UNIVERSITY OF MIAMI

SOP For International Travel & Export Controls Using License Exceptions

Please read the following SOP in its entirety

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Effective Date: 11/14/2014

Revision History: Noted Below

Responsible University Officer: Office Of The Vice Provost For Research & Scholarship (OVPRS)

Responsible Offices: Office Of The Vice Provost For Research & Scholarship (OVPRS)

This process supports the University of Miami (UM) policy on compliance with U.S. export control laws and regulations[1].

University travel is defined as travel by any member of the UM community on UM business. UM business is further defined as any program or activity that is required or run by UM or financially supported through any UM account. Foreign travel is defined as any travel outside of U.S. territory. Any UM personnel who is travelling wholly for personal reasons and without financial support by UM is not subject to UM's travel policies, but may still be subject to U.S. export control laws and regulations. In addition to U.S. regulations, foreign countries may prohibit the importation of certain technologies which can affect items that can be taken during travel (e.g., Haiti, Saudi Arabia, Venezuela, China).

Purpose

The export of technology, software, and other items (including laptop computers, tablets, digital storage devices, blueprints, drawings, formulae, prototypes, scientific equipment, etc.) is generally subject to federally mandated export control regulations. It is important to note that these devices along with their underlying software and the technical data stored in them may be subject to the Export Administration Regulations (EAR) or the International Traffic in Arms Regulations (ITAR).

Electronic devices used in day-to-day activities likely carry encryption technologies that are subject to restrictions imposed by the U.S. Government or by foreign governments. Some of these devices include smartphones, tablets or laptops. In most instances there is not a problem in traveling with these devices. The biggest risk is when travel is to a country that is sanctioned by the U.S. Government[2].

For countries that are restricted by the U.S. government in taking certain items out of the U.S., UM personnel may be eligible for one of two License Exceptions which will authorize the exportation of qualified items. However, when the country restricts the importation of the item, these License Exceptions cannot be used nor may the item be taken by the traveler. Please refer to Export-S-004 "International Travel License Exceptions" for the process in using these exceptions. Questions may be directed to UM's Director, Export Control Compliance.

UM personnel traveling to an embargoed country (e.g., Cuba, Syria, Iran, and North Korea) cannot take University-owned equipment or data regardless if the trip is for University-business or personal. Conducting business (i.e., checking emails, video conference calls, telephone calls, meetings, etc.) can be restricted in certain countries, for example Iran, and may require authorization from the U.S. Department of Treasury Office of Foreign Assets Control (OFAC) well in advance of travel.

UM personnel must comply with U.S. laws and regulations as well as UM policies[3] when traveling internationally on UM business or with University-owned equipment and data. Responsibilities also include understanding when a country restricts or prohibits certain technologies (i.e., cryptography) from entering their country. UM personnel traveling out of the U.S. territory may contact the Export Control Compliance Website for assistance in understanding restrictions with specific countries.

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[1] Export Compliance Policy (EXPORT-P-002) can be found on the Export Control Compliance website

[2] List of restricted and embargoed countries posted by the U.S. Department of State. https://www.state.gov/countries-areas/

[3] UM's International Travel website: https://travel.miami.edu/business-travel/international-travel/index.html

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License Exception TMP (temporary) is available for items that fall under the jurisdiction of the Export Administration Regulations (EAR) for travel to certain destinations where the traveler is taking UM-owned devices or data that are controlled under the EAR which are considered "tools-of-trade". License Exception BAG (baggage) is available under the EAR for travel to certain destinations where the traveler is taking personally owned devices that are controlled under the EAR which are considered "tools of trade."

For items that fall under the jurisdiction of the International Traffic in Arms Regulations (ITAR), the traveler will need to contact the Director, Export Control Compliance and obtain an export license before traveling with such items. Export licenses can take several months to obtain. Travel with export controlled items, whether under the EAR or the ITAR may not occur unless approved by UM's Director, Export Control Compliance.

UM personnel must comply with U.S. laws and regulations as well as UM policies[4] when traveling internationally on UM business or with University-owned equipment and data. Responsibilities also include understanding when a country restricts or prohibits certain technologies (i.e., cryptography) from entering their country. UM personnel traveling out of the U.S. territory may contact the Director, Export Control Compliance for assistance in understanding restrictions with specific countries.

Definitions

Please refer to UM's Export Control website for a list of acronyms and terms commonly found within U.S. export control laws and regulations, as well as UM's export compliance program.

Responsibility

UM personnel must first follow University Travel policy when making their international travel arrangements. After completing the required forms and registrations per the University Travel policy, UM personnel should then determine where export controls may affect the item(s) they are planning to take. UM personnel may contact the ECO[5] for assistance.

UM personnel traveling to an embargoed country (e.g., Cuba, Syria, Iran, North Korea) cannot take University-owned equipment or data regardless if the trip is for University-business or personal. Conducting business (i.e., checking emails, video conference calls, telephone calls, etc.) can be restricted in certain countries and will require authorization from the U.S. Department of Treasury Office of Foreign Assets Control (OFAC) in advance of travel. Such authorization can take several months to obtain.

If travel is to a destination which is restricted by the U.S. Government and where the country of destination does not prohibit or restrict importation of the item(s) the traveler is taking, the traveler may apply for use of one of two license exceptions noted above for items that are controlled under the EAR. The traveler must strictly adhere to defined stipulations in order to use the license exception, and will be held personally responsible for violations. UM's Export Compliance Officer will assist in helping the traveler determine which license exception is appropriate.

Documentation

License Exception TMP (Temporary)	License Exception available under the Export Administration Regulations (EAR) for travel to certain destinations where the traveler is taking UM-owned devices that are controlled under the EAR which are considered "tools-of-trade".
License Exception BAG (Baggage)	License Exception available under the Export Administration Regulations (EAR) for travel to certain destinations where the traveler is taking personally-owned devices that are controlled under the EAR which are considered "tools-of-trade".
International Travel Authorization	Form required by UM Travel Management for faculty and staff traveling on University business and/or study in foreign countries.

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[4] UM's International Travel website: http://www.miami.edu/finance/index.php/travel_management/international_travel/
[5] UM's Director, Export Control Compliance exportcontrol@miami.edu Office: (305) 284-9558

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References

- UM's Travel Management website.
- Visit the UM Export Control Compliance website for details of UM's export compliance program, policy, references, and training materials.

Templates / Forms

License Exception TMP Form (Temporary)
Export-F-008: License Exception BAG (Baggage)
International Travel Website
International SOS - UM's Travel Security Service

History

Effective Date	Revision Date	Authors	Description
11/14/2014	N/A	Epley, Wendy	Establish procedures for use of license exceptions when traveling outside the U.S. with export controlled items.
	4/24/2017	Collins, William	Updated to reflect Office of Research Administration links.
	4/21/2021	Capman, Pamela	Re-created in Adobe LiveCycle. Updated header, footer, and broken hyperlinks. Added "SOP For" to title.
	02/21/2025	Capman, Pamela	Update broken links.