**Export Questionnaire for Chip Fabrication**

**ABC-XYZ**

This form should be used to request an export review for the production/manufacturing of chips or wafers. An export review is required if any of the following apply:

* chip or wafer will be produced outside the USA
* chip or wafer will be sent outside the USA for post-production processing
* when design will be sent outside GIT
* when required by foundry

This review is required for the protection of all concerned in the handling of these materials. Even though your research activity at Georgia Tech may be covered under the Fundamental Research Exclusion (FRE), the FRE does not apply to tangible good such as the chips that will be produced.

|  |  |
| --- | --- |
| PI/PD name: |  |
| \*Device ID:  |  |
| CRMDID: |  |
| Where will GT send design(s):*(Note if sending to 3rd party prior to Foundry)* |  |
| Export Determination:*(to be completed by GT Export)* | Device:  | Technology:  |

\*Only one (1) Device ID and Design may be submitted per form.

1(a). Provide a brief description of the product to be manufactured and the final end use for the product (for example, “baseband for mobile phone” or “application processor for MP3 player”).

1(b). Is this design a millimeter wave (mmWave) or monolithic microwave integrated circuit (MMIC) amplifier?

[ ]  No or [ ]  Yes

If YES provide key specifications such as power output, operating frequency range, bandwidth, etc. Export regulations are often specific to certain levels of expected performance.

a. Provide the peak saturated power output:

b. Provide the operating frequency:

c. Attach a graph showing the x-axis (frequency) and y-axis (peak saturated power output) if the frequency range is any of the following: 27-31.8 GHz, 37-43 GHz, or 75-90 GHz:

*Note: If the graph does not confirm a steep drop in performance when the amplifier is performing near the 31.8-37 GHz range or the 90 GHz range, please provide a graph (sometimes referred to as an S21 plot) with x-axis (frequency) and y-axis (power gain).*

d. Does this product include an integrated phase shifter? [ ]  No or [ ]  Yes

e. Is this product “specially designed” for other applications e.g., telecommunications, radar, automobiles? [ ]  No or [ ]  Yes

If Yes, please specify:

f. Is the product or related design controlled under any of the following: U.S. Munitions List XI(c)(4), XV(e)(14) or ECCN 5E001.d, 3A001.b.2, 3A001.b.12? [ ]  No or [ ]  Yes

If yes, please specify (if known):

2. Is the product to be manufactured intended or likely to be used, wholly or in part, for or in connection with the development, production, handling, operation, maintenance, storage, detection, identification or dissemination of any nuclear, chemical or biological weapon; or the development, production, maintenance or storage of missiles which are capable of delivering any such weapons?

[ ]  No or [ ]  Yes

3. Is this Design specially designed, modified, or adapted for a military application?

[ ]  No or [ ]  Yes

4. Are the product (i.e., wafer, die, module) and the associated technology/technical data (i.e. integrated circuit design data) subject to the [International Traffic in Arms Regulations](https://www.pmddtc.state.gov/regulations_laws/itar.html) (ITAR)?

[ ]  No or [ ]  Yes

5. Are the product (i.e., wafer, die, module) and associated technical data (i.e., integrated circuit design data) subject to [U.S. encryption controls](https://www.bis.doc.gov/index.php/encryption-and-export-administration-regulations-ear)?

[ ]  No or [ ]  Yes

6. Is the product (i.e. wafer, die, module) or the associated technical data (i.e. integrated circuit design data) subject to the [U.S. Export Administration Regulations](http://www.access.gpo.gov/bis/ear/ear_data.html) (EAR)?

[ ]  No or [ ]  Yes

Provide the ECCNs for both the design technology (i.e., integrated circuit design data) and the finished good (i.e. wafer, die, module)

|  |  |
| --- | --- |
| Device:  | Technology:  |

7. Is the product (i.e., wafer, die, module) or its associated technical data (i.e., integrated circuit design data) subject to export controls in other (non-US) jurisdictions?

