

Export Control and International Travel



This training course will cover the following topics:

- ❖ Private travel vs. “Brown” travel
- ❖ When might international travel trigger export controls?
- ❖ Travel to embargoed/sanctioned countries
- ❖ What are Restricted Parties/Specially Designated Nationals?
- ❖ Other things to consider when traveling internationally
- ❖ Who to contact for help and with questions

➤ Brown faculty, students and staff frequently travel internationally, presenting papers and serving as keynote speakers at academic conferences, and engaging in research or other activities abroad.



➤ While most activities conducted on behalf of the University do not require export control licenses, some do. It is important for all Brown personnel to be able to identify when international travel may require an export license, and when it is necessary to engage Brown's Export Control compliance team.

➤ This training will help you identify international travel and research activities that require coordination with the Brown's Export Control compliance team.

Export Control Regulations

International Travel: Which Export Control regulations might apply?

International Traffic in Arms Regulations (ITAR)

-Overseen by the Department of State-
IF traveling with ITAR-controlled items, technology,
materials, software or technical data

The ITAR governs military, weapons and space-related technologies. See the [USML](#) for items covered by the ITAR.

Export Administration Regulations (EAR)

-Overseen by the Department of Commerce-
IF traveling with EAR-controlled items, technology,
materials, software or information.

The EAR governs “dual-use” items (those with both military and commercial applications or strictly commercial applications)

Office of Foreign Assets Control (OFAC)

-Overseen by the Department of the Treasury-
IF travel involves embargoed or sanctioned countries
OR restricted parties/specially designed nationals

OFAC governs transactions with countries subject to embargo, boycott, or trade sanctions

Private Travel vs. “Brown” Travel

- Export Control and International Sanctions regulations are federal law and apply to **all** persons in the U.S.
- They apply regardless of whether you travel abroad on university business or as a private individual.
- However, the private vs. business travel distinction is important because when traveling in a private capacity, there is no requirement to notify and work with Brown’s Export Control compliance team.

Private Travel vs. “Brown” Travel

- *Private Travel* = traveling as a private individual or in a personal capacity (e.g., vacation or travel in connection with personal consulting work)
- *“Brown” Travel* = traveling on Brown business, with Brown or Brown-administered funding, or under the auspices of Brown

International trips may incorporate both private travel and “Brown” travel. For example, a faculty member flies to Brasilia, Brazil, to present a research paper at an international academic conference. After the conference, she flies to Rio de Janeiro for a few days to visit family before returning to the U.S. For the Brown travel portion of the trip, she is responsible for engaging the Export Control compliance team as needed.

What does it mean to travel under the auspices of Brown?

➤ Faculty

- A Brown-paid faculty member is engaging in research, teaching, or other activities as a “Brown faculty member” (e.g., traveling to an international site to conduct field work or presenting at an academic conference); and/or
- The travel or research is supported in any way by Brown funds; and/or
- The travel is connected to a research grant, or an IRB or IACUC protocol approved through Brown.

➤ Staff

- The travel is conducted on behalf of Brown University; and/or
- The travel is supported by Brown funds; and/or
- The travel is connected to a research grant, or an IRB or IACUC protocol approved through Brown

➤ Students

- The travel or research trip is supported wholly or in part by Brown (Brown funding); and/or
- The travel is connected to a research grant, or an IRB or IACUC protocol approved through Brown.

What might trigger export controls?

1. Destination: Where are you going?

Are you going to a sanctioned or embargoed country? If YES, expect...

- Tighter controls, including prohibitions on imports and exports of products and services
- Advance planning and coordination with the Export Control compliance team.

NOTE: acquiring licenses for such travel can take several months. Plan accordingly!

List of currently embargoed countries/regions:

Cuba, North Korea, Iran, Syria, Sudan, and the Crimea Region of the Ukraine

Comprehensively Embargoed Countries

Country	Travel	Research/Lecture
Cuba	Prohibited under most circumstances	Generally prohibited without license*
Iran	Generally allowed	Generally prohibited without license*
North Korea	Generally allowed	Generally prohibited without license*
Syria	Generally allowed	Generally prohibited without license*
Sudan	Generally allowed	Generally prohibited without license*

* There are General Licenses available for some countries/activities but they are very specific and you must engage the Export Control team before you travel to document that you are relying on a General License.

* Applying for and acquiring specific licenses takes several months.

Other countries/regions with targeted sanctions programs

- In addition to the six comprehensively embargoed countries/region, OFAC also maintains targeted and list-based sanctions programs against a number of other countries and regions.
- Targeted or list-based sanctions typically target specific groups (e.g., government or former regimes) or specific sectors (e.g., oil industry, nuclear energy sector)
- If traveling or engaging in research or collaborative activities involving any of the countries listed below, you should contact the Export Control compliance team.

