



WCMC Export Controls Checklist

"Export Controls" are those federal laws and regulations that govern the transfer or disclosure of goods, technology, software, services, and funds to **restricted** foreign countries, persons and entities (including universities). An **"export"** is any *item* that is sent from the U.S. to a foreign destination; to anyone outside the U.S., including U.S. citizens; to foreign entities, individuals, embassies or affiliates at any location, including the U.S. "Items" include, but are not limited to, unpublished research findings, funds transferred to restricted countries, entities or persons, biological specimens, microorganisms, toxins, electronics, computers, telecommunications, lasers, sensors, commodities, software or technology, retail software packages, and technical information.

Principal Investigator Name: _____

E-mail Address: _____ Phone Number: _____

Project Title: _____

Sponsor/ Funding Agency: _____ Agency Proposal Number (if known): _____

Faculty Instructions to complete the Export Controls Checklist:

WCMC-NY faculty will be prompted in the Electronic Routing Form (ERF) to complete and upload this form into the ERF if the *"Export Controls Question"* is marked "Yes".

WCMC-Qatar faculty should check "Yes" to the *"Export Controls Question"* on the ERF and complete this form for ALL sponsored research project submissions.

Your response to the questions below will help the Grants & Contracts Office (GCO) and the Office of University Counsel determine whether any aspect of your sponsored research project activities will be subject to export control regulations.

Does this project or agreement:

Y **N**

1. Restrict research participation (faculty, student, others) based on country of origin or citizenship?

2. Involve research containing source code for encrypted software (other than publicly available software distributed at no charge)?

3. Involve research, information or software to be shared, shipped, transmitted or transferred in the support of the design, development, production, stockpiling or use of a nuclear device, chemical or biological weapons, or missiles?

4. Involve equipment, software, services or technology that is on the United States Munitions List ("USML") under the International Traffic in Arms Regulations ("ITAR" <http://www.fas.org/spp/starwars/offdocs/itar/p121.htm>)?

5. Involve equipment, software, services or technology that is on the Commerce Control List ("CCL") under the Export Administration Regulations ("EAR") http://www.gpo.gov/bis/ear/ear_data.html (scroll down table to Part 774 - "The Commerce Control List")?

6. Involve technical information or instructions concerning equipment, software or technology on the USML or the CCL?

7. Involve the PI or any research personnel providing data, services, conducting transactions or traveling to embargoed/sanctioned countries? See list of sanctioned countries at <http://www.ustreas.gov/offices/enforcement/ofac/programs/>. Also reference the Department of State Country Policies and Embargoes List: http://www.pmddtc.state.gov/embargoed_countries/index.html

Sponsor/ Funding Agency _____

Agency Proposal Number (if known) _____

Y **N**

8. Involve specific access and dissemination restrictions (e.g. restriction of participation by foreign nationals, or restrictions of publication including reporting of research results) or restriction of presenting at conferences?

9. Involve entities or individuals identified on any of the "Lists to Check" posted on the Bureau of Industry and Security web page (<http://www.bis.doc.gov/complianceand enforcement/liststocheck.htm>)?

If you have answered YES to any of the previous questions, your responses to the next questions regarding information and software will assist GCO and the Office of University Counsel with determining whether an exclusion applies.

10. Is all the information or software involved in your research published and generally accessible to the public through at least one of the following:

- publication for distribution;
- subscriptions available without restrictions;
- website available free of charge;
- libraries open to the public;
- patents and published patent applications;
- instruction in commonly taught courses; or
- presentation at an open conference or seminar

11. Does the information or software involved in your research meet all of the following criteria:

- results are from research conducted at an accredited institution of higher education in the U.S.;
- is ordinarily published and shared broadly within the scientific community;
- is not restricted (either through written or oral agreement) for proprietary reasons or national security controls; and
- is not subject to specific U.S. Government access and dissemination controls?

I certify that I understand and will comply with all applicable export control laws and regulations as described at <http://www.bis.doc.gov/licensing/exportingbasics.htm>. I further understand that violation of export controls can result in the shutdown of a research project, exorbitant fines, damage to the Medical College's reputation, loss of export privileges for the Medical College, and imprisonment.

Date _____

Principal Investigator