

## **Export License Exceptions for Travel outside the United States**

Traveling outside the United States can present export control issues for Florida State University travelers. The export of tangible items, and commercial software and encryption code commonly found on laptops, tablets and cell phones, is subject to export control regulations. However, the U.S. Department of Commerce's Export Administration Regulations (EAR) (15 CFR Part 740) provide two exceptions to license requirements when the tangible export of controlled items and software containing encryption code is necessary for travel or relocation.

The TMP and/or BAG exceptions should be used for travel outside the U.S. when you are taking items or technology that would normally require a license from the Department of Commerce. If the item or technology does not require a license (e.g., EAR99 classification), you do not need to use an exception.

**Export License Exception "TMP" (Temporary Exports)** allows those leaving the U.S. on university business to take with them as "tools of trade" *FSU-owned or controlled* software, technology, and retail level encryption items such as laptops, tablets and cell phones to all countries other than Iran, Syria, Cuba, North Korea or Sudan, so long as the items and software (a) will remain under their "effective control" while they are abroad and (b) will be returned to the U.S. within 12 months or destroyed abroad within a one year period.

This exception does *not* apply to the export of: (a) controlled satellite or space-related equipment, components or software; (b) technology associated with high-level encryption products; and (c) items, technology, data or software regulated by the Department of State's International Traffic in Arms Regulations ("ITAR").

**Export License Exception "BAG" (Baggage)** allows those leaving the U.S. either temporarily (i.e., traveling) or longer-term (i.e., moving) to take with them as personal baggage *family-owned* software and retail level encryption items including laptops, tablets and cell phones, so long as the items and software are for their personal or professional use. Individuals leaving the U.S. temporarily must bring back the items and software they exported under this license exception unless the items are destroyed abroad.

**Documentation:** The EAR requires that the use of these license exceptions be documented and records must be kept for five years. Fill out the [TMP Exception Certification Form](#) and/or [BAG Exception Certification Form](#) prior to travel. Send a signed copy to the Office of Research Compliance via email at [research-compliance@fsu.edu](mailto:research-compliance@fsu.edu). **Keep a signed copy of the certification(s) with you when traveling abroad.**

Contact Diana Key at (850) 644-8648 or [dkey@fsu.edu](mailto:dkey@fsu.edu) if you have questions.