You may SKIP this question. This question may be required by the manufacture/foundry. Georgia Tech does not evaluate if the product is subject to non-US export control laws and regulations as we are bound to the US Export Control laws and regulations.

8. Please select the Harmonized System classification for the finished product (i.e., wafer, die, module, etc.) that will be delivered to you and list below for each design. For all products being made by US Fabs please select a code from the following list [US Schedule B.](https://www.census.gov/foreign-trade/schedules/b/2024/c85.pdf) Please enter the code into the other Box

|  |
| --- |
| [Harmonized Tariff Schedule](https://hts.usitc.gov/?query=8542.31) <https://www.census.gov/foreign-trade/schedules/b/2024/c85.pdf> FEW EXAMPLES BELOW  |
| [ ]  | 8542.31.00 | XX | Processors and controllers, whether or not combined with memories, converters, logic circuits, amplifiers, clock and timing circuits, or other circuits  |
| [ ]   | 8542.32.00 | XX | Memories  |
| [ ]   | 8542.33.00 | 00 | Amplifiers |
| [ ]   | 8542.39.00 | 01 | RF transceivers |
| [ ]   | 8542.90.00 | 00 | Parts |

9. End User: Will the design/device/end product be delivered or provided to an external Sponsor or entity?

[ ]  Yes The design/device/end product be delivered to:

[ ]  No Georgia Institute of Technology (GIT) is the primary end user.

[ ]  The design/device will be used in research under the Fundamental Research Exclusion (FRE) and the results of the research will be openly published.

[ ]  The design/device will be used in research with no intent to publish the results.

10. Is the product to be delivered by foundry intended for an end user or end use that is located in People’s Republic of China (PRC) (PRC includes China & Hong Kong), Russia, Venezuela, Cuba, Iran, North Korea, Belarus, Cambodia, Syria or Myanmar (Burma)?

[ ]  No or [ ]  Yes

11. Additional End Use/End User Questions

**(a).** Does your company have “knowledge” that the wafer, die, module, or other item (“Product”) to be delivered by GF will be exported outside the United States, re-exported or transferred either:

    i. for incorporation into, or used in the production or development of any product to be (a) produced, purchased or ordered by a listed Footnote 1 (Huawei entities) or Footnote 4 entity; or (b) destined for or produced in the Russian Federation or Belarus; or

    ii. directly to a Footnote 1 (Huawei entities) or Footnote 4 entity or an entity in the Russian Federation or Belarus, or to any other entity where a Footnote 1 (Huawei entities), Footnote 4 entity or a Russian or Belarus entity listed in Footnote 3 to the BIS Entity List (Supplement No. 4 to Part 744 of the EAR) is a party to the transaction, such as a purchaser, intermediate consignee or end-user?

[ ]  No or [ ]  Yes

The Export Administration Regulations define “knowledge” in section 772.1 as [[here]..](https://www.bis.doc.gov/index.php/documents/regulations-docs/2344-part-772-definitions-of-terms-2/file)

**(b).** Is the item a foreign produced item specified in ECCNs 3A090, 3E001 (for 3A090), 4A090 or 4E001 (for 4A090) or an integrated circuit, computer, electronic assembly or component specified elsewhere on the Commerce Control List meeting the parameters of ECCNs 3A090, 3E001 (for 3A090), 4A090 or 4E001 (for 4A090) and

 (1) Destined to the PRC (China and/or Hong Kong);

 (2) Will be incorporated into any part, component, computer, or equipment not designated as EAR99 destinated to the PRC; or

 (3) Technology developed by an entity headquartered in the PRC for the production of a mask or an integrated circuit, wafer or die?

(You may review the above ECCNs here: <https://bis.doc.gov/index.php/regulations/export-administration-regulations-ear> and scroll down to where you see ten (10) categories 0-9. The Categories are indicated by the first number in the ECCN; e.g. ECCN 3A090 is Category 3. )

[ ]  No or [ ]  Yes

**(c)**. Will the item be used in the design, development, production, operation, installation (including on-site installation), maintenance (checking), repair, overhaul or refurbishing of a supercomputer or incorporated into or used in the development or production of any part, component or equipment that will be used in a supercomputer located in or destined to the PRC?

