

## **EXPORT CONTROL REVIEW FORM**

### **International Shipping or Use of Controlled Materials by Foreign National**

This use of material involves sending material outside of the United States or use of a Controlled Material by a Foreign Person; therefore an export review is required to determine whether an export license is necessary prior to such shipment or use.

Prior to responding to the items on this form, you will need to review the general overview of your obligations under export laws and regulations. Some definitions relating to export controlled information have been provided below for your convenience. In addition you may have to review descriptions of technologies that are controlled by the [International Traffic in Arms Regulations \(ITAR\) 22 CFR Section 121.1 et seq.](#), and/or the [Export Administration Regulations \(EAR\) 15 CFR Section 774, Supp. I, \(Categories 0-9\)](#), to decide if you believe the material involved in this particular transfer falls within one or more of the categories listed in these regulations. See [www.export.gatech.edu](http://www.export.gatech.edu) for more information on export controls.

#### **General Overview**

It is unlawful under export laws and regulations to send or take export controlled information or material out of the United States or transfer export controlled information to foreign persons inside or outside the United States. A "foreign person" is one who is not a United States citizen or permanent resident alien of the United States. Persons may be personally liable for violations of export control laws and regulations; the penalty for unlawful export and disclosure of export controlled information is up to 10 years in prison and/or fines of \$1,000,000 per violation.

In the event the material involved is determined to be export controlled, Office of General Counsel's (OGC) Export & Trade Compliance will file for appropriate licenses permitting the transfer of the material. Please note that until approval is received, you should not transfer the material to a foreign destination or transfer it to a foreign person. International shipments may require that an Electronic Export Information (EEI) be filed with the U.S. Census Bureau's ACE (Automated Commercial Environment) to control exports & for official US export states. An EEI is used to control exports and act as a source document for official U.S. export statistics.

EEIs are required for shipments when the value of the commodities, classified under any single Schedule B number, is over \$2,500. "Schedule B" is the Statistical Classification of Domestic and Foreign Commodities Exported from the United States for customs purposes. These 10-digit classification numbers are administered by the Census Bureau and cover everything from live animals to computers and airplanes. A link to the Schedule B website can be found at <http://www.census.gov/foreign-trade/schedules/b/index.html#search>.

EEIs must be prepared, regardless of the value, for all shipments requiring an export license or destined for countries restricted by the Export Administration Regulations (EAR) or International Traffic and Arms Regulations (ITAR). Contact Export & Trade Compliance at [export@gatech.edu](mailto:export@gatech.edu) for assistance in determining if your item is export controlled.

In addition, the receiving party's country may have documentation requirements.

Having reviewed the relevant categories listed in the ITAR and EAR (reference web sites provided above), please provide concise answers to the following: (Note: Text boxes will expand to allow additional information).

Note: All Chemicals, Biological Materials and Dangerous goods MUST be shipped by EH&S. Please see <https://www.ehs.gatech.edu/shipping> for shipping details.

Also note: All shipments involving GT intellectual property should be reviewed by the MTA (Material Transfer Agreement) Office, [mta@gtc.gatech.edu](mailto:mta@gtc.gatech.edu). Please review the five (5) MTA questions to determine if you need an MTA here: <https://osp.gatech.edu/mta>

**EXPORT CONTROL REVIEW FORM**  
**International Shipping/Use of Controlled Materials by Foreign National**

**Material Details:**

Material or Sample name:  
Description and/or origins of materials or sample:  
Amount of Materials to be transferred:  
Value of Materials (in US Dollars):

**Sponsored Research:**

Is this related to a sponsored research grant(s) or contract(s)?   yes                    No  
If yes, List all OSP Project numbers or Doc IDs:

**Recipient Details:**

Name:  
Institution:  
Street Address:  
City/Locality:  
State/Province:  
Zip/Postal Code:  
Country:  
Admin contact (optional):  
Intended End Use of Material or sample:

**Export Details:**

- 1) Can the material or sample be found in the public domain (*i.e.*, can it be purchased by anyone commercially without restriction)?
- 2) Is there a military application for the sample/material (can the materials be used as weapons)?
- 3) Do you have any reason to suspect or believe that the end user may intend or be involved in the design or production of, or re-export or transfer the material or sample to another party for use in the design or production of military or defense related systems?
- 4) Will this be a temporary or permanent export? \_\_\_\_\_  
    If temporary export, will the item(s) return within 12 months?  
    If not, when do you expect the material to return?  
    Will the item(s) return to Georgia Tech?  
    Will the item(s) return to Georgia Tech in the original form that was exported or will there be changes made to the item before it is returned?
- 5) Does the end user intend to re-export the material or sample? If so, to whom and to what country? What is the final intended end use?
- 6) Are these materials/samples included in the US Patriot Act or in the Georgia Board of Regents' [List of select agents](#)?
- 7) Indicate below your determination whether these material(s)/sample(s) are covered by [ITAR](#) or [EAR](#). State which category is applicable and complete the relevant category information. (For more information regarding ITAR and EAR, please consult <http://www.export.gatech.edu>).

ITAR: I have found the following export regulation classification applicable to the material(s)/sample(s) in the ITAR under USML category

EAR: I have found the following export regulation classification applicable to the material(s)/sample(s) in the EAR under CCL ECCN

Unknown: I am unsure of what export regulation classification is applicable to the material(s)/sample(s).

**PI/PD Certification:**

I hereby certify that I have read and understand the information provided regarding compliance with export laws and regulations. I understand that I could be personally liable if I unlawfully export controlled materials to foreign nationals without prior approval. I have provided complete information in responding to the questions listed above.

*Signature may not be delegated. The Principal Researcher for the Project must sign or submit via GT Email*

Signature: \_\_\_\_\_

Date:

PI/PD Printed Name:

Department:

Optional lab or other coordinating contact: