Export Guidance: Traveling Out of the Country with Laptops and Other Equipment

You need to comply with United States export statutes and regulations whenever you take equipment, devices, computer software or technical data on a trip outside of the country.

Please contact the ORSP Research Compliance Office if you have any questions or need assistance with regard to taking an electronic device or equipment out of the country in relation to activities associated with a sponsored research project.

In most situations, you will not need to obtain permission from the government to take the 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, with only a requirement of maintaining control; and the export rules generally will not restrain you from taking commercially available laptop computers and standard software to most countries.

If you will be temporarily traveling (less than one year) outside of the United States, you may take with you for activities related to your travel 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 (Cuba, 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.

Maintaining *effective control* of the items and the limit of one year do not apply if **ALL** of the following 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 application programs are general, commercially available software that either do not perform technical analyses; or, are general purpose scientific or engineering programs that are commercially available (e.g., for electric field calculations not aimed at a specific product); and
- All of the 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 Cuba, 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.
- 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.