



**Middlebury College Technology Export Assessment Form**

Location of Out-of-Country Research/Training Activity: \_\_\_\_\_

Name of Institution(s) where Research/Training Activity will be conducted: \_\_\_\_\_

Brief Description of Research/Training Activity to be conducted: \_\_\_\_\_

[This is to be completed by the supervisor or project manager of the position or project that will involve a Middlebury employee conducting research/training outside of the United States:

Will the Middlebury employee, contractor, or [student program participant?], as part of the scope of his/her expected out-of-country research/training activity, be expected or required to engage in activities:

- a. Funded by the US Dept. of Defense (including any armed services branches); and/or  
No Yes
- b. Funded by the US Defense Advanced Research Projects Agency (DARPA); and/or  
No Yes
- c. Involving military/defense-related research, technical services, or training of any type; and/or  
No Yes
- d. Involving aerospace- or space-related research, technical services, or training of any type; and/or  
No Yes
- e. Involving research, technical services or training in basic or applied science and/or engineering of any type; and/or  
No Yes
- f. Involving co-development of software; and/or  
No Yes
- g. With publication of research findings restricted in any way by the activity sponsor; and/or  
No Yes
- h. Requiring travel to a country on Country Group E:1 of the U.S. Export Administration Regulations and/or  
No Yes
- i. Requiring collaboration with researchers/trainees/trainers from a country on Country Group E:1 of the U.S Export Administration Regulations or an entity listed on the US Department of Commerce Bureau of Industry and Security's [Entity List](#) (Supplement 4 to Part 744 of the Export Administration Regulations.)  
No Yes

If the answer is “Yes” to any of the parts of the previous question, then you need to investigate further the details of the activities to confirm any licensing requirements by contacting a member of the Middlebury Export Controls Advisory Group (<http://www.middlebury.edu/office/global-operations/exports-imports-sanctions>).

**Form completed by:**

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_ Telephone number: \_\_\_\_\_



**U.S. Export Controls on Release of Controlled Technology or Technical Data to Foreign Persons.** The Export Administration Regulations (EAR) (15 CFR Parts 770-774) and the International Traffic in Arms Regulations (ITAR) (22 CFR Parts 120-130) require U.S. persons to seek and receive authorization from the U.S. Government before releasing to foreign persons in the United States controlled technology or technical data. Under both the EAR and the ITAR, release of controlled technology or technical data to foreign persons in the United States – even by an employer – is deemed to be an export to that person’s country or countries of nationality.

**Requirement to Certify Compliance with U.S. Export Control Regulations.** The U.S. Government requires each company or other entity to certify that it has reviewed the EAR and ITAR and determined whether it will require a U.S. Government export license to release controlled technology or technical data to the beneficiary. If an export license is required, then the company or other entity must further certify that it will not release or otherwise provide access to controlled technology or technical data to the beneficiary until it has received from the U.S. Government the required authorization to do so.

**Controlled Technology and Technical Data.** The licensing requirements described above will affect only a small percentage because most types of technology are not controlled for export or release to foreign persons. The technology and technical data that are, however, controlled for release to foreign persons are identified on the EAR’s Commerce Control List (CCL) and the ITAR’s U.S. Munitions List (USML). The CCL is found at 15 CFF Part 774, Supp. 1. The USML is at 22 CFR 121.1. The EAR-controlled technology on the CCL generally pertains to that which is for the production, development, or use of what are generally known as “dual-use” items. The ITAR-controlled technical data on the USML generally pertains to that which is directly related to defense articles.

The U.S. Department of Commerce’s Bureau of Industry and Security administers the CCL and is responsible for issuing licenses for the release to foreign persons of technology controlled under the EAR. The U.S. Department of State’s Directorate of Defense Trade Controls (DDTC) administers the USML and is responsible for issuing licenses for the release to foreign persons of technical data controlled under the ITAR. Information about the EAR and how to apply for a license from BIS are at [www.bis.doc.gov](http://www.bis.doc.gov). Information about the ITAR and how to apply for a license from DDTC are at [https://www.pmddtc.state.gov/ddtc\\_public](https://www.pmddtc.state.gov/ddtc_public). Middlebury employees with questions regarding the above regulatory controls are encouraged to inquire with a member of the Middlebury Export Controls Advisory Group [<http://www.middlebury.edu/office/global-operations/exports-imports-sanctions>] for guidance.