

# Export Guidance: Shipping or Travelling Internationally with Computers and Other Equipment; Transmitting Data Internationally

You need to comply with United States export statutes and regulations whenever you ship or take equipment, devices, computer software or technical data out of the country. There are two main sets of rules that you should know about: US Export Control laws and US Customs regulations. Both are discussed in this document.

If you have any questions or need assistance with regard to a sponsored research project, contact [Research and Sponsored Programs](#) (for federally funded and foundation-funded projects) or the [Office of Industrial Partnerships](#) (for industry-funded projects).

Please direct other questions or requests for assistance to the [Export Control Contacts](#).

## Data Transmission

The government includes electronic data transmission in its definition of “export.” Because of this, you must be cognizant of any restrictions placed on the dissemination of your research if you are collaborating with foreign individuals. In most instances, research without restrictions on dissemination is exempt from licensing requirements under the “fundamental research” exception. However, if your research pertains to high-level cryptograph or has proliferation or military applications, contact the [Export Control Contacts](#) before sending information to colleagues overseas or researchers who are in the United States on temporary visas.

## Shipping and Travelling with Equipment

If you export equipment, devices, computer software, or technical data out of the United States by way of shipments or in connection with foreign travel, you may need to take a few extra steps, such as filing documentation with the US Census Bureau through the Automated Export System, (AES – formerly SED) in order to comply with foreign trade regulations. These regulations do not apply if your item(s) being exported meets certain conditions. Please be aware that “export” refers to any transfer of information or objects outside the United States, including travelling with equipment hand-carried in personal luggage as well data sent over the Internet or other networks. To determine whether you need to file through AES, you should consider what you are exporting, what it is used for, where you are exporting, and who is receiving it.

To better help readers, an example is included following this information. If you need more assistance or are unsure of whether your shipment has been prepared properly, please reach out to the [Export Control Contacts](#).

*Low-value shipments (i.e., less than \$2,500 in any Schedule B classification):*

Where is your export going? As long as you are shipping or travelling to a country other than Iran, Iraq, Libya, North Korea, Sudan, or Syria, you do not need to be concerned about obtaining an export license for items or technical data shipped or hand-carried solely based on destination country. If you are exporting to Canada, you may not need an export license even if the value of your export exceeds the limits below. If you are exporting to any of the above countries, contact the [Export Control Contacts](#).

What are you exporting? If the item/s that you are exporting is valued at less than \$2,500 total, you do not need to take any additional steps to ship or travel with it overseas UNLESS the item(s) is subject to US export control laws.

If you are shipping or travelling with multiple items whose combined value is over \$2,500, you may still be able to use the low-value shipment exemption. To determine whether this exemption applies, you must first establish how the items are classified according to [Schedule B](#). Use [this tool](#) to search Schedule B and figure out how your items are classified. Next, determine whether any items classified under the same Schedule B number have a combined total value of more than \$2,500. If they do, you cannot use the low-value exemption and must file through AES. If the combined value of any items classified under the same Schedule B number does not exceed \$2,500, you can use the low-value exemption and you do not need to file through AES.

What is it used for? If any item that you are shipping requires an export license, you cannot use the low-value shipment exemption to avoid filing through AES. Most items do not require an export license. However, you should be on alert if you are shipping:

- especially powerful computer components;
- items that could relate to nuclear, chemical, or biological weapons, or that could have other military applications;
- infectious or hazardous materials, including CDC/USDA “Select Agents”;
- controlled substances or precursor chemicals of controlled substances;
- agricultural products; or
- research materials for which you have accepted distribution restrictions.

If any of these categories apply, or if you have any reason to believe that your shipment may require a license, contact the [Export Control Contacts](#).

Example 1: Professor Pam wants to send a laptop computer, a printer, and a blank external hard drive to her colleague in Germany. Each item is valued at \$1,000. In total, Pam’s shipment will be valued at \$3,000, so she uses [this tool](#) to determine each item’s Schedule B number. She finds out that her laptop computer is designated by number 8471.30.0100; her printer is designated under 8443.31.0000; and the external hard drive is 8471.70.3000. Pam can still use the low-value exemption because no group of items categorized under the same Schedule B number exceed \$2,500 in value. As long as none of the items need a validated license (discussed below), Pam can send her shipment without taking any additional steps.

Example 2: Assume the same facts as Example 1. However, instead of a blank hard drive, Professor Pam now wants to send a hard drive loaded with research data to her colleague. Whether Professor Pam needs to get a license depends on the nature of her research. If she focuses on engineering, pharmacology, computer science, cryptography, or any other discipline that might have military or proliferation uses, she should contact the [Export Control Contacts](#) to ensure that she is complying with all applicable laws. Additionally, if Professor Pam has agreed to limit the distribution of her research materials, she should contact the [Export Control Contacts](#).

