



WHAT YOU NEED TO KNOW

EXPORT CONTROLS AND INTERNATIONAL TRAVEL

RESEARCH SECURITY OFFICE
<https://rso.tamug.edu>

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BACKGROUND | WHY IT'S IMPORTANT

Individuals in universities or agencies of the A&M system traveling internationally on institution business or with institution property are required by federal policies to comply with relevant export control laws and regulations which may restrict or prohibit some travel-related activities or destinations, limit the people with whom the traveler may interact, and require licenses for some activities. However, there are some exclusions that may apply—*especially for conference travel and for sharing of educational or public domain information*. The export control office at your institution can help you assess ways that you can ensure institutional and individual compliance with export control requirements. Jump to [“WHO TO CONTACT”](#) below if you want to connect to that office.

FAQs | ANSWERS TO YOUR QUESTIONS

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Directions: Click the question you would like to review the answer to.

THE WHERE

Q: *I am traveling to an embargoed location (i.e. Cuba, Iran, North Korea, Syria, or the Crimea Region of the Ukraine). Should I contact my member export control compliance office before I leave?*

Q: *In addition to comprehensively embargoed locations, are there other countries or regions with targeted or list-based sanction programs?*

FOREIGN CORRUPT PRACTICES ACT (FCPA)

Q: *What are some safeguards that can prove helpful in evaluating whether or not a particular expenditure may risk violating the Foreign Corrupt Practices Act (FCPA)?*

THE WHAT

THE WHO

- Q:** What if I am taking information that is: published and generally accessible to the public through publication in books or periodicals; available in a public library or in bookstores; or is presented at a conference, meeting, seminar, trade show, or other open gathering?
- Q:** What if I am taking encrypted software, export controlled items or information, unpublished research data, or data not in the public domain?
- Q:** What if I am taking information, software or technology that is: proprietary; designated for military, space, encryption software or nuclear related applications; or may have been received under a nondisclosure agreement or otherwise subject to contractual restraints?
- Q:** What if I am taking a laptop, PDA, cell phone or other data storage device?
- Q:** What is a "Tools of Trade" (TMP) license exception?
- Q:** What if I am taking specialized equipment such as global positioning systems (GPS), thermal imaging cameras, inertial measurement units, and specialty software?
- Q:** What if I am taking my personal laptop, tablet, cell phone or standard commercial software?
- Q:** What if I will be taking biological or hazardous materials?

- Q:** Does the export control office need to know who I am meeting with?
- Q:** I'm meeting with individuals with whom I will be collaborating with on a specific research project. Does the export control office need to know which project and who?
- Q:** I'm attending a conference. Do you need to know who (organizations/individuals) is sponsoring on the conference?
- Q:** In addition to the main purpose of my trip, I anticipate meeting with other individuals/organizations in my professional capacity. Do I need to notify the export control office?

MEMBER SPECIFICS

- Q:** I am an employee at A&M Central Texas; what do I need to know specifically for our campus?
- Q:** I am a student at A&M Central Texas doing Study Abroad; what do I need to know?

ANSWERS

THE WHAT | ANSWERS

Q: What if I am taking information that is: published and generally accessible to the public through publication in books or periodicals; available in a public library or in bookstores; or is presented at a conference, meeting, seminar, trade show, or other open gathering?

A: This information is generally considered to be in the public domain and can be taken with you.

Q: What if I am taking encrypted software, export controlled items or information, unpublished research data, or data not in the public domain?

A: You should consult your member export control office.

Q: *What if I am taking information, software or technology that is: proprietary; designated for military, space, encryption software or nuclear related applications; or may have been received under a nondisclosure agreement or otherwise subject to contractual restraints?*

A: You should consult your member export control office.

Q: *What if I am taking a laptop, PDA, cell phone or other data storage device?*

A: You must ensure that there is no export controlled information on such devices. If you are unsure, consult your member export control office. If you believe you are in need of a specific license or other authorization (including a Tools of Trade license exception) in order to take that information to your destination, contact your member export control office for assistance.

Q: *What is the "Tools of Trade" (TMP) license exception?*

A: The Tools of Trade (TMP) license exception allows many items such as laptops, tablets, cell phones, and commercial software to be taken out of the country to most locations temporarily. Under the TMP license exception, the traveler may take university property out of the U.S. to most locations provided the item is not shipped more than a month in advance of your departure, kept under the traveler's effective control, and brought back to the U.S. within a year of the departure date.

Q: *What if I am taking specialized equipment such as global positioning systems (GPS), thermal imaging cameras, inertial measurement units, and specialty software?*

A: This equipment may be highly controlled and may require an export license, even if it is hand carried. If you are unsure about the equipment you are taking, please consult your member export control office.

Q: *What if I am taking my personal laptop, tablet, cell phone or standard commercial software?*

A: The TMP exception may apply. Under the TMP license exception, the traveler may take university property out of the U.S. to most locations provided the item is not shipped more than a month in advance of your departure, kept under the traveler's effective control, and brought back to the U.S. within a year of the departure date.

Q: *What if I will be taking biological or hazardous materials?*

A: You should consult your member export control office.

