THE UNIVERSITY OF ALABAMA IN HUNTSVILLE/OFFICE OF SPONSORED PROGRAMS

AWARD REVIEW RECORD -- EXPORT CONTROL

Title of Sponsored Research _____
Contract Number _____
Principal Investigator _____
Fiscally Responsible Unit _____
Sponsor _____

PART 1: CONTRACT REVIEW (To be completed by the Contract Administrator)

Does the contract contain any clause that: **Clause reference**

a. references U.S. export regulations? ☐YES ☐NO _____
University Counsel Comments: _____

b. restricts non-U.S. entity participation based on country of origin? ☐YES ☐NO _____
University Counsel Comments: _____

c. prohibits access by non-U.S. citizens to project information? ☐YES ☐NO _____
University Counsel Comments: _____

d. prohibits the hiring of non-U.S. persons? ☐YES ☐NO _____
University Counsel Comments: _____

e. addresses the use of proprietary information? ☐YES ☐NO _____
University Counsel Comments: _____

f. grants the Sponsor a pre-approval right over research publications? ☐YES ☐NO _____
University Counsel Comments: _____

g. grants the Sponsor a right to prepublication review for matters other than the inclusions of patent and/or proprietary Sponsor information? ☐YES ☐NO _____
University Counsel Comments: _____

h. allows the Sponsor to claim resulting research information as proprietary or trade secret? ☐YES ☐NO _____
University Counsel Comments: _____

i. requires the delivery of an object, article, or thing (does not mean a final report)? ☐YES ☐NO _____
University Counsel Comments: _____

j. will work be performed at a location other than "accredited institution of higher learning in the U.S."? ☐YES ☐NO _____
University Counsel Comments: _____

Completed by _____ **Sent to University Counsel:** _____
Contract Administrator Date **Date**

Reviewed by University Counsel: _____
Date

IF YOU ANSWERED YES TO ANY OF THE QUESTIONS ABOVE, YOU SHOULD CONSULT WITH THE UAH OFFICE OF COUNSEL. AFTER SUCH CONSULTATION, IT MAY BE DETERMINED THAT NEGOTIATION WITH THE SPONSOR TO MODIFY OR DELETE SUCH CLAUSES IS NECESSARY. IF SUCH NEGOTIATION FAILS OR IS NOT APPLICABLE TO THE SITUATION, THE PRINCIPAL INVESTIGATOR MUST COMPLETE TECHNICAL REVIEW PART II.

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PART II: TECHNICAL REVIEW (To be completed by Principal Investigator)

To All Principal Investigators: The Office of Sponsored Programs (OSP) has determined that the sponsored research agreement for the project identified above contains provisions that may require University compliance with export control laws and regulations that are issued by the Department of Commerce and/or State. A final determination of the application of those regulations to this particular project depends on whether the research falls within a category of technology the government had determined raises particular issues of national security or economic interest. As the Principal Investigator for the project, you are the person most qualified to decide if your research falls within covered areas. **Please note that your project should be reviewed periodically as the applicability of export control regulations could change based on the direction of the research, changes in the status of controlled information and technology or changes in the law and regulations.**

Procedures: You will have to review descriptions of technologies that are controlled by the International Traffic in Arms Regulations (ITAR), 22 CFR Section 121.1 (http://www.pmdtc.org/docs/ITAR/22cfr121_Part-121.pdf) or Export Administration Regulations (EAR), 15 CFR Section 774, Supp. 1 (categories 0-9) (http://w3.access.gpo.gov/bis/ear/pdf/indexccl.pdf) and decide if the technology involved in this particular project falls within one or more of those categories. Principal Investigators reviewing NASA-funded projects are encouraged to use the "NASA export Processing Template" (which is also used by you NASA technical counterpart) which can be located at http://www.hq.nasa.gov/office/codei/nasaecp/eptannx.html. If you would like additional information on export control laws and how they may affect University research, you may wish to read the material available online in the Export Control section of the OSP website at: http://www.uah.edu/research/resadmin/information/compliance/export_control.html. If you have any questions, contact Gloria Greene, Associate Director, Office of Sponsored Programs at 824-2657 or greeneg@uah.edu or Valerie Seaquist, Director, Office of Sponsored Programs, at 824-2656 or seaquiv@email.uah.edu

CERTIFICATION **(Please complete and return to Contract Administrator assigned to this Project.)**

I have reviewed the relevant EAR and ITAR regulations and determined that Sponsored Research Contract Number_____: (select the appropriate response)

☐ 1. Does not involve technologies that are covered by either the EAR or the ITAR:

☐ 2. May involve technologies that are covered by either EAR or ITAR:

☐ 3. Is dominated by EAR or ITAR-governed technology, specifically (Identify category by name and section)

_____

☐ 4. Includes discrete, easily identifiable and separable research components that are within the scope of an ITAR-governed technology, specifically (identify category by name and section)

_____

☐ 5. Includes discrete, easily identifiable and separable research components that are within the scope of an EAR-governed technology, specifically (identify category by name and section)

_____

I understand that if boxes 2, 3, 4 or 5 are selected by me, this matter will be referred to the Vice President for Research and my Department Chair/Dean or Research Center Director for further review.

_____	_____	_____
Printed Name, PI	**PI's Signature**	**Date**