Export Control Red Flags for Sponsored Programs

This document should be used multiple times throughout the process and the items listed should be kept in mind during any and all communication with the PI or the sponsor. Because changes can happen at any point during the contracting process, this can be utilized when reviewing the RFP, the proposal, the contract / agreement or any modifications to the contract / agreement.

Parties Involved

☐ Is the sponsor a foreign entity, or does the sponsor have a foreign parent or subsidiary?
☐ Will there be any foreign consultants, sub awards, or foreign visitors to OSU?
☐ Is there any international travel anticipated?
☐ Are any interactions anticipated with a T5 country (Cuba, Iran, North Korea, Sudan or Syria)?
☐ Is the purpose of the project to generate items, information or technology with a military application?

Tangible Items & Technology

☐ Are we receiving or generating technology, software, data or other tangible items?
☐ Is there a Material Transfer Agreement (MTA)?
☐ Are we purchasing special equipment, software or parts to construct controlled technology, software, data, or other tangible items?
☐ Will any items or technology be shipped to a non-U.S. location?

Access Restrictions

☐ Is the sponsor the Department of Defense, a DoD flow-through or an intelligence agency?
☐ Are there publication or access / participation restrictions?
☐ Does the definition of “Confidential Information” include project results?
☐ Are there restrictions on access to intellectual property?
☐ Are there restrictions on access by certain groups, such as foreign nationals or entities?
☐ Are there any other combination of terms that would prevent publication or disclosure of project information or results beyond the project, the organization, or the United States?
☐ Is there an up-front license agreement
☐ Is there is a CDA/NDA? If so, does the language include project results in the ownership of project IP?

Checking any of these boxes may require an export analysis to manage the work.

Provide this document to Export Compliance with the following documents so that this can be reviewed.

- Award
- Proposal, including the SOW
- Budget
- Solicitation (BAA, RFO, etc.)
- Any other documents impacting the contract (i.e. NDA, CDA, Prime Contract, etc.)

Export Compliance will determine any action needed, such as an Export Certificate or Technology Control Plan to manage the project.

For more information, please visit: orc.osu.edu/exportcontrol

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