of Hill Data Center107 must turn on encryption in the tape backup software client (TiBs) so that their data will be encrypted using the twofish encryption algorithm during the transfer over the network. (See PHI/RHI policies OP 10-40.34 and OP 10-40.35.)
ACCRE TAPE BACKUP SERVICE
 Disclosure
(EAR, ITAR, Proprietary, PHI and RHI Information)
d. Data stored on tape is encrypted only if the user encrypted the data before those servers were backed up.
e. Data stored on tape for any groups can span multiple tapes and be on tapes with data from other groups. Tapes are not, however, provided to anyone outside ACCRE.
f. ACCRE is not responsible for passphrases on user-encrypted data.
g. Use of Request Tracker (RT) helpdesk: The following statement is predominantly displayed on the RT helpdesk – “No confidential, export controlled, or proprietary information is allowed in any ACCRE Request Tracker help tickets.”

The Principal Investigator for each ACCRE group must complete a new ACCRE Tape Backup Service Disclosure form annually. ACCRE will contact you with the request for a new disclosure. Failure to return a disclosure could result in ACCRE not providing tape backup service.

Reporting Violations: If you believe that an export control violation has or is about to occur, report your concern to ACCRE and VEC immediately; having knowledge of such information, but not reporting it can result in disciplinary and/or legal actions by the University and/or by Federal agencies.

I agree to abide by all instructions and procedures required by the Vanderbilt University, Vanderbilt Export Compliance, Division of Sponsored Research, Grants and Contract Management, and/or ACCRE; this includes Federal, State and local laws and regulations.

Signature: ________________________________ Date: ________________________________

Print Name: ________________________________

If you are uncertain whether your research, which will be or is currently analyzed and/or stored at ACCRE, contains information controlled by EAR or ITAR, please contact Vanderbilt Export Compliance at 615-343-6075 or 615-322-2474 or vec@vanderbilt.edu. If you have any questions regarding this form, please contact Carie Lee Kennedy 615-322-7256 or carielee.kennedy@vanderbilt.edu.

Note: EAR, ITAR or proprietary information, items, technology, images, software, etc. that is stored anywhere at Vanderbilt must be properly safeguarded; this is true whether your research is sponsored or non-sponsored. Please contact the Division of Sponsored Research at Vanderbilt if you have any questions relating to Vanderbilt policies and procedures or with Federal laws and regulations to ensure compliance. (615) 322-2631

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Printed copies of this document are considered for reference only. It is the responsibility of employees to ensure that they are using the correct revision of this document by checking the document revision level with the one held on the ACCRE website.