

General Notice: International Travels

University of Pittsburgh

Office of Export Controls Services – EChelp@pitt.edu



The University of Pittsburgh community (Faculty, Staff and Student) is required to comply with the United States export regulations when traveling abroad with commodities, software, and technical data. The Office of Export Controls Services (OEC) has elaborated this general notice to help you comply with those regulations. It is important to review each trip separately as every situation is different and regulations change frequently. If you have any question or need assistance, please contact the OEC by completing the [Travels – Export Controls review](#) form and sending it via email to: EChelp@pitt.edu.

Please note that while the OEC provides assistance for evaluating and/or filing export authorizations and related documents, the OEC is not in charge of managing actual shipments, including Customs and shipping documentations.

When determining whether an export authorization is required, please review your travel by following these steps:

A. Where you are going

Traveling overseas can present export controls concerns depending on the destination. The U.S. Department of the Treasury, Office of Foreign Assets Control (OFAC) website maintains an up to date list of Embargoed Countries¹. The current list of embargoed countries includes: Crimea – Region of Ukraine, Cuba, Iran, North Korea, Sudan and Syria. Other countries are subject to targeted sanctions and restrictions.

Fortunately, normal travel does not usually constitute a problem. However, the technology/information exported during your trip, the persons/organizations met, and the type of activity carried can trigger export control issues, depending on the destination. **Please contact the OEC well in advance of arranging travels to any OFAC listed country so an evaluation can be done.**

Also note that some countries have their own additional import and export controls regulations which may affect how you can use items while overseas, and which could restrict your ability to bring them back. You should be aware of all applicable regulations and how they could apply to you.

The University of Pittsburgh recommends that any person traveling overseas **register with the Travel Registry** on the Pitt website² and **sign up for Smart Traveler Enrollment Program (STEP)** on the State Department website³.

B. What you are taking

When traveling outside the U.S., **everything you take with you is subject to the U.S. export controls regulations**. This includes **tangible items** (laptops, cell phones, equipment, samples, paper documents etc.) and **intangible products** (trainings, know-how, files, data etc.). The Pitt community should be familiar with the applicable export controls regulations and strive to comply with them as violations can result in severe criminal and civil sanctions against individuals and/or the University.

¹ <http://www.treasury.gov/resource-center/sanctions/Programs/Pages/Programs.aspx>

² Log into my.pitt.edu, point to *My Resources*, click on *Travel Registry* then on *Register Your Trip Now*.

³ <https://step.state.gov/step/>

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In order to determine whether an export authorization is required prior to traveling, an inventory of all items should first be done followed by the **classification** of each item⁴.

The best way to obtain the **Export classification of a commercially available product** is to contact its manufacturer, producer or developer (preferably by email). The OEC has created an *Export Classification Certification* form, which you can provide when contacting the manufacturer, producer or developer of the items, in order to help you obtain the export classification from them. This *Export Classification Certification* form is available at: <http://www.export.pitt.edu> – Forms.

For items/technical data/ software created or developed on campus, please contact the OEC at EChelp@pitt.edu.

License exceptions:

There are two license exemptions to the licensing requirements for traveling outside the U.S. These exceptions can be used only under certain conditions and require the traveler to complete and sign a certification.

The **license exception BAG** (EAR 740.14) authorizes temporary export/reexport of *personal items or technology*. For instance, under this license exception, you can take your personal laptop for travels to any countries except Cuba, Iran, Syria, Sudan, and North Korea. Note, however, that if your laptop contains controlled software/data, a license will be required. This exception applies only to personal items and, thus, does not apply to items owned by the University of Pittsburgh (e.g. laptop bought with University funding).

The **license exception TMP** (EAR 740.9) authorizes temporary export/reexport of *institution-owned items* that will *return to the United States within one year of when they leave*. The items must remain under the *effective control*⁵ of the exporter/reexporter. The TMP “Tool of Trade” exception allows you to travel with usual and reasonable quantities of tools of trade to any countries except Cuba, Iran, Syria, Sudan, and North Korea. **If you are eligible to travel under this exemption, please complete the TMP form and email it to EChelp@pitt.edu.**

Note: Completion of the TMP form is not mandatory. The TMP license exception is available to U.S. persons (e.g., University of Pittsburgh) or their employees (e.g., all University of Pittsburgh legal employees regardless of citizenship status) without documents being required. The TMP form was created to help you demonstrate to a Custom Officer that you are aware of and have thought through the regulations. Therefore, we recommend this form be completed for "unusual" items only (research items) that are more likely to draw attention from Customs Officials than basic electronic devices (such as laptops, cell phones, and tablets).

The BAG and TMP license exceptions do not apply to technology associated with high-grade encryption products and ITAR-controlled items (i.e. defense articles and services).

Customs requirements:

Prior to leaving the U.S., **the University of Pittsburgh also recommends registering with the U.S. Custom and Border Protection (CBP)**⁶: “To make things easier, you can register certain items with

⁴ Determine the Export Control Classification Number (under the EAR) or the USML category (under the ITAR). <http://www.export.pitt.edu> – Classification.

