

CHECKLIST FOR EXPORT CONTROL

PI: _____

School/Dept: _____

Project Title: _____

Sponsor: _____

Your answers to these questions will help OSP determine whether any aspect of your sponsored research project will be subject to export control regulations. OSP review is required prior to the acceptance of any sponsored research agreement, the involvement of any foreign nationals in your research, and the transfer of any information or items out of the U.S.

- | | YES | NO |
|--|--------------------------|--------------------------|
| 1. Does your research involve encryption software? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Does your research involve activities related to the proliferation of nuclear, chemical, or biological weapons or missile technology? | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Does your research involve any sanctioned countries, or travel to any sanctioned countries ¹ ? | <input type="checkbox"/> | <input type="checkbox"/> |

If you have answered yes to any of the above, it is likely that a license would be required or that a license would not be possible. Please contact OSP to discuss whether your proposed research can be accepted by the University.

- | | YES | NO |
|---|--------------------------|--------------------------|
| 4. Does your research involve the export outside the US of any articles or related software, technology or services listed on the EAR/Commerce Control List or the ITAR/U.S. Munitions List (see the end of this form for general categories on each list)? | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Does your research involve specific access and dissemination control, e.g., restrictions on the participation of foreign nationals, restrictions on publication (including reporting of the research results) or presentations at conferences? | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Will your research involve participation of foreign nationals in the U.S. ("deemed export")? | <input type="checkbox"/> | <input type="checkbox"/> |

If you have answered yes to any of the above, your answers to the next set of questions will assist OSP in determining if one of the following exclusions apply. Please note that the exclusions below apply only to information and, in some cases, software associated with the research. They do not apply to equipment, articles, services or encryption software.

¹ Current sanctioned countries include Afghanistan, Belarus, Burma (Myanmar), China, Cuba, Cyprus, Haiti, Indonesia, Iran, Iraq, Ivory Coast, Liberia, Libya, N. Korea, Rwanda, Somalia, Sudan, Syria, Venezuela, Vietnam, Yemen, Zaire (Democratic Republic of the Congo), Zimbabwe.

PUBLIC DOMAIN EXCLUSION

YES

NO

7. Is all the information or software involved in your research published and generally accessible to the public through one or more of the following?

- publication in periodicals, books, print, electronic, or any other media available for general distribution to any member of the public;
- subscriptions that are available without restriction to any individual who desires to obtain or purchase the published information;
- websites available to the public free of charge or at a cost which does not exceed the cost of reproduction and distribution;
- libraries open to the public, including most university libraries;
- patents and open (published) patent applications;
- instruction in general science, math and engineering principles commonly taught at schools, colleges and universities, and conveying information through courses listed in course catalogues and in associated teaching laboratories of academic institutions; or
- release at an "open" conference, meeting, seminar, trade show or other open gathering in the U.S., which is generally accessible by the public for a fee reasonably related to the cost and where attendees may take notes and leave with notes. **Note:** If the release occurs outside the U.S., please indicate here:

FUNDAMENTAL RESEARCH EXCLUSION

YES

NO

8. Does the information and software involved in your research meet all of the following criteria?

- results from basic and applied research in science and engineering conducted at an accredited institution of higher education located in the U.S.;
- is ordinarily published and shared broadly within the scientific community; and
- is not restricted (either by written agreement or by informal understanding) for proprietary reasons or specific national security controls, or subject to specific U.S. Government access and dissemination controls.

PI Signature: _____

Date: _____

ITAR AND EAR CONTROL LISTS BY MAJOR CATEGORIES

COMMERCE CONTROL LIST (CCL)

Export Administration Regulations (EAR)

<http://w3.access.gpo.gov/bis/index.html>

- Category 0 Nuclear Materials, Facilities & Equipment (and Miscellaneous Items)
- Category 1 Materials, Chemicals, Microorganisms, and Toxins
- Category 2 Materials Processing
- Category 3 Electronics Design, Development and Production
- Category 4 Computers*
- Category 5 (Part 1) – Telecommunications (Part 2) - Information Security*
- Category 6 Sensors and Lasers
- Category 7 Navigation and Avionics
- Category 8 Marine
- Category 9 Propulsion Systems, Space Vehicles and Related Equipment

* Controls generally apply to high performance computers with an Adjusted Peak Performance (APP) of .75 WT (Weighted TeraFLOPS) and encryption software.

U.S. MUNITIONS LIST (USML)

International Traffic in Arms Regulations (ITAR)

<http://www.pmdtc.org/reference.htm>

- Category I Firearms, Close Assault Weapons and Combat Shotguns
- Category II Guns and Armament
- Category III Ammunition/Ordnance
- Category IV Launch Vehicles, Guided Missiles, Ballistic Missiles, Rockets, Torpedoes, Bombs and Mines
- Category V Explosives and Energetic Materials, Propellants, Incendiary Agents and Their Constituents
- Category VI Vessels of War and Special Naval Equipment
- Category VII Tanks and Military Vehicles
- Category VIII Aircraft and Associated Equipment
- Category IX Military Training Equipment
- Category X Protective Personnel Equipment
- Category XI Military Electronics
- Category XII Fire Control, Range Finder, Optical and Guidance and Control Equipment
- Category XIII Auxiliary Military Equipment
- Category XIV Toxicological Agents, Including Chemical Agents, Biological Agents, and Associated Equipment
- Category XV Spacecraft Systems and Associated Equipment
- Category XVI Nuclear Weapons, Design and Testing Related Items
- Category XVII Classified Articles, Technical Data and Defense Services Not Otherwise Enumerated
- Category XVIII Directed Energy Weapons
- Category XX Submersible Vessels, Oceanographic and Associated Equipment