

EXPORT CONTROL INFORMATION FOR FOREIGN TRAVEL

Oklahoma State University is committed to complying with all export control laws and regulations. It is important that you understand your obligation under the laws and regulations. Export control regulations are not new. The Export Administration Regulations (EAR), the International Traffic in Arms Regulations (ITAR), and the Treasury Department's Office of Foreign Assets Control (OFAC) are the primary regulations governing export control.

In general, the export control regulations cover four main types of University activities:

1. Transfers of controlled information, including technical data, to persons and entities outside the United States;
2. Shipment of controlled physical items, such as scientific equipment, that require export licenses from the United States to a foreign country;
3. Verbal, written, electronic, or visual disclosures of controlled scientific and technical information related to export controlled items to foreign nationals ("deemed exports"), even when it occurs within the United States; and
4. Travel to certain sanctioned or embargoed countries for purposes of teaching or performing research.

When planning a trip abroad, OSU travelers should familiarize themselves with export control regulations and embargoes.

YOU must ensure that any information that you will discuss or any items that you will take with you are either not controlled, or if controlled, proper licenses are in place. Because you, as an individual, and OSU can be held liable for improperly transferring controlled technology, it is important that YOU review these federal requirements.

In many cases, the item(s) are classified as exempt or an exception to the license requirements is available. However, regulations require that the **exemption/exception** need to be **documented** and records must be kept for five years.

Prior to discussing technology or making a presentation while traveling abroad, you should verify that the technology, information, and/or commodities qualify for exclusion. Among the exclusions are:

- Fundamental Research and Information Resulting from Fundamental Research
- Published Information
- Software Publicly Available
- Educational Information
- Patent Applications

Travel to most international destination(s) does not usually constitute an export control problem. However, there may still be concerns regarding specific countries and safety. If you would like a briefing about current issues with respect to your current country of travel, please contact me. I can arrange for an FBI briefing. Also, the U.S. State Department's Travel Information site (<http://travel.state.gov/>) provides the latest travel warnings and alerts.

In many cases, items such as a personal laptop computer and other "tools of the trade" do not require a license. However, "tools of the trade" must remain under the "effective control" of the employee. "Effective control" means you must keep the item in your physical possession or keep it secured in a place such as a hotel safe, a bonded warehouse, or a locked or guarded exhibition facility. **Depending on your international destination(s), an export license or other government approval may be required.** Encryption software in particular is subject to special regulations and more stringent license requirements. It is highly recommended that if you do take a laptop or storage device, you have it scanned for malware upon your return and **BEFORE** you use it to log into the university network or connect to other university equipment. OSU IT Security can assist you with this. You may contact them at 405-744-1976 or at abuse@okstate.edu. Their website is: <http://security.okstate.edu>.

The U.S. has various lists of persons and entities that we are prohibited from doing business with; in other words, we should not be providing them with a defense service (includes training), giving money to these people or organizations, or providing them with controlled (on the CCL) proprietary technology. We can be fined by the government agencies if we do business with any person or entity found on these lists. **Please take a look at the ATTACHED LIST of denied persons/entities from the country you are visiting to make sure you will not be doing business with any person or entity on this list.** If no list is attached, then the country you are visiting has no denied entities.

Links to the Department of State, Department of Commerce (BIS), OFAC, denied entities/persons lists, and the "Countries of Concern" can be found at: <https://research.okstate.edu/urs/earregulations.html>.

Please contact Jada Bruner Gailey if you have export control related questions about travel outside the U.S. She can be reached at 405-744-9995 or via e-mail at jada.gailey@okstate.edu.

More information regarding export controls can be found at: <http://urs.okstate.edu/>.