

Travel to most countries does not usually constitute an export control problem. In most cases, items such as a personal laptop computer and other “tools of the trade” do not require a license except for travel to Cuba and in some cases, to the Sudan. However, “tools of the trade” must remain under the “effective control” of the employee if the travel is to certain countries such as North Korea, Iran, Syria, and in some cases Sudan. In addition, if your laptop is loaded with certain encryption products, “effective control” must be maintained in a broad range of countries. “Effective control” means you must keep the item in your physical possession or keep it secured in a place such as a hotel safe, a bonded warehouse, or a locked or guarded exhibition facility.

Currently, the “tools of the trade” exception does not apply to controlled technology. In other words, the Bureau of Industry and Security (BIS) would require a license to take certain technologies found on the BIS Commerce Control list (CCL), depending on the technology and the country.

Travel to certain sanctioned countries would require a license from the Office of Foreign Asset Control (OFAC), or could, in fact, be denied. OFAC also has regulations regarding money transactions and the exchange of goods and services in certain sanctioned countries.

A license would be required if you are taking an item found on the Department of State’s U.S. Munitions List (USML). A license would be required if you are providing a defense service (includes training) to a foreign person whether here in the U.S. or abroad. A license would also be required if you are supplying controlled (on the CCL) technology to a foreign person during a closed presentation or conference.

The Department of State, OFAC, and BIS have various lists of persons and entities that U.S. entities are prohibited from doing business with. MSU cannot provide them with a defense service (includes training), give money to these people or organizations, or providing them with controlled (on the CCL) proprietary technology. MSU and the individual can be fined by the government agencies if we do business with any person or entity found on these lists. Please consult with the Office of Sponsored Programs for any questions on what entities are found on these lists.

For further assistance please contact Nicholas Miller, Export Control Officer in the Office of Sponsored Programs by email nmiller@spa.msstate.edu or 662-325-7402.