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| Enter Proposal # to the right. | |
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STEP I - Project Technology Review for Export Control Issues

In order to determine whether your proposed project may involve materials or work subject to export control laws and regulations, the Office of Sponsored Programs needs your assistance. It is important to make this assessment because compliance with export control restrictions is a legal obligation with serious penalties (including possible individual criminal or civil liability for you and those on your project).

Please assist us by answering the following questions regarding your proposed project and signing the "Certification of Export Control Review - Step 1" below. Depending on your answers, we may need you to proceed to Step 2 and provide more information about the proposed technologies/materials that will be involved in your project.

Carnegie Mellon's Information and Guidelines on Federal Export Laws and Regulations as well as other information on export control laws are available at <http://www.cmu.edu/provost/spon-res/osr.html>. If you have any questions or need further assistance, contact Susan Burkett, Associate Provost for Research, 412-268-8746, sburkett@andrew.cmu.edu or Allie Oswell, Assistant General Counsel, 412-268-4250, aoswell@andrew.cmu.edu.

1. Does (and/or do you anticipate that) any project document (including RFPs, solicitations, proposals and agreements):
 - a. Contain restrictive markings (including, but not limited to "ITAR Controlled," "EAR Controlled," and/or "Export Controlled")? YES NO
 - b. Ask that you review or take receipt of materials controlled under export control laws such as EAR or ITAR? YES NO
 - c. Restrict participation by non-US companies or entities based on country of origin? YES NO
 - d. Prohibit or restrict access by non-US persons (i.e., not citizens or green card holders) to project information? YES NO
 - e. Prohibit or restrict the hiring or use of non-US persons (i.e., not US citizens or green card holders) on the project? YES NO
 - f. Restrict publication and/or grant the Sponsor a pre-approval right or review over publications (other than a limited 30-day review to prevent inadvertent disclosure of the sponsor's proprietary information and/or to allow sponsor to identify information for which sponsor would like to obtain patent protection)? YES NO
 - g. Allow the Sponsor to own research results (except with respect to any pre-existing proprietary information or pre-existing intellectual property sponsor)? YES NO
 - h. Allow the Sponsor to treat the research results as Sponsor's own confidential proprietary or confidential information? YES NO
2. Do you anticipate that your project work may involve:
 - a. any military equipment or technology, or materials or technology specifically designed, modified, or adapted (even slightly) for a military purpose? YES NO
 - b. any classified materials, equipment, technology or data? YES NO

- 3.
- a. Do you anticipate that your project may involve work done at a location other than Carnegie Mellon or another institution of higher learning in the United States?
YES NO
- b. If you answered “yes” to question 3(a), will the project documents (including RFPs, solicitations, proposals and agreements) expressly authorize publication of your research results?
YES NO

IF YOU ANSWERED “YES” TO ANY OF THE QUESTIONS UNDER ITEMS 1 OR 2 ABOVE OR IF YOU ANSWERED “NO” TO QUESTION 3(b), PLEASE ALSO COMPLETE STEP 2.

PRINTED NAME OF PRINCIPAL INVESTIGATOR

SIGNATURE OF PRINCIPAL INVESTIGATOR

DATE

STEP 2 - PROJECT TECHNOLOGY REVIEW FOR EXPORT CONTROL ISSUES

Based on the information you provided in the Step 1, it is possible that your project may involve materials or work subject to export control laws and regulations. As you know, complying with export control laws is a legal obligation with potential civil and criminal penalties for non-compliance. In order to make an assessment of the potential export control issues connected with your project, we need your assistance in determining the nature of the technology and work product that will be involved with your project.

Please review the descriptions of the technologies controlled by the export control laws described below to see if one or more of the categories might apply to the technology involved in your project, and then complete the questions listed below.

- Commerce Control List (CCL), which is part of the Export Administration Regulations (EAR), 15 CFR Section 744, Supp. 1 (categories 0-9)

- U.S. Munitions List (USML), which is part of the International Traffic in Arms Regulations (ITAR), 22 CFR Section 121.1 <http://pmdtc.org/reference.htm>

- In conjunction with your ITAR review, please also review the definitions of "defense article" (see section 120.6 at http://pmdtc.org/docs/ITAR/22cfr120_Part120.pdf) to see if the work being done under your project might fall within one of those definitions.

After you have made your review, please fill out the "Certification of Export Control Review - Step 2" below and contact Office of Sponsored Programs to discuss next steps. If you need assistance responding to these questions, please contact David Moses in Office of Sponsored Programs at 412-268-9774 or dmoses1@andrew.cmu.edu.

1. I have reviewed the categories of technologies controlled under the EAR and ITAR, as well as the definitions of "defense article" and "defense service" under the ITAR, and I believe:

a. that the research being done under my project may involve technologies that are covered by either EAR or ITAR:

YES (If yes, please specify which categories of the EAR's CCL or the ITAR's USML)

NO

b. that the research being done under my project may involve a "Defense Article" or "Defense Service" under ITAR:

YES (If yes, please specify "defense article" and/or "defense service");

NO

- c. that I or others involved in my project may need to receive or have access to export-controlled materials (from the sponsor or another party) in order to perform the project.

YES (If yes, please specify whether you believe these materials will be ITAR or EAR):

NO

2. Please provide a description of technology to be developed under this project (attach additional sheets if necessary):
3. Please specify any background technology that may be used. Please also note award/funding source (including specific contract information, if available) pursuant to which this background technology was developed (e.g., 100% internally funded, DARPA contract, NSF grant, etc):
4. Please specify whether any foreign entities, foreign employees (i.e., not U.S. citizens or green card holders), and/or foreign graduate students (i.e., not U.S. citizens or green card holders) are expected to participate in this project:

PRINTED NAME OF PRINCIPAL INVESTIGATOR

SIGNATURE OF PRINCIPAL INVESTIGATOR

DATE