

Old Dominion University Research Foundation

EXPORT CONTROL CHECKLIST
for Sponsored Programs

PI: _____ College/Dept. _____

Project Title: _____

Sponsor: _____ Sponsora Foreign Entity? Yes No

ODU Research Foundation review is required prior to the acceptance of any sponsored research agreement, award, or Non Disclosure Agreement (or similar agreement) that contains language regarding export controls, publication



Work (including through email, phone, or FTP.)

| | | |
|---|--------------------------|--------------------------|
| | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Travel to Cuba, Iran, North Korea, Russia, or Syria or other sanctions countries? OFAC Embargoed or Sanctioned | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Involvement of foreign collaborators? | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Will military (items developed for military, intelligence or training applications) space or encryption (other than ancillary encryption capabilities associated with a commercial item) equipment, software, materials, or components be accessed, used, or developed as part of the proposed activities? | <input type="checkbox"/> | <input type="checkbox"/> |
| Emerging Technologies? | <input type="checkbox"/> | <input type="checkbox"/> |
| h. Does your research involve activities that could be related to nuclear, chemical, or biological weapon or missile technology? | <input type="checkbox"/> | <input type="checkbox"/> |
| i. Does your research involve any Big agents? Toxicological agents Pathogens and Toxins | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Is this research funded by the Department of Defense or any of its agencies (Army, Navy, Air Force, DTRA, DARPA etc.), by any intelligence agency (CIA, NSA, IARPA, NRO), or Homeland Security (DHS), either directly or via subaward from a defense contractor company or other research institution? | <input type="checkbox"/> | <input type="checkbox"/> |

| | | |
|---|--------------------------|--------------------------|
| 3. :LOO WKH UHVHDUFK LQYROYH DQ\ 3GXDO XV | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Is this Applied Research as defined in Attachment 2 of EAR/CoT or EAR/CoT Category 2 | <input type="checkbox"/> | <input type="checkbox"/> |

Note: If you involving Bio-agents; please indicate here:

| | YES | NO | Unknown |
|--|-----|----|---------|
|--|-----|----|---------|

5. Does your research involve items/articles, software or technology listed on the EAR/CoT Tw 88.6qmm3.998 (ge-2.996 (or.48 0.7

| | | |
|--|--------------------------|--------------------------|
| f. 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 | <input type="checkbox"/> | <input type="checkbox"/> |
| g. release at an R S I conference, meeting, seminar, tradeshow 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. | <input type="checkbox"/> | <input type="checkbox"/> |

Note: If the release occurs outside the U.S., please indicate here:

Fundamental Research Exclusion

| Does the information and software involved in the research meet the following criteria: | YES | NO |
|--|--------------------------|--------------------------|
| a. results from basic and applied research in science and engineering conducted at an accredited institution of higher education located in the U.S. | <input type="checkbox"/> | <input type="checkbox"/> |
| b. is ordinarily published and shared broadly within the scientific community | <input type="checkbox"/> | <input type="checkbox"/> |
| c. is <u>not restricted</u> (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. | <input type="checkbox"/> | <input type="checkbox"/> |

By signing this checklist, I acknowledge that I have completely answered the questions to the best of my knowledge and belief based on the most accurate and reliable information available as of the date of the signing of this checklist. I also acknowledge I will inform the Research Foundation if there is a change in my research project that may result in a need to evaluate and/or revise the answer to any of the checklist questions.

An accurate narrative description of my research project or statement of work is attached to this form.

Principal Investigator: _____ Date: _____

ODURF USE ONLY

This form and narrative description of the research project/statement of work must be sent to the Office of Research for review.

Did the Office of Research indicate that an export license is required? Yes No

Explanation (attach backup documentation as appropriate):

ODURF Approval:

_____ Date: _____

Director of Sponsored Programs

Attachment 1
EAR AND ITAR CONTROL LISTS BY MAJOR CATEGORIES

CommerceControl List (CCL)

Export Administration Regulations(EAR)

<https://www.bis.doc.gov/index.php/regulations/export-administration-regulations>

SeePart 774,Supplement1

<https://www.bis.doc.gov/index.php/documents/regulations/435part774-the-commerce-control>

Emerging Technology

<https://www.federalregister.gov/documents/2018/11/19/2018-21111/review-of-controls-for-certain-emerging-technologies>

