

Office of Research & Commercialization International Travel Compliance Review

Instructions: You need to comply with United States export statutes and regulations whenever you take equipment, devices, computer software or technical data on a trip outside of the country. Certain sponsored programs may be subject to federal law that requires government approval or licensing before exporting equipment, research data or performing research abroad. This can include the hand carrying of items that have both commercial and military or proliferation applications, proprietary information, or items that are considered defense articles, even if used in an academic or research environment. Such items may include data, software or technology, blueprints, design plans, field data, equipment and retail software packages and technical information. This questionnaire will assist the Office of Research & Commercialization with determining if any of the equipment, items, samples, or technical data or services (including training) you are exporting require licensing or other approval and if any of the parties involved in your travels are listed on various federal restriction lists or subject to a U.S. sanction or embargo. If you answer "Yes" to question 4 or 7, contact the Export Control Officer (Info on Page 2) as soon as possible to determine if licenses are needed prior to travel.

Name:	·	Phone:	Destination:	
Sponsored Program Account Number(s): Sponsor:				
1.	las this travel been approved by the sponsor?			
	Yes	No		
2.	Does the Sponsored Program contain any proprietary data, or any access, dissemination, publication, or participation restrictions?			
	Yes	No	Unknown (Contact Export Contr	ol Officer)
3.	Will any individual, entity or organization be subcontracted or paid in the foreign destination for performance on a Sponsored Progra			
	Yes	No		
	Specify:			
4.				
		No		<u></u>
5.				
	-	No		
	Specify 3rd destination:			
6.	Will the travel involve research in a foreign country or collaboration(s) with foreign scientists or researchers or other individuals?			
	Yes	No		
	List all foreign collaborators, institutions and individuals:			
	institutions and individuals:			
7.	Will research equipment, samples, software code or other articles be hand carried or shipped out of the US?			
	Yes	No		
	List specific research			
	equipment, samples or articles:			
8.	Will research data be hand carried or emailed out of the US?			
	Yes	No		
	List specific data:			

No No

Is this data proprietary?

Yes

International Travel Guidance

Travel outside the United States can trigger the need for a federally-issued license(s), depending on the proposed destination, what you plan on taking with you, the nature of the project associated with the travel, and with whom you will be working. The following points of concern are those most often implicated by international travel or collaborations abroad and the various federal export control regulations and embargoes/economic sanctions and should be implemented prior to travel. Additional information is available at: http://www.research.ucf.edu/ExportControl/tools.html

Destination

Travel to countries under a U.S. sanction or embargo may require government approval. Information concerning U.S. Sanctions programs and country specific requirements is available at: <u>http://www.treasury.gov/resource-center/sanctions/Programs/Pages/Programs.aspx</u>

Travel to ITAR-prohibited countries must not involve the export of defense articles, data or performance of defense services, including instruction (see <u>http://www.pmddtc.state.gov/embargoed_countries/index.html</u>). This includes research collaborations involving research conducted in the U.S. subject to restrictions that does not otherwise qualify as "fundamental research."

Export of Equipment or Data

In most situations, licensing is not required to take items abroad under a "tool of trade" exception with only a requirement of maintaining effective control of the equipment. Export regulations will generally not restrain you from taking commercially available laptop computers and standard software to most countries. However, other research equipment, select agents and toxins may not qualify under this exception. All data must qualify as public domain.

To qualify for the "tool of trade" exception, the export must:

- Be less than one year.
- Consist only of reasonable equipment, i.e. laptop computers, other portable computing devices, data storage devices and other equipment that people in your discipline would generally recognize as a "tool of trade."
- You must maintain effective control by retaining physical possession of the equipment at all times or securing the item in a secure environment such as a hotel safe, a bonded warehouse, or a locked or guarded meeting or conference facility.
- The travel cannot be to an embargoed country (Cuba, Iran, North Korea, Syria or Sudan).

You should not take with you ANY of the following without first obtaining specific advice:

- University-owned scientific equipment (other than a sanitized laptop computer, PDA or electronic storage device)
- Data or information received under an obligation of confidentiality.
- Data or analyses that result from a project for which there are contractual constraints on the dissemination of the research results
- Computer software received with restrictions on export to or on access by foreign nationals.
- Devices or equipment received with restrictions on export to or on access by foreign nationals.
- Private information about research subjects
- Devices, systems or software that was specifically designed or modified for military or space applications.
- Classified information

If U.S. Customs and Border Protection (CBP) officials suspect that a regulated item or defense article has been exported without a license, they may, for example, on your return examine files and software on your laptop computer as well as your baggage. For this reason, international travelers are encouraged to sanitize electronic devices by removing all non-essential data prior to leaving the United States. Inspectors in other countries may detain and copy your hard drive. Alternate safeguard methods include taking a blank laptop with only public domain files needed for the specific international trip or encrypting and then e-mailing to yourself any information you may need while overseas. Do not retrieve the e-mail until you have reached your destination, and remember you will need to remove it completely prior to returning to the U.S. or prior to crossing any international border.

Purpose of the Trip

Presentations & Seminars: In general, travel outside of the U.S. to attend a conference - not to present - does not require a license. However, information presented at seminars must be limited to topics that are not related to export-controlled items or technologies unless that information is already in the public domain. Open seminars are usually not problematic unless they take place in a sanctioned country or involve restricted parties. Technical discussions could require a license.

Foreign Collaborations: Publically available information or fundamental research can be shared with foreign colleagues so long as the recipients are not employees or representatives of the government of a sanctioned country, or restricted parties. This includes normal academic peer-review or publishing processes.

Research & Instruction Outside of the U.S.: Research and course instruction conducted outside of the U.S. may not qualify for the fundamental research exclusion. Export controls may apply until the work is published or is otherwise in the public domain. Before teaching a course or disclosing information outside of the U.S. it is important to ensure that the information is not subject to export control laws and regulations.

Furnishing Financial Assistance: OFAC regulations prohibit the university from providing material financial assistance or anything of value, including services, to any blocked or sanctioned country, individual, entity or organization, including a government agency of a sanctioned country. This can involve subcontracts, international vendors or payments to research participants. For example, a professional presentation, <u>whether or not it contains materials controlled under ITAR or EAR</u>, is deemed under OFAC to be a "service" and "something of value" provided to the recipient audience.

Questions or Concerns?

Should you have any questions or concerns, please do not hesitate to contact the Office of Research & Commercialization, Export Control Officer for assistance by e-mail at Export.Controls@ucf.edu or by telephone at (407) 882-0660. Additional information is available on the UCF Export Compliance website at: http://www.research.ucf.edu/ExportControl