

UND EXPORT LICENSE EXCEPTION (TMP) CERTIFICATION

for Export Administration Regulation Controlled Items, Technology, and Software

To: John Jay Miller, Export Control Officer, Office of Research Development and Compliance

From: [Insert Name of UND PI/Employee/student]

Date: [Insert Date]

Re: Temporary Imports, Exports, and Reexports (TMP) License Exception for Professional Temporary Exports/Reexports

The export of items, technology, commercial software, and encryption code, including tablets, laptops, PDAs, digital storage devices, and smart phones, is subject to U.S. export control laws and regulations. Export Administration Regulations (EAR) allow an exception to licensing requirements for the temporary export or reexport of certain items, technology, or software for professional use, as long as you comply with the requirements to which you are certifying below.

The TMP exception does not apply to:

* Satellite or space-related equipment, components, or software regulated by the EAR
* Technology associated with high-level encryption products
* Items, technology, data, or software regulated by the International Traffic in Arms Regulations (ITAR)

Please keep a signed copy of this document with you when travelling abroad.

Please keep this TMP Certification in your UND records for five years after your return to the U.S.

Please provide a detailed description of items, technology or software to be exported or reexported to which this Certification applies:

[Insert description here (Brand/model, UND barcode/inventory number for all items, and photograph, if available):]

By my signature below, I certify that:

1. I will ship or hand-carry the items, technology, or software to [insert country(s) traveling to] as a “tools of trade” to only conduct UND business or research;
2. I will return the items, technology, or software to the U.S. on [insert return date], which is no later than 12 months from the date of export from the U.S., unless the items, technology or software are certified by me to have been consumed or destroyed abroad, in the normal course of use, during this 12 month period;
3. I will keep the items, technology, or software under my “effective control” while abroad. “Effective control” is defined by the EAR to mean either retaining physical possession of the item, or securing the item in such an environment as a hotel safe, a bonded warehouse, or a locked or guarded exhibition facility;
4. I will take security precautions to protect against unauthorized access or release of the technology while the technology is being shipped or transmitted and used abroad. Examples include:
	1. use of secure connections when accessing e-mail and other business activities that involve the transmission and use of the technology,
	2. use of password systems on electronic devices that store technology, and
	3. use of personal firewalls on electronic devices that store the technology;
5. I will not ship or hand carry an item, technology or software incorporating UND developed non-commercial encryption source code outside of U.S borders without receiving written approval from UND’s Export Control Officer;
6. The items, technology or software described above are not defense articles or technical data controlled under the ITAR and will not be used for nuclear research, military purposes, or the development of weapons of mass destruction;
7. I will not ship or hand-carry the items, technology or software to Iran, Syria, Cuba, North Korea, Libya or Sudan without consulting with UND’s Export Control Officer;
8. The technology will not be used for foreign production purposes or for technical assistance unless authorized by the Bureau of Industry and Security; and
9. I will promptly report the loss, theft, unauthorized access, or compromise of UND property listed in this Certification to UND’s Export Control Officer at 701-777-2049, or by email at john.miller@und.edu.

Printed name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ EMPL ID #: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [Name of PI/Employee/Student] [If Applicable]

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_