

**NDSU TCP – Departure Statement** – to be completed when an individual no longer requires access to controlled information/items either at the end of the project or his/her departure prior to the end of the project.

**Export Administration Regulations and/or ITAR Termination/Departure Statement**

Review the following text. Complete the signature confirmation below and return to:

1735 NDSU Research Park Dr.

Fargo, ND 58102

phone: 701.231.6455

fax: 701.231.8098

ndsu.exportcontrols@ndsu.edu

**Technology and Technical Data**

**Export Administration Regulations**

As defined in the Export Administration regulations 15 CFR §772.1 et seq.:

“Specific information necessary for the “development”, “production”, or “use” of a product. The information takes the form of “technical data” or “technical assistance”. Controlled “technology” is defined in the General Technology Note and in the Commerce Control List (Supplement No. 1 to part 774 of the EAR). “Technology” also is specific information necessary for any of the following: Operation, installation (including on-site installation), maintenance (checking), repair, overhaul, refurbishing, or other terms specified in ECCNs on the CCL that control “technology.”

N.B.: Technical assistance—May take forms such as instruction, skills training, working knowledge, consulting services.

Note 1: “Technical assistance” may involve transfer of “technical data”.

Note 2: “Technology” not elsewhere specified on the CCL is designated as EAR99, unless the “technology” is subject to the exclusive jurisdiction of another U.S. Government agency (see §734.3(b)(1)) or is otherwise not subject to the EAR (see §734.4(b)(2) and (b)(3) and §§734.7 through 734.11 of the EAR).”

“Technical data—May take forms such as blueprints, plans, diagrams, models, formulae, tables, engineering designs and specifications, manuals and instructions written or recorded on other media or devices such as disk, tape, read-only memories.”

This definition does not include basic and applied research in science and engineering where the resulting information is ordinarily published and shared broadly within the scientific community or information released in catalog courses and associated teaching laboratories of academic institutions.

**ITAR**

As defined in 22 CFR §120.10, technical data is:

- (1) Information, other than software as defined in 22 CFR §120.10(a)(4), which is required for the design, development, production, manufacture, assembly, operation, repair, testing, maintenance or modification of defense articles. This includes information in the form of blueprints, drawings, photographs, plans, instructions or documentation.
- (2) Classified information relating to defense articles and defense services;
- (3) Information covered by an invention secrecy order;
- (4) Software as defined in 22 CFR §121.8(f) directly related to defense articles;

This definition does not include information concerning general scientific, mathematical or engineering principles commonly taught in schools, colleges and universities or information in the public domain as defined in § 120.11. It also does not include basic marketing information on function or purpose or general system descriptions of defense article.

**I certify that I have not given or disclosed, nor will I disclose, to any unauthorized person any documents, reports, or other Technology or Technical data, considered to be export controlled or sensitive information associated with NDSU research. I acknowledge that if concerns arise; I may be contacted.**

Full Name:

Signature:

Date:

Email address for future contact if necessary (non - NDSU domain)