

Dear WCU International Traveler,

You have indicated that you plan to travel internationally. When traveling abroad, any physical material or technical data in your possession is considered by United States regulations to have been “exported” from the United States to your final destination and any intermediate destinations. It is your responsibility to abide by the US export laws and embargoes to ensure you are in compliance with national security, economic, and foreign policy. Here are a few items you should be aware of:

**Travel to Sanctioned Countries:** Iran, Syria, Cuba, North Korea and Sudan are sanctioned and embargoed countries. Carrying any hardware (including laptop computers or cell phones) and providing or accepting services from sanctioned entities may be a violation of US export laws. Please contact the Center for International Programs as soon as possible if you need to travel to any of these locations.

**Traveling with hardware:** When traveling to many foreign locations, certain items (including laptop computers and electronic devices) must remain under “effective control” of the traveler at all times, which is defined *in federal regulations* as: “retaining physical possession of item or keeping it secured in a place such as a hotel safe, a bonded warehouse, or a locked or guarded exhibition facility”. If you need to take high-tech devices to foreign locations, it is recommend that you check with the Center for International Programs to make sure the device can legally be exported to your destination.

**Traveling with Technical Data:** Depending on the location and type of data, travelers cannot possess “controlled technical data” defined as “data required for the design, fabrication, operation, or maintenance of military or dual-use technology and, not in the public domain or otherwise exempt from licensing requirements”. Generally, this could include any proprietary data. **The best advice is to not travel to foreign locations with a computer that contains any proprietary or sensitive data. “Clean computers” may be available from the University for your use when traveling on official business travel. If you need a clean computer, please contact the IT HelpDesk.**

More information on traveling abroad can be found at PASSHE’s [Export Controls](#) website. While the University has a goal of promoting academic freedom and sharing of information to the greatest extent possible, West Chester University, researchers and administrators need to be mindful of the legal restrictions including the significant personal liability associated with handling sensitive (i.e. controlled) technologies.

Please contact the Center for International Programs (x3515 or [international@wcupa.edu](mailto:international@wcupa.edu)) to help you determine what action you should take while traveling internationally. As a general rule of thumb:

1. If travelling on personal business with personal equipment, you do not need to fill out either of the following two forms (TMP Form and BAG Form).
2. If travelling on university business, but carrying personal equipment, you are required to only fill out the BAG Form.
3. If travelling on university business, AND carrying university technology/equipment, you are required to fill out both forms (TMP and BAG).

## EXPORT LICENSE EXCEPTION (TMP) CERTIFICATION for Export Administration Regulations (EAR) controlled Items, Technology, and Software "Tools of the Trade" Traveler Certification

Traveler Name: \_\_\_\_\_  
 Destination Countries: \_\_\_\_\_  
 Dates of travel: \_\_\_\_\_

**Instructions:** This form applies to travel with university-owned laptops, smart phones and other electronic media storage. Review, complete, and sign this letter. Carry one copy with luggage to present to Customs if requested or in the event of a search. Return a copy to the University.

**Background:** The export of items, technology, commercial software, and encryption code is subject to federal export control regulations (this includes laptops, smart phones and digital storage devices). The Department of Commerce’s Export Administration Regulations (EAR) makes an exception to licensing requirements for the temporary export or reexport of certain items, technology, or software for professional use as long as the criteria to which you are certifying below are met. The exception does not apply to any EAR satellite or space-related equipment, components, or software, or to any technology associated with high-level encryption products. In addition, this exception does not apply to items, technology, data, or software regulated by the Department of State’s International Traffic in Arms Regulations (ITAR).

Items Eligible for TMP Exemption (15 CFR 740.9(a)(1))	Items NOT Eligible for Exemption
Tools of the trade: university-owned* laptops, tablets, smart-phones and other electronic storage media necessary and related to the purpose of the travels, including commercial encryption.	Items, technology, data, or software designed for military or dual-use purposes. Satellite or space-related equipment, components, or software, or any technology associated with high-level encryption products.

\*Personal electronics may be eligible for the baggage "BAG" exemption (See [15 CFR 740.14](#) for details).