[ ]  No or [ ]  Yes

The Export Administration Regulations(EAR) define “supercomputer ” in section 772.1 as  [[here].](https://www.bis.doc.gov/index.php/documents/regulations-docs/2344-part-772-definitions-of-terms-2/file)

Please note that the Product to be delivered by GF that is produced at its fabs in Singapore and Dresden is subject to specific  [Foreign-Produced Direct Product rules](https://www.bis.doc.gov/index.php/documents/regulations-docs/federal-register-notices/federal-register-2020/2593-85-fr-51596/file) because the foreign produced products meet the product scope in 15 C.F.R. 734.9 (e), (f), (g), (h) and (i).

PI certifies that it will not, without a U.S. Department of Commerce authorization, export from outside the United States, reexport, or transfer any GF Product with “knowledge” that it:
[ ]  No or [ ]  Yes

     (1) is for incorporation into, or used in the production or development of (a) any product to be produced, purchased ‘or ordered by a listed Footnote 1 (Huawei entities) or Footnote 4 entity; (b) any product destined for or produced in the Russian Federation or Belarus; or (c) for a “supercomputer” destined to or located in the PRC.
    (2) will be sent directly to a Footnote 1 (Huawei entities) or Footnote 4 entity or an entity in the Russian Federation or Belarus, or to any other entity where a Footnote 1 (Huawei entities) or Footnote 4 entity or a Russian or Belarus entity listed in Footnote 3 to the BIS Entity List (Supplement No. 4 to Part 744 of the EAR) is a party to the transaction, such as a purchaser, intermediate consignee or end-user.

PI certifies that it will not, without a U.S. Department of Commerce authorization, send to GF any commodity, software, or technology, such as a GDSII file, to produce or develop a GF Product with “knowledge” that the GF Product will be exported (from outside the United States), reexported, or transferred

[ ]  No or [ ]  Yes

     (1) for incorporation into, or used in the production or development of (a) any product to be produced, purchased or ordered by a listed Footnote 1 (Huawei entities) or Footnote 4 entity;(b) any product destined for or produced in the Russian Federation or Belarus; or (c) for a “supercomputer” destined to or located in the PRC.
     (2) directly, or indirectly to a Footnote 1 (Huawei entities) or Footnote 4 entity or an entity in the Russian Federation or Belarus, or to any other entity where a Footnote 1 (Huawei entities) or Footnote 4 entity or a Russian or Belarus entity listed in Footnote 3 to the BIS Entity List (Supplement No. 4 to Part 744 of the EAR) is a party to the transaction, such as a purchaser, intermediate consignee or end-user.

PI further certifies that it is aware that the “items” including any commodity, software or technology such as a GDSII file provided to GF could be subject to the EAR if future transactions are within the product and destination scope of any Foreign Direct Product (FDP) rule set forth in EAR § 734.9 We have reviewed EAR § 734.9(h) and affirm our commitment to comply with all applicable requirements.

[ ]  No or [ ]  Yes

12. NDA/PIA: Is there a Non-Disclosure Agreement (NDA) or Proprietary Information Agreement (PIA) related to this design/device?

[ ]  Yes If Yes, provide NDA/PIA # and entity:

[ ]  No

13. Identify how this design was funded/developed (*e.g.* Sponsored research, Dept funding, etc.).

When complete, submit this form via eRouting as directed in the [Chip Fabrication Submission Procedures.](https://generalcounsel.gatech.edu/sites/default/files/Export%20eRouting%20Module%20Submission%20and%20Review%20Procedures%20for%20Chip%20Fabrication.docx)

[https://ethicsfirst.gatech.edu/exportandtrade/forms](https://generalcounsel.gatech.edu/ethics-and-compliance/exportandtrade/forms)