**SMITHSONIAN ASTROPHYSICAL OBSERVATORY**

DETERMINATION OF EXPORT CONTROL APPLICABILITY

DATE:

|  |  |  |  |
| --- | --- | --- | --- |
| NAME OF CONTRACT/PROPOSAL | |  |  |
| DESCRIPTION | |  |  |
| PROJECT MANAGER/PRINCIPAL INVESTIGATOR  WITH EMAIL AND PHONE | | PI | PM |
| Technical Data (TD) Assessment | | RESPOND TO QUESTIONS BELOW | Y OR N |
| 1 | Does the contract restrict publication or presentation of results? | |  |
| 2 | Will information disclosure require NDA? | |  |
| 3 | Is there controlled encryption software and hardware bundled with encryption? (over 64 bits not for password protection or authentication) | |  |
| 4 | Is TD contracted by a known research arm to the military? | |  |
| 5 | Are there any FAR or other clauses that identify ITAR or export-restrictions? | |  |
| 6 | Is it for NASA and they have foreign national restrictions? | |  |
| 7 | Is it classified? | |  |
| 8 | Does multi country ITAR NASA exemption apply? | |  |
| 9 | If ITAR, and a deemed export, does higher learning exemption apply to the partner with the foreign national? | |  |
| 10 | Is there controlled equipment, like IR cameras needed? | |  |
| Assessment of Fundamental Research  Signature | | YES, Qualifies as Fundamental Research | NO, It does not qualify –  ITAR or EAR (circle) |
| If controlled, provide the following: | |  |  |
| SAO personnel who will have access to export controlled information | |  | DATE OF TRAINING |
| Name | | 1. |  |
|  | | 2. |  |
|  | | 3. |  |
|  | | 4. |  |
| Other US persons who will have access – name, title, institute | |  |  |
|  | | 1. |  |
|  | | 2. |  |
|  | | 3. |  |
|  | | 4. |  |
| Foreign parties with approved access | |  | SIGNED NDA’S AND TRAINING |
| Name (in US) or organization (not in US) | | 1. |  |
|  | | 2. |  |
|  | | 3. |  |
|  | | 4. |  |
| Sub licensees  organization (not in US) | | 1. |  |
|  | | 2. |  |
|  | | 3. |  |
|  | | 4. |  |
|  | | 5 |  |
| PERSONNEL SCREENING OF ALL PARTIES AGAINST DPL AND SDN | |  |  |
| DPL report on file? | |  |  |
| HARDWARE EXPORTS AND DESCRIPTION (Temporary or permanent, controlled under ITAR or EAR.) If yes, complete hardware questionnaire  Proposed date | |  |  |
|  | |  |  |
| TECHNOLOGY AND HW RELEASE ROAD MAP | |  |  |
|  | |  |  |
|  | |  |  |
|  | |  |  |
|  | |  |  |
|  | |  |  |
| MARKING OF DOCUMENTS AND RECORDS OF MEETINGS AND TELECONS | |  |  |
| IT security plan | |  |  |
| Marking convention | |  |  |
| Responsible for records of meetings and telecons (participants) | |  |  |

**SMITHSONIAN ASTROPHYSICAL OBSERVATORY**

EXPORT OF HARDWARE

|  |  |  |
| --- | --- | --- |
| HARDWARE EXPORTS AND DESCRIPTION | RESPONSE | COMMENTS |
| 1. Name of Program |  |  |
| 1. Date of Planned Export 2. Date it needs to be there |  |  |
| 1. Location of equipment now 2. Temporary or permanent, if temporary, when is it coming back? 3. Has property transfer form been completed? |  |  |
| 1. Controlled under ITAR or EAR? 2. What is ECCN/ITAR Category? 3. Does it need a license? (ECO) 4. If yes, has license been obtained? (ECO) |  |  |
| 1. Hazardous Material/FCC concerns?   Is there an MSDS\*1 for the equipment? Is anything hazardous – corrosive, radioactive, etc. See DOT\*2 list  \*Try not to ship and procure locally\* |  |  |
| 1. What is value? 2. Origin? Do you have Manufacturer Affidavit? 3. Schedule B or HTSUS no.? 4. Serial numbers |  |  |
| 1. How will it be exported – shipped or hand carried? 2. What is weight? |  |  |
| 1. Will it be sold (transfer title?) |  |  |
| 1. Do you have a broker for VAT, duty? |  |  |
| 1. Who is arranging the crating, shipping? 2. Insurance? 3. Export Filing in AES? 4. It is exempted? Tools of the trade, going to Canada, under $2500 |  |  |
| 1. Any Technology release? |  |  |
| 1. Parties involved and their role 2. Conduct Denied Party Screening (ECO) |  |  |
| Sign off |  |  |

\*1 MSDS – Material Safety Data Sheet \*2 DOT – Dept of Transportation list of Hazardous Materials and Transportation Guide

IMPORT OF HARDWARE

DATE:

COMPLETED BY:

|  |  |  |
| --- | --- | --- |
| HARDWARE IMPORTS AND DESCRIPTION | RESPONSE | COMMENTS |
| 1. Name of Program |  |  |
| 1. Date of Planned Import |  |  |
| 1. Location of eqt now 2. Temporary or permanent, if temporary, when is it going back and to where? 3. Has property transfer form been completed? |  |  |
| 1. Controlled under ITAR or EAR? 2. If yes, is a license needed to import? 3. Was the equipment procured from a foreign country? Do drawings have to be sent to the vendor? Do the export of drawings need a license? |  |  |
| 1. What is value? Was it enhanced in the foreign country in value or capability/ 2. Origin? 3. If returning US goods, are there markings or documentation that it is US origin? 4. HTSUS no. 5. Is anything hazardous? |  |  |
| 1. How will it be imported – 2. Shipped or hand carried? 3. Ocean/Air 4. What is weight? |  |  |
| 1. Will it be sold (transfer title?) |  |  |
| 1. Do you have a broker for VAT, duty, Material Processing Fee? |  |  |
| 1. Who is arranging the crating, shipping? 2. Does SAO have a Power of Attorney with the freight forwarder and broker? 3. Insurance? 4. Who is doing import Filing? |  |  |
| 1. Forward Customs docs to ECO/Accountable Property Officer |  |  |
| Sign off |  |  |