➤ **Africa: Burundi, Central African Republic, Democratic Republic of the Congo, Libya, Somalia, Liberia, Zimbabwe**

➤ **Middle East: Lebanon, Iraq, Yemen**

➤ **Europe: Balkans, Belarus, Russia**

➤ **South America: Venezuela**

What might trigger export controls?

2. What are you taking on your trip?

- Are you taking (shipping or hand-carrying) any special research equipment (e.g., drones, GPS systems, thermal cameras)? Consider any research or other equipment that you would not normally take on a vacation or an overseas trip.
- Does your laptop have any special software, other than the most commonly, commercially available software (e.g., Microsoft Office, Adobe)?
- Are you taking any special materials (e.g., biological, chemical)?
- Did you save or store any controlled or proprietary data on your laptop?



What are you taking?

- The following equipment is generally OK to take to most countries without an export license (except to Cuba, Iran, North Korea, Syria, Sudan, or the Crimea Region of the Ukraine)
 - ✓ Most laptops, iPads & tablets, iPhones & Android cell phones, most jump and flash drives
 - ✓ Any item that is classified as EAR99 (a ‘catch-all’ classification for basic items under the EAR)

- The following requires a consultation with the Export Control compliance team *prior to* travel (may require an export license to some countries)
 - ✓ Traveling with research equipment, including drones, microscopes, thermal or infrared cameras, or special software, with a classification other than EAR99 (e.g., ECCN 6A003)

- The following **cannot be** taken abroad without explicit permission from the Export Control Officer and applicable license(s).
 - ✓ ITAR-controlled equipment, including software, technical data, or restricted information stored on a laptop.

What might trigger export controls?

3. What are you going to do on your trip abroad?

- If you are taking special research equipment or materials, what is the proposed end-use?
 - The proposed end-use of an item or material can determine if an export license is required or if license exemptions apply. For example, if the end use for a particular software program is for the development, testing, or production of weapons or systems to deliver weapons, a license will be required.
- Are you conducting research, including interviews, surveys and data collection?
 - Note that seemingly benign research activities, such as administering surveys, in certain sanctioned countries may be considered “services” and therefore may be prohibited without a license.
- Are you teaching/giving a lecture or a talk?
 - Attending a conference/presenting research in Iran, for example, requires a license.



What are you going to do on your trip abroad?

➤ Are you collaborating/interacting with local individuals/local organizations?

- There are a number of important lists that address trade-sanctioned persons, groups and organizations. Certain interaction or transactions with such individual, groups, or organization may be prohibited.
 - the Specially Designated Nationals and Blocked Persons List (Treasury);
 - the Foreign Sanctions Evaders List (Treasury);
 - the Entity List (Dept of Commerce);
 - the Denied Persons List (Dept of Commerce);
 - the Unverified List (Dept of Commerce);
 - the Nonproliferation Sanctions List (Dept of State);
 - the AECA Debarred List (Dept of State).

If you are researching or interviewing groups and organizations that are or could be classified as “terrorist” or “terrorist supporting” (e.g., Hezbollah, FARC), you must contact the Export Control compliance team to have your groups and organizations screened.

When do I need to contact the Export Control team?

➤ Destination: Where are you going?

- Traveling to a comprehensively embargoed country 
- Traveling to a country with targeted or list-based sanctions programs 

➤ Equipment, materials, data, special software: What are you taking?

- Are you taking special research equipment, materials, data or software? 

➤ End-use, end-user: What are you going to do?

- If taking special equipment, is the proposed end-use of the item different from your regular research activities? 
- Are you collaborating with a local individual or organization that is or may be on a Restricted/Denied Party list? 

If you trigger or think you may trigger any of the red flags above, you must contact the Export Control team for assistance in determining if export controls are implicated and if a license is required.

International Travel: Other Considerations

➤ Transiting through another country?

- Do not just consider your final destination; make sure to consider transit stops and other destinations en route to your final destination.
- When transiting between countries, you may be asked to provide an Export Control Classification Number (ECCN) for each item carried; the export control team can help with this!

➤ Cyber-Security

- When traveling to certain destinations, you may want to consider cyber-security and travel with clean devices (i.e., clean laptops or cell phones)
- Brown's Computer & Information Systems (CIS) team has an international loaner program that you can use. Contact the Export Control team for details.

➤ Importing

- Importing biological materials, data, or equipment may require an import license or special local clearance.
- Check with local research partners regarding local laws & customs regulation.
- Contact Brown's Environmental Health & Safety if you wish to import biological materials.

International Travel – Other Considerations

➤ Shipping:

- International shippers require correct export classification numbers or license exception codes for items being shipped.
- Incorrect information on international shipping documentation can lead to your shipment being held up or delayed (or worse).

