

### **Checklist: Temporary (TMP) Tools of Trade License Exception**

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 described on the United States Munitions List (USML - found at [https://www.pmddtc.state.gov/regulations\\_laws/itar.html](https://www.pmddtc.state.gov/regulations_laws/itar.html));
- \_\_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, the manufacturer of a particular device or software should be able to provide this information, either via their website or by phone;
- \_\_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.