⁵ “Effective control” means retaining the item(s) in my physical possession or maintaining the item(s) in a secure environment such as a hotel safe or a locked or guarded facility.

⁶ https://help.cbp.gov/app/answers/detail/a_id/368/kw/registering%20items%20with%20customs/related/1

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CBP before you depart— including watches, cameras, laptop computers, firearms, and CD players—as long as they have serial numbers or other unique, permanent markings. Take the items to the nearest CBP office and request a Certificate of Registration for Personal Effects Taken Abroad (CBP Form 4457). It shows that you had the items with you before leaving the United States and all items listed on it will be allowed duty-free entry. CBP officers must see the item you are registering in order to certify the certificate of registration. You can also register items with CBP at the international airport from which you're departing. Keep the certificate for future trips”.

Finally you must comply with tax systems requirements, **for avoiding paying the Value-Added Taxes (VAT)** practiced by most of the countries on your items' value. For eliminating the VAT, the University of Pittsburgh uses the **ATA Carnet**, also known as **Merchandise Passport**. This carnet is an international customs document that expedites temporary exports into foreign countries. It has the advantage to eliminate the VAT and to simplify reentry into the U.S. by serving as a U.S. Customs Registration.

C. Who you are working with and why the end-users are collaborating with you

When attending a meeting/conference/tradeshows, the Pitt community must ensure that the data they release is publicly available. The release of export-restricted technologies or information, without prior authorization or in violation with the terms of a license, is an export violation and exposes you to severe penalties. N.B.: *You are free to share information resulting from Fundamental Research⁷ conducted in the U.S. However, you are not allowed to share any items, technology, or software generated under the Fundamental Research. In addition, you are not allowed to conduct Fundamental Research abroad, i.e. the Fundamental Research exemption does not apply to a laboratory or field research site in other countries.*

In addition, the Pitt Community must ensure that they are not interacting with or providing financial assistance to a sanctioned or specially designated entity, such as persons or entities appearing on the OFAC's Specially Designated Nationals and Blocked Persons List, or on the BIS's Denied Person List or the Entity List. Therefore, it is recommended to know in advance with whom you will be communicating and collaborating, so you can perform a complete screening of those persons and entities. For performing Restricted Parties Screenings (RPS), the OEC has made available to the Pitt Community a consolidated screening lists tool called **Visual Compliance™**. It is a web-based platform offered by eCustoms for which the University has executed a license through the Office of Research. For more information about Visual Compliance™ RPS tool, please visit the OEC website.

To access the Visual Compliance™ RPS tool: log into my.pitt.edu, point to *My Resources*, click on *Visual Compliance* and follow the step-by-step access guidance.

The export regulations require the use of a license or of a license exception to be documented in writing. Contact the [OEC](#) to obtain the required authorizations and documentations prior to your trip. You should take copies of those documentations with you when you travel, and in case it is requested by U.S. Customs officials. You must keep records of you export documentations for five years after the license is expired or, in the case of a license exemption, for five years after the travel is completed.

⁷ EAR 734.8 defined Fundamental Research as “**basic and applied research** in science and engineering, where the **resulting information is ordinarily published and shared broadly** within the scientific community”.

The ITAR add a requirement to the EAR definition: “**basic and applied research** in science and engineering [at **accredited institutions of higher learning in the U.S.**] where the resulting information is ordinarily **published and shared broadly** within the scientific community”.

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Please remember to advise the OEC of any changes that occur to your travel arrangement in a timely manner in order to ensure adequate processing time and correct recordkeeping.

➤ **Tips for International travels:**

The University of Pittsburgh recommends the following when traveling internationally:

- To determine prior to traveling and with as much advance notice as possible if an export authorization will be required (obtaining a license can take up to several weeks);
- To know in advance with whom (individuals and entities) you will be communicating and collaborating, so that you can conduct complete Restricted Party Screenings (RPS);
- To travel with a clean laptop with a recovery system or to use the [Technology Loaner Program](#) managed by CSSD;
- To remove any export-controlled information, technical data, and software from your devices prior to leaving the U.S. Use a “shredder” program to erase the information you do not want to share. In most cases, it is easier to physically remove the hard-drive and replace it with a clean system;
- To back-up all the information you take before your depart and to leave the backed-up data in the U.S.;
- Not to take devices/technology/information with you that you do not need;
- To refrain from consulting your Pitt emails and from using any cloud-based storage while abroad;
- To change your passwords once you come back to the U.S.;
- Not to exchange controlled-information by phone, fax, email etc.;
- To take business cards, contact information of any person who wants to know more about your project.

For more tips about traveling overseas with electronic devices, you can consult the Pitt CSSD website⁸ and the Office of the National Counterintelligence Executive website⁹.

Export License. It takes approximately 6 to 8 weeks to obtain an Export License (official authorization) from the U.S. Government.

Documentations/records. Export documents must be kept for 5 years from their date of expiration.

Learn more. <http://www.export.pitt.edu>

Training. <http://www.citi.pitt.edu/citi/>

Get Help. EChelp@pitt.edu

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⁸ <http://www.technology.pitt.edu/content/technology-guidelines-for-international-travel>

⁹ <http://www.ncix.gov/publications/reports/docs/traveltips.pdf>