## **International Travel**

Data security cannot be guaranteed when traveling abroad. Consumer-grade encryption software may be insufficient to protect your information, and data theft is common. Because of this, you should only take with you whatever data, files, and equipment that you believe will be necessary during your travels. You may want to consider backing up any sensitive or personal files on external media and deleting them from any computers or storage devices you bring with you while you are out of the United States.

In most situations, you will not need to obtain permission from the government to take computer equipment and other items with you and you likely will not need to take any special actions to comply with the export rules. Most of the equipment and data that you are likely to take with you are not specially controlled to most countries. As discussed in greater detail below, there is a broad exception to the export rules for taking tools of trade; the exception can be used so long as you maintain control of the equipment. The export rules generally will not restrain you from taking commercially available laptop computers and standard software to most countries.

If you will be traveling outside of the United States for less than twelve months, you may take laptop computers, other portable computing devices, data storage devices and other equipment that people in your discipline would generally recognize as tools of trade as long as you maintain *effective control* of those items while you are outside of this country **AND** you are not traveling to an embargoed country (Iran, North Korea, Syria or Sudan). You maintain effective control over an item when you either retain physical possession of the item or you secure the item in such an environment as a hotel safe, a bonded warehouse, or a locked or guarded meeting or conference facility. You should only take equipment that is related to your travel or activities abroad.

You do not have to maintain effective control of an item, and you may keep the items abroad for more than one year, if **ALL** of the following criteria apply:

- The laptops and other computing and data storage devices are standard, off-the-shelf products that are broadly available; and
- The operating system and any encryption capabilities are of the kind that are preloaded on the computers and do not allow for user revisions to enhance communications security capabilities; and

- All of the applications and software are general, commercially available programs that do not perform technical analysis. If software does perform technical analysis, this criterion is met if the software is a general purpose scientific or engineering program that is commercially available (e.g., for electric field calculations not aimed at a specific product); and
- All of the research data stored on the computers or storage devices is publicly available (e.g., published in journals or on the web). Data and analyses from research that ordinarily would be published and are not restricted by contract from general dissemination can be treated as publicly available; and
- The travel is not to a country with special strong export controls, currently Iran, North Korea, Syria or Sudan; and
- You have no reason to believe that there are export constraints on any of the equipment, software, data or information that would apply to your intended travel.

There are many other devices and equipment for which there are minimal constraints under the export rules. If you have an issue with regard to maintaining effective control over an item, you might check with the people identified in the first paragraph above.

**You should not take with you ANY** of the following without first obtaining specific advice:

- Data or information received under an obligation of confidentiality.
- Data or analyses that result from a project for which there are contractual constraints on the dissemination of the research results.
- Computer software received with restrictions on export to or on access by foreign nationals.
- Devices or equipment received with restrictions on export to or on access by foreign nationals.
- Data generated in the course of research outside the United States
- Private information about research subjects
- Devices, systems or software that was specifically designed or modified for military or space applications.
- Classified information

You should keep in mind and be prepared for the potential that customs inspectors in countries that you may visit, and in the United States when you return, may require that you allow them

access to inspect the devices and equipment you have with you and all of the contents of the computers and storage devices. In the United States, the inspectors may take possession of those items for various periods of time, and even permanently depending upon the circumstances. The inspectors in other countries might do so as well.

The following are some examples:

You plan to travel to France to do research on early French literature and would take a laptop computer and flash memory storage device with you. It is very likely that the export regulations would not require that you maintain effective control of the computer and memory, according to the guidance given above.

You plan to travel to Japan to present a paper on the latest results of your research on a basic issue of physics. You plan to take a laptop computer and copies of some published papers with you. You do not have any information or computer software that was received under an obligation of confidentiality or a need to exclude the use of the software by foreign nationals. It is very likely that the export regulations would not require that you maintain effective control of the computer and memory, according to the guidance given above.

You are planning to travel to Brazil to study some ancient ruins. You would like to take with you a laptop computer, a portable storage device, standard surveying equipment that is easily available throughout the world, and a PDA with GPS capabilities. You might need to maintain effective control over the PDA. If you do not feel you can maintain effective control, you should seek advice as noted above.

You plan to bring a number of smart sensors to Australia for use in a research project to monitor stresses in a structure. Each smart sensor includes an acceleration sensor, a relatively low speed microprocessor and a low speed wireless communications capability. You would also take a laptop computer with communications capabilities to interact with the smart sensors. The export regulations likely would not require that you maintain effective control over them; but you should seek advice as noted in the first paragraph above in case there is an issue. You should not take with you any information or computer software received under an obligation of confidentiality or with restrictions on access by foreign nationals.

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Adapted from guidance provided by the University of Michigan. Original available at [http://orsp.umich.edu/policies/federal/export\\_controls/export\\_controls\\_travel.html](http://orsp.umich.edu/policies/federal/export_controls/export_controls_travel.html).