### Export Controls Decision Chart: Montclair State University ORSP

**Considerations**

1. **Are you sharing, shipping, transmitting or transferring MSU-developed, non-commercial encryption software in source code or object code (and/or including travel outside the country with such software)?** (Note: almost all encrypted software is subject to export controls)
   - **YES**
     - Most likely subject to Export Control Regulations. Contact export control.
   - **NO**

2. **Do you know or have any reason to believe that the item, information or software to be shared, shipped, transmitted or transferred will support the design, development, production, stockpiling or use of a nuclear explosive device, chemical or biological weapons, or missiles?**
   - **YES**
   - **NO**

3. **Is the item, information or software being shared, shipped, transmitted or transferred funded and developed under a sponsored agreement imposing publication restrictions beyond a brief review (up to 90 days) for patent protection and/or inadvertent release of confidential/proprietary information?**
   - **YES**
     - The fundamental research exclusion exempts information (but not controlled items) resulting from fundamental research, defined as "basic and applied" research in science and engineering and where results are typically published and shared broadly.
   - **NO**

4. **Did an external sponsor, vendor, collaborator or other third party provide, under a Non-Disclosure Agreement or a Confidentiality Agreement, the item, information or software to be shared, shipped, transmitted or transferred?**
   - **YES**
   - **NO**

5. **Is the item, information or software being shared, shipped, transmitted or transferred items on the Commerce Control List (CCL) of the Export Administration Regulations (EAR)?**
   - **YES**
   - **NO**

6. **Is the disclosure, shipment, transmission, or transfer of the item, information or software to an individual or entity listed on the consolidated restricted parties list, and/or to an individual or entity located in, originating from or traveling to (e.g. foreign national) an embargoed or sanctioned country as identified by the U.S. Dept. of Treasury, Sanctions Programs and Country List, and/or the U.S. Dept. of State Country Policies and Embargoes?**
   - **YES**
   - **NO**

**End of Process: Most likely not subject to Export Control Regulations**

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*Note: This material is adapted from the basic design and content found on Stanford University's Export Control Page [here](https://doresearch.stanford.edu/research-scholarship/export-controls). We appreciate Stanford in granting us permission to adapt its content for Montclair State University's benefit.*