**License Exception for Foreign Travel**

**Export License Exception (TMP) for Temporary Exports/Reexports**

This exception (TMP) can be used for travel outside the U.S. when you are taking items or technology that would normally require a license from the State Department of Commerce.

**What the exception covers:**

The export of items, technology, commercial software, and encryption code is subject to export control regulations (this includes laptops, PDA’s and digital storage devices).  The Department of Commerce’s Export Administration Regulations (EAR) makes an exception to licensing requirements for the temporary export or re-export of certain items, technology, or software for professional use as long as the criteria in the **Export License Exception (TMP) Certification** are met.

The following items are controlled by the EAR with Export Control Classification Numbers listed:

• Laptops, iPhones, Blackberries: 5A992

• Mass market software (Windows, OS X, Office, Adobe products, Visual Studio): 5D992

• Open source software (Linux, Apache): 5D002

The Commerce Control Listings for these ECCNs are in <https://www.bis.doc.gov/index.php/regulations/commerce-control-list-ccl>

The TMP exception is documented in §740.9 of the EAR.

**What the exception does NOT cover:**

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 and cannot be used for travel to Cuba, Iran, North Korea, Syria or the Crimea region of Ukraine.

**Record-keeping:**

Fill out the exception form prior to travel (keep a copy for your files) and return to Sarah Schlagter, Export Controls Officer in the Office of Sponsored Programs, via e- mail @ sms655@cornell.edu.  Contact Sarah at 607.255.5284 if you have questions regarding the exception and procedures.

**EXPORT LICENSE EXCEPTION (TMP) CERTIFICATION**

**Export Administration Regulations (EAR) controlled Items, Technology, and Software**

**To:** University Export Compliance Officer **From:** [*Insert Name of CU PI or Employee*]

**Date:**[*Insert Date*]

**Re:       Export License Exception for Temporary Exports/Reexports\***

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 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).

Detailed Description of Items, Technology or Software to which this Certification applies: [*Insert description here*]

By my signature below, I certify that:

1.   I will ship or hand-carry the items, technology, or software to [*insert country(s) traveling to*] as a

“tool of the trade” to conduct Cornell University business only;

2.   **I will return the items, technology, or software to the US on** [*insert return date*] **which is 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;

3.   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);

4.   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;

5.   **I will not ship or hand-carry the items, technology or software to Iran, Syria, Cuba, North Korea, or the Crimea region of Ukraine without consulting with Cornell University’s Export Compliance Officer**. If I am planning to travel to these countries, I will consult Cornell University’s Export Compliance Officer in the Office of Sponsored Programs.

Signed:

OSP #:

[*Name of PI/Employee*]                                                 [*If applicable*]

***\*Keep a signed copy with you when traveling abroad***