- (1) Biotechnology, such as:
 - (i) Nanobiology;
 - (ii) Synthetic biology;
 - (iv) Genomic and genetic engineering; or
 - (v) Neurotech.
- (2) Artificial intelligence (AI) and machine learning technology, such as:
 - (i) Neural networks and deep learning (e.g., brain modelling, time series prediction, classification);
 - (ii) Evolution and genetic computation (e.g., genetic algorithms, genetic programming);
 - (iii) Reinforcement learning;
 - (iv) Computer vision (e.g., object recognition, image understanding);
 - (v) Expert systems (e.g., decision support systems, teaching systems);
 - (vi) Speech and audio processing (e.g., speech recognition and production);
 - (vii) Natural language processing (e.g., machine translation);
 - (viii) Planning (e.g., scheduling, game playing);
 - (ix) Audio and video manipulation technologies (e.g., voice cloning, deepfakes);
 - (x) AI cloud technologies; or
 - (xi) AI chipsets.
- (3) Position, Navigation, and Timing (PNT) technology.
- (4) Microprocessor technology, such as:
 - (i) System-on-Chip (SoC); or
 - (ii) Stacked Memory on Chip.
- (5) Advanced computing technology, such as:
 - (i) Memory-centric logic.
- (6) Data analytics technology, such as:
 - (i) Visualization;
 - (ii) Automated analysis algorithms;
 - (iii) Context-aware computing.
- (7) Quantum information and sensing technology, such as
 - (i) Quantum computing;
 - (ii) Quantum encryption; or
 - (iii) Quantum sensing.
- (8) Logistics technology, such as:
 - (i) Mobile electric power;
 - (ii) Modeling and simulation;
 - (iii) Total asset visibility; or
 - (iv) Distribution-based Logistics Systems (DBLS).
- (9) Additive manufacturing (e.g., 3D printing);
- (10) Robotics such as:
 - (i) Micro-drone and microbotic systems;
 - (ii) Swarming technology;
 - (iii) Self-assembling robots;
 - (iv) Molecular robotics;
 - (v) Robot compliers; or
 - (vi) Smart Dust.
- (11) Brain-computer interfaces, such as

- (i) Neural-controlled interfaces;
 - (ii) Mind-machine interfaces;
 - (iii) Direct neural interfaces; or
 - (iv) Brain-machine interfaces.
- (12) Hypersonics such as:
- (i) Flight control algorithms;
 - (ii) Propulsion technologies;
 - (iii) Thermal protection systems; or
 - (iv) Specialized materials (for structures, sensors, etc.).
- (13) Advanced Materials, such as:
- (i) Adaptive camouflage;
 - (ii) Functional textiles (e.g., advanced fiber and fabric technology); or
 - (iii) Biomaterials.
- (14) Advanced surveillance technologies, such as:
- (15) Faceprint and voiceprint technologies.

Attachment 2

DEFINITIONS

Export: (

U.S. Person Any individual who is granted U.S. citizenship; any individual who is granted U.S. citizenship under 8 U.S.C. 1324b(a)(3); any corporation/business/organization, group incorporated in the United States Under U.S. law or any part of the U.S. government.

Foreign National/Person Any individual who is not a U.S. citizen; any individual who is not a U.S. permanent resident; any individual who is not a protected individual (e.g., refugees or have political asylum); any foreign corporation/business/organization/group not incorporated or organized under U.S. law; foreign government and any agency or subdivision of foreign governments (e.g. diplomatic missions).(A Foreign National/Person is a person who has not been issued a visa by a U.S. government or who possesses only a student visa.)

1 R W H L I W K H L Q G L Y L G X D O L V Q R W D 8 6 S t h e U S E X P R I O R I T Y A C T H Q D S S C
W K H S H U V R Q I V P R V W U H F H Q W F I Z W H J H Q W K M S K R U 7 S I S U P P R I O R I T Y A C T W W M V
country of origin (i.e., country of birth) and all current citizenships.

International Traffic in Arms Regulations (ITAR) :

the resulting information is ordinarily published and shared broadly within the scientific community. Fundamental research must meet two criteria:

- x Basic and Applied Research
- x The researchers must be free to share the results of the research, so no restriction on publication is permitted.

Research is not fundamental if there is a restriction on the publication of scientific and technical information resulting from the project or activity. EAR 734.8(15).

An acceptable restriction is a publication review by a sponsor of university research solely to ensure that the information is not released to a foreign person. EAR 734.8(15).

NOTE: Tangible products of fundamental research (models, instruments, devices) are subject to export controls and will require a review. Only data and information resulting from the research are fundamental. Some items used for the research could remain subject to the controls, and release to a foreign person would be deemed export. Fundamental Research can be conducted only in the U.S. The exemption does not apply abroad, e.g. does not apply to a laboratory or field research site in another country outside of the U.S. Proprietary research and from industrial development, design, production, and product utilization, the results of which ordinarily are restricted for proprietary reasons or specific national security reasons as defined in Sec. 734.11(b).

³ 8 Q U H V W U L F W H G J R Y (EAR 734.11) Research conducted in an open setting where the