**CERTIFICATION:** This letter is to certify that I am hand-carrying the hardware identified below for official university business purposes, in accordance with the 15 CFR 740.9 "TMP" exemption to the above named countries. By using the License Exceptions I am certifying that the conditions for the use of the License Exception described in the EAR, and listed below, have been met.

Item Description and Model	University Asset Tag # or Serial Number (contact IT help desk if you do not have this information)

1. **I will return the items, technology, or software to the US no later than 12 months from the date of leaving the US** unless the items, technology, or software are certified by me to have been consumed or destroyed abroad during this 12 month period;
2. I will keep the items, technology, or software under my "effective control" while abroad (defined as retaining physical possession of item or keeping it secured in a place such as a hotel safe, a bonded warehouse, or a locked or guarded exhibition facility\*)
3. I will take security precautions to protect against unauthorized release of the technology while the technology is being shipped or transmitted and used abroad such as:
  - a. use of secure connections when accessing e-mail and other business activities that involve the transmission and use of the technology,
  - b. use of password systems on electronic devices that store technology, and
  - c. use of personal firewalls on electronic devices that store the technology;
4. **I will not ship or hand-carry the items, technology or software to Iran, Syria, Cuba, North Korea, or Sudan.**

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
[Name of University Traveler]

## EXPORT LICENSE EXCEPTION (BAG) CERTIFICATION for Export Administration Regulations (EAR) controlled Items, Technology, and Software

### “Baggage” Traveler Certification

Traveler Name: \_\_\_\_\_

Destination Countries: \_\_\_\_\_

Dates of travel: \_\_\_\_\_

**Instructions:** This form applies to travel with personal laptops, smart phones and other electronic media storage owned by the individual. Review, complete, and sign this letter. Carry one copy with luggage to present to Customs if requested or in the event of a search.

**Background:** The export of items, technology, commercial software, and encryption code is subject to export control regulations (this includes laptops, PDAs and digital storage devices). The Department of Commerce’s Export Administration Regulations (EAR) makes an exception to licensing requirements for the temporary export or reexport of certain items, technology, or software for personal or professional use as long as the criteria to which you are certifying below are met. The exception does not apply to any EAR satellite or space-related equipment, components, or software, or to any technology associated with high-level encryption products. In addition, this exception does not apply to items, technology, data, or software regulated by the Department of State’s International Traffic in Arms Regulations (ITAR).

Items Eligible for BAG Exemption <a href="#">(15 CFR 740.14)</a>	Items NOT Eligible for Exemption
Laptops, tablets, smart-phones and other electronic storage media, commercial encryption commodities and software for personal use while traveling abroad.	Items, technology, data, or software designed for military or dual-use purposes. Satellite or space-related equipment, components, or software, or any technology associated with high-level encryption products.

**CERTIFICATION:** This letter is to certify that I am hand-carrying the items identified below for personal use purposes, in accordance with the 15 CFR 740.14 “BAG” exemption to the above named countries. By using the License Exceptions I am certifying that the conditions for the use of the License Exception described in the EAR, and listed below, have been met.

**Detailed Description of Items, Technology or Software to which this Certification applies:**

1. I personally own the items, technology, or software I am taking abroad to the above named countries.
2. I am not shipping the items as unaccompanied baggage;
3. The items, technology, or software are intended for necessary and appropriate personal use only;
4. The items, technology, or software are not intended for sale or other disposal;
5. I will return the items, technology, or software to the U.S.;
6. I will keep the items, technology, or software under my “effective control” while abroad (defined as retaining physical possession of item or keeping it secured in a place such as a hotel safe, a bonded warehouse, or a locked or guarded exhibition facility\*);
7. I will take security precautions to protect against unauthorized release of the technology while the technology is being shipped or transmitted and used abroad such as:
  - a. use of secure connections when accessing e-mail and other business activities that involve the transmission and use of the technology,
  - b. use of password systems on electronic devices that store technology, and
  - c. use of personal firewalls on electronic devices that store the technology;
8. **I will not ship or hand-carry the items, technology or software to Iran, Syria, Cuba, North Korea, or Sudan.**

Signed: \_\_\_\_\_  
[Name of University Traveler]

Date: \_\_\_\_\_