

## CHECKLIST: TEMPORARY (TMP) TOOLS OF TRADE LICENSE EXCEPTION

The export of items, technology, commercial software, and encryption code is subject to export control regulations. The Department of Commerce's Export Administration Regulations (EAR) makes an exception to licensing requirements for the temporary export or re-export of certain items, technology, or software for professional use as long as the criteria to which you are certifying below are met.

The exception does not apply to any EAR satellite or space-related equipment, components, or software, or to any technology associated with high-level encryption products. In addition, this exception does not apply to items, technology, data, or software regulated by the Department of State's International Traffic in Arms Regulations (ITAR), or when traveling to embargoed or sanctioned countries such as Iran, Syria, Cuba, North Korea, Sudan and Crimea.

The Temporary (TMP) license exception to the U.S. export controls regulations can be used if ALL of the following apply to the Emory item (e.g., material, device, equipment, including any stored/installed "technology" or software, which also has to meet these exception requirements):

- \_\_\_1: The item is of the usual and reasonable kind and quantity to be used in the intended lawful activities by the traveler abroad (e.g., research, etc.);
- \_\_\_2: The item will remain under the effective control of the traveler abroad by retaining physical possession of it, and securely storing the item (e.g., under lock and key, hotel safe, etc.) when not in direct physical possession;
- \_\_\_3: The item will not be sold, leased, rented, gifted, or otherwise disposed of while abroad;
- \_\_\_4: The item will return to the U.S. within one year;
- \_\_\_5: The item is not being taken to Cuba, Iran, North Korea, the Sudan, or Syria;
- \_\_\_6: The item is not a defense article described on the [United States Munitions List](#) (USML)
- \_\_\_7: The item is not controlled for encryption purposes (i.e., has an ECCN designation of 5A002, 5D002, or 5E002 on the Commerce Control List). If you do not know whether encryption controls apply, please contact Export Control Office [exportcontrol@emory.edu](mailto:exportcontrol@emory.edu).
- \_\_\_8: Any "technology" or software that is described on the Commerce Control List (CCL –found at <https://www.bis.doc.gov/index.php/regulations/commerce-control-list-ccl> ) will be secured against unauthorized access through the use of appropriate secure network connections, passwords, and firewalls, and will not be disclosed to foreign nationals abroad unless authorized under the regulations;
- \_\_\_9: The item will not be used for any kind of military, nuclear science, weapon/defense, aircraft, or space-related end-use.

Note: "technology" generally refers to any information, specifications, technical data, or instructions that pertain to any item or software described on the CCL or USML (for example, design specifications for controlled items and equipment; protocols for the production or development of controlled materials, biologics, or chemicals; training instructions related to the development, production, or use of controlled items and equipment, etc.). Technology does not necessarily pertain to the device on which it is stored.

**If any of the criterion above does not apply, please contact Export Control Office, [exportcontrol@emory.edu](mailto:exportcontrol@emory.edu).**

I certify that the above criteria apply.

Travelers signature: \_\_\_\_\_ Date: \_\_\_\_\_

Keep a signed copy of this certification to document applicability of the license exception. Provide a copy to ECP prior to travel – [exportcontrol@emory.edu](mailto:exportcontrol@emory.edu).