➤ Department of State - Travel Warnings:

- Check the [Travel Warnings](#) for country or region-specific advisories.

➤ Insurance:

- Insure special research equipment/items that are being taken abroad through Brown's [Office of Insurance and Purchasing Services](#).

➤ International SOS program:

- Consider registering with the [International SOS program](#).

Questions?

Export Control Compliance is administered by the **Office of Research Integrity (ORI)**. If you have any questions, please contact the Export Control compliance team.

Jules Blyth, Associate Director, ORI/Export Control Officer

juliane_blyth@brown.edu

Rebecca Haworth, Research Integrity Manager

rebecca_haworth@brown.edu

Keri Godin, Director, ORI

keri_godin@brown.edu



Check out [ORI's website](#) for more information

Test Your Knowledge

Do either of the two scenarios below require coordination with the Export Control compliance team?

1. Scenario A: Lydia Mars, Assistant Professor in the Department of Earth, Environmental and Planetary Sciences, is planning to present a paper at a conference in Chile. She is taking her personal laptop, which does not have any special software or any research data, and a cell phone.
2. Scenario B: Harold Brown, Associate Professor in the Department of Archaeology, is traveling to conduct research in Egypt. He is taking his personal laptop, which does not have any special software or any research data, a cell phone, and a research drone.

- Neither scenario requires coordination with the Export Control compliance team.
- Scenario B requires coordination with the Export Control compliance team.
- Scenario A requires coordination with the Export Control compliance team.

ANSWER

Do either of the two scenarios require coordination with the Export Control compliance team?

✓ Scenario B requires coordination with the Export Control compliance team.

Professor Brown should contact the Export Control compliance team to ensure that his research drone does not require an export license to Egypt. Many drones used by archaeological researchers are controlled under the EAR; some may require a license depending on i) the drone's technical specifications and capabilities, and ii) the destination.

Contact the Export Control compliance team as soon as you start planning for your research trip. Don't wait until you leave for the airport. If a license is required, it typically takes several weeks to get the relevant license from the Department of Commerce.

Test Your Knowledge

Which of these students may need an export license for the proposed activity?

- 1. Student A:** A Masters student in the School of Public Health is conducting epidemiological research in Uganda. She is collecting tissue samples and survey data from malaria patients and their families.
- 2. Student B:** A doctoral student in the Department of Anthropology is conducting observational research in Iran. She is studying perceptions of modern art among youths in Iran. She is attending art classes and exhibitions.

- Student A may need an export license for her proposed activity.
- Both students may need any export license for their proposed activities.
- Student B may need an export license for her proposed activity.

ANSWER

Which of these students may need an export license for the proposed activity?

✓ Student B may need an export license for her proposed activity.

Student B is planning to conduct research in Iran, which is a comprehensively embargoed country. Even though her research is focused on modern art, many research activities conducted in Iran require a license from OFAC. Student B must contact the Export Control compliance team as much in advance of her trip as possible since OFAC licenses can take several months.

While Student A does not need an export license for equipment she is taking to Uganda or activities she is proposing to do in Uganda, she may require local approval and an import license if she plans to bring her collected tissue samples back to the U.S. She will also need to coordinate with Brown's Office of Environmental Health and Safety (EHS) if she plans to ship or carry her samples back to Brown.

Test Your Knowledge

How many “red flags” can you spot in this scenario?

Professor Bonhomme is conducting research on modern piracy. As part of his research, he conducts interviews with groups that currently engage or have engaged in piracy. Often, he will have to pay his interviewees; in some instances payments will total up to \$1,000. Professor Bonhomme usually uses his research funds at Brown to pay the fees for the interviews. He is now planning his next research trip, which will take him to Somalia, Yemen, and Eritrea, and where he will interview more groups and individuals engaging in piracy. He is not taking any research equipment except a laptop and a phone. However, for his research trips, he always uses a clean laptop and phone from Brown’s clean device travel program.

- None
- One
- Two

ANSWER

How many “red flags” can you spot in this scenario?

✓ Two: you should have spotted two potential “red flags” in this scenario.

One of the countries Professor Bonhomme plans to visit on his research trip is Somalia. The U.S. government, through OFAC, currently maintains a targeted sanctions program against Somalia. Professor Bonhomme must coordinate with the Export Control compliance group to ensure that his proposed activities in Somalia do not require a specific license from OFAC.

In addition, Professor Bonhomme engages with groups and individuals who have engaged in or are engaged in piracy (including armed robbery and kidnapping) and may, therefore, be on a Restricted Party/Specially Designated Nationals list. This means that interacting with or engaging in financial transactions with these groups/individuals may be prohibited unless approved through a license. Professor Bonhomme should work with the Export Control compliance team to ensure that he is not engaging in prohibited transactions.