THE WHO | ANSWERS

Q: *Does the export control office need to know who I'm meeting with?*

A: Yes, your export control office needs to know who you plan to meet with in order to conduct a restricted party screening (RPS). This screening process will help identify any parties that may be restricted pursuant to federal export control regulations. A license may be required or actions prohibited for some activities with such parties.

Q: *I'm meeting with individuals with whom I will be collaborating with on a specific research project. Does the export control office need to know which project?*

A: Yes, your export control office needs to know who you intend to collaborate with, whether the project is considered sponsored research or a collaboration. RPS and a review of the project or collaboration needs to be conducted to ensure no licenses are necessitated for the proposed activities.

Q: *I'm attending a conference. Do you need to know who (organizations/individuals) is sponsoring on the conference?*

A: Yes, your export control office needs to know who is sponsoring the conference you will be attending. RPS will need to be conducted.

Q: *In addition to the main purpose of my trip, I anticipate meeting with other individuals/organizations in my professional capacity. Do I need to notify the export control office?*

A: Yes, your export control office needs to know who you intend to meet with so RPS can be conducted.

THE WHERE | ANSWERS

Q: *I am traveling to an embargoed location (i.e. Cuba, Iran, North Korea, Syria, or the Crimea Region of the Ukraine). Should I contact my member export control compliance office before I leave?*

A: Yes, you need to conduct your member export control compliance office as soon as possible for a case-specific analysis of your proposed activities, who you will interact with, and what items you will be traveling with. A license may be required, or some activities may be generally licensed. A case-specific analysis will need to be conducted for your specific scenario. It is extremely important to plan well in advance for travel to embargoed locations, as license applications can take a significant amount of time to be approved or denied by the cognizant federal regulatory body.

Q: *In addition to comprehensively embargoed locations, are there other countries or regions with targeted or list-based sanction programs?*

A: Yes, there are several other locations with targeted or list-based sanction programs that target specific groups such as governments, former regimes, or specific sectors such as the oil industry and nuclear energy sectors. Some examples include, but are not limited to, Russia, Venezuela, and the Central African Republic. Contact your member export control compliance office for a time and case-specific analysis for your particular travel.

FCPA | ANSWERS

Q: *What are some safeguards that can prove helpful in evaluating whether or not a particular expenditure may risk violating the Foreign Corrupt Practices Act (FCPA)?*

A: Under the FCPA, businesses both foreign and domestic are allowed to provide 1. reasonable and 2. bona fide travel & lodging expenses that are 3. directly related to the promotion, demonstration, or explanation of a company's products or services or are related to the company's execution or performance of a contract with a foreign government or agency.

1. Did you select the particular officials who will participate in the party's proposed trip or program (only allowable if they were selected based on pre-determined, merit-based criteria)?
2. Were all costs paid directly to travel & lodging vendors and/or costs reimbursed only upon presentation of a receipt?
3. Did you advance funds or pay for reimbursements in cash?
4. Did you ensure that any stipends are reasonable approximations of costs likely to be incurred and /or that expenses are limited to those that are necessary and reasonable?
5. Did you ensure the expenditures are transparent, both within the company and to the foreign government?
6. Was the condition of payment of expenses based on any action by the foreign official?
7. Did you provide additional compensation, stipends, or spending money beyond what is necessary to pay for actual expenses incurred?
8. Did you ensure that costs and expenses on behalf of the foreign officials will be accurately recorded in the company's books and records?
9. Did you obtain written confirmation that payment of the expenses is not contrary to local law?

There is an exception for "facilitating or expediting payments" in routine governmental action involving non-discretionary acts.

- Processing visas
- Providing police protection or mail service
- Supplying utilities (i.e phone service, power, & water)

Q: *I am an employee at A&M Central Texas; what do I need to know specifically for our campus?*

A: Employees at A&M Central Texas must complete specific paperwork for Export Control, in addition to the Export Control questions in Concur. The paperwork, called the Export Control Verification Form, is available through the Office of Research webpage, on the International Travel & Export Control link in the left-hand menu. There are also a number of campus offices that must sign the paperwork, preferably electronically, so plan ahead to get it to the Office of Research by the deadline mentioned on the form.

Q: *I am a student at A&M Central Texas doing Study Abroad; what do I need to know?*

A: Students at A&M Central Texas who are also employees (e.g., work-study students or GAs) need to complete the same Export Control paperwork that other employees must complete (see question above). Students who do not work on campus do not need to complete the paperwork, but they must still complete the three (3) required TrainTraq courses: International Travel Training (catalog# 2111728), Export Controls Training (catalog# 2111212), and US Foreign Corrupt Practices Act Training (catalog# 2113639). After completing each class, students will be able to download a certificate of completion for it. Students must download the certificates for each TrainTraq course and submit them to the Study Abroad program office with your other Study Abroad paperwork in order to qualify to travel.

A&M SYSTEM MEMBER OFFICES | WHO TO CONTACT

Your institution may also have rules or guidelines that apply specifically to your institution; see the links at the end of the FAQs section for institution-specific guidance. Also, note that some countries are very rigid about passport expiration dates and you may not be able to travel to or through that country if your passport is close to expiring. Visit the [U.S. State Department Web site](#) to get more information about countries you'll travel to or through; type in the country name and check the Passport Validity section.



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WHAT YOU NEED TO KNOW: Export Controls and International Travel