Subject to the EAR?

NOT SUBJECT TO THE EAR

SUBJECT TO THE EAR

Am I involved in an activity described in 734.5, e.g., related to the proliferation of chemical or biological weapons, nuclear explosive devices or "missiles"; technical assistance with respect to encryption; or activities prohibited by any order issued under the EAR

See Section 734.5(a), (b), and (c)

— YES →

↓ NO

Is the item I am planning to export or reexport subject to the exclusive jurisdiction of another U.S. Government Federal Department or Agency?

See Section 734.3(b)(1)

← YES —

↓ NO

Does my export or reexport consist of prerecorded phonograph records, printed books, pamphlets & miscellaneous publications as described in the EAR?

See Section 734.3(b)(2)

← YES —

↓ NO

Is the technology or software I am planning to export or reexport publicly available (excluding encryption items)?

See Section 734.3(b)(3)

← YES —

↓ NO

Is my item in the United States?

See Section 734.3(a)(1)

— YES →

↓ NO

Is my item outside of the U.S., but of U.S. origin?

See Section 734.3(a)(2)

— YES →

↓ NO

Does my foreign-made item incorporate controlled U.S. origin items that exceed the *de minimis* limits defined in section 734.4 or Supp. No . 2 to part 734 of the EAR, or is it ineligible for *de minimis*?

See Section 734.3(a)(3)

— YES →

↓ NO

Is the foreign-made item a direct product of U.S.-origin technology or software, as described in section 736.2(b)(3) of the EAR, and the destination is Cuba, Libya, or a destination in Country Group D:1?

See Section 734.3(a)(4) and (5)

← NO —   — YES →