

VII. INTERNATIONAL SHIPPING (IMPORT & EXPORT)

International shipments may require that an **Electronic Export Information**, or EEI, (formerly called a Shipper’s Export Declaration (SED)) is filed with the [U.S. Customs and Declaration Bureau](#) and is used to control exports and act as a source document for export statistics. (Additional information is available on the U.S. Census Bureau [website](#) on the EEI process.) The EEI is now filed electronically through the Automatic Export System (AES).

A. Electronic Export Information (EEI) Requirements

The EEI must be prepared for shipments when the shipment is handled by U.S. Postal Service (USPS) and is valued over \$500. EEIs are required for shipments not using the USPS when the value of the commodities classified under any single schedule B number is over \$2,500. The exporter acquires the Schedule B number for the commodity they intend to export, and then it is reported in the AES to identify the goods being exported. This schedule B number can be obtained from the Census Bureau at 1-800-549-0595, option 2. If an EEI is not required, the airway bill or other loading document should state “No EEI required no individual Schedule B number valued over \$2,500.”

1. EEI.

An EEI must be prepared regardless of value for all shipments requiring an export license. Federal Express ([FedEx](#)) International will file the EEI on behalf of the sender for a nominal fee. A copy of the EEI documentation should be provided to Mines and retained in file. If you choose to ship on your own with another carrier, you must ensure that the AES has been filed and provide a copy to Mines. (Note: A delay is required for shipping ITAR items. See section V. above).

2. Required Statement

Destination statement should appear on any items subject to US control – “These commodities, technology, or software were exported from the United States in accordance with the Export Administration Regulations. Diversion contrary to US law is prohibited.”

3. Intangible Technology Exports

Intangible exports of technology controlled under Commerce (EAR 99) will not require an EEI. Software or technology should be marked with an appropriate [ECCN](#).

B. Shipping Equipment Outside of the US

Equipment may not be sent outside the US until a determination has been made as to whether an export license is required.

1. **Determine if item controlled.** The PI/faculty/employee must review the equipment and determine if either ITAR or EAR controls the equipment. If the equipment is controlled under ITAR, the PI/faculty/employee must identify the USML Category. If the equipment/material is controlled under EAR, the PI/faculty/employee must provide the [ECCN](#) citation.
2. **Information to Assist Shipper.** For assistance in making this determination, the shipper must provide the following:

- Contact information for Principal Investigator or other responsible person for shipment, including telephone and fax numbers, e-mail address, and school/department/lab;
- Information about the Equipment, including its common name, technical name, manufacturer, model number, general function and/or use, dollar value, URL where specifications can be found;
- Information about purpose of shipment, including intended recipient and address, intended end-user (requires names of individuals and nationality), and intended use of equipment;
- State whether Mines will be responsible for training foreign national to use equipment;
- Information regarding the time period of the use--Will this be a loan? If yes, what is the loan period?
- Other disposition of equipment/material?

C. Shipping Chemicals or Biological Materials Outside of the U.S.

Shipments of chemicals and/or biological materials are handled by the [Mines EHS Office](#) (Environmental Health & Safety).

1. Determine if License Required.

Prior to shipments of chemicals or biological materials internationally, an export review must be completed to determine if a license is needed.

2. Material Transfer Agreements (MTA).

If a request is received by a faculty or staff member to provide a shipment of chemicals or biologicals outside the US under a material transfer agreement (MTA), the Technology Transfer Office should coordinate with the Office of Compliance and Policy to Mines for review and approval. If these shipments relate to a project managed through ORA, ensure that ORA has copies of the documentation for the file. If the project or request to ship materials is not handled through ORA, the PI or faculty-member is responsible for retaining documentation in their files. Researchers cannot sign MTA's at Mines themselves, so this process of sending chemicals or biologicals can be performed in tandem with that process. See also [VPRTT information](#).

3. Nuclear materials, "Dual Use" commodities, software, or technology.

Other than publicly available information, that cannot be used in a WMD, the EAR identifies that missile projects or end-users of concern and particular foreign entities will need a license to ship/disseminate. A license to export is required if a U.S. Exporter, including a Mines person:

- Knows or has reason to believe that an export will be used in certain nuclear explosives activities, un-safeguarded nuclear activities, and certain safeguarded nuclear activities;
- A missile project of concern in a listed country or the design, development, production, stockpiling, or use of chemical or biological weapons; or
- Is informed by the Department of Commerce that an export would present an unacceptable risk of use in or diversion to WMD activities or a missile project of concern anywhere in the world.

D. Hand-carrying data

ITAR: If hand carrying technical data, in accordance with 22 CFR Part 123.22(3), the exporter is not required to report using the Advanced Electronic System, but the exporter must provide electronic notice to DDTC. A copy of such notice should accompany the technical data "shipment" (i.e., you should have the notice with you while traveling with the information.)