



**1.0 Introduction**

Weill Cornell Medicine (WCM) is fully committed to compliance with all United States export control laws and regulations. Export controls and trade sanctions regulate and restrict the release of critical technologies, software, equipment, chemical, biological materials, and other materials and services to foreign nationals and foreign countries for reasons of foreign policy and national security. All members of the WCM community — including faculty, students, staff, volunteers, visitors, contractors and consultants — must comply with all export control laws and regulations.

An export is:

- Shipment of a controlled commodity, equipment, material or software outside of the U.S.
- Disclosing controlled technology or technical data to a foreign national, whether in the U.S. or abroad. (Such exports are considered to be a “deemed” export to the foreign national’s home country.)
- Performing technical assistance or defense services for or on behalf of a foreign national, whether in the U.S. or abroad.
- An item is considered an export even if it is entering or leaving the U.S. temporarily, entering or leaving the U.S. but is not for sale (e.g., a gift), or going to a wholly-owned U.S. subsidiary in a foreign country.

The Export Controls Officer oversees WCM’s compliance with United States export control laws and regulations. Penalties for non-compliance with export control laws are severe and can impact both the institution and the individual. If an export control violation is determined by an investigating agency, an individual may be subject to civil and criminal penalties, and WCM may be subject to, among other penalties, debarment from government contracts. Failure to comply with these regulations may result in the imposition of criminal and/or civil fines and penalties, including jail time and monetary penalties, and employees will be subject to disciplinary action and/or termination.

Employees outside of the United States may not re-export any commodity, technology or software, unless appropriate authorization has been obtained (this includes foreign-produced items that are the direct product of U.S. technology and software), and are subject to export controls under the Export Administration Act.

The WCM Export Controls Officer chairs the Export Controls Committee, which interprets and advises the WCM community on export control regulations and compliance.

I ask each of you to take this matter very seriously and to support WCM in this effort. If you have any questions concerning the legitimacy of a transaction or potential violations, please contact:

Thomas Blair  
Chief Research Compliance Officer, WCM Export Controls Officer  
646-962-2100 // thb2002@med.cornell.edu

***Note:** This Statement of Corporate Commitment to Export Compliance will be issued on an annual basis or if necessitated by personnel changes, changes in management or regulatory changes. Thomas Blair is responsible for disseminating this Statement throughout the organization through Weill Cornell Medicine’s Export Management and Compliance Program Manual updates, incorporation into training and presentations, and posting on the Weill Cornell Medicine’s Intranet and website.*

\_\_\_\_\_  
Signature  
Thomas Blair, WCM Export Controls Officer

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Manual Effective Date

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## 2.0 Federal Agencies with Export Control Authority

The Department of Commerce, Bureau of Industry and Security (BIS), through its Export Administration Regulations (EAR), and the Department of State, through the Directorate of Defense Trade Controls (DDTC), have implemented regulations governing the export of certain consumables, technologies, information and software. U.S. export controls also apply to the re-export of commodities, software, technology or services from one foreign country to another. In addition, the Department of Treasury, through its Office of Foreign Assets Control (OFAC), maintains targeted economic sanction programs, which restrict or prohibit a wide range of export and other transactions, including educational services, involving designated countries, entities and individuals.

Export controls are on a case-by-case basis and only certain consumables, software or technology require an export license. Even in situations where an item or technology appears on one of the lists of export-controlled items, there may be an exemption from license requirements subject to documentation. In the event that an export license is required, the Export Controls Officer will determine whether or not to apply for such a license.

Violations may result in significant civil or criminal liabilities for WCM and the individuals involved, as well as damage to national security and to the WCM's standing as a premier institution of research and learning.

Regulatory Agency	Area of Oversight	What is Covered by Agency
EAR	Commerce	Dual-use commodities, technology, chemicals and software; low level military items
OFAC	Treasury	Trade prohibitions with sanctioned countries and entities
ITAR	State	Military items; certain space-related technology and research

## 3.0 Department Roles & Responsibilities

As a premier research institution, WCM supports the free dissemination and open publication of research results. WCM research projects qualify for the fundamental research exclusion to export control regulations, and thus are not subject to export control regulations.

Although academic research activities at WCM qualify for the fundamental research exclusion, there are certain situations in which the export of tangible items, technical and scientific data, or software is either prohibited by law or requires an export license or other governmental approval.

The Office of Research Integrity will assist any member of the WCM community in complying with U.S. export control laws, including pursuing export licenses if approved by the Export Controls Officer.

If an anticipated WCM research activity involves a country subject to U.S. government sanctions, the researcher will need to consult with the following offices before entering into any negotiations or agreements involving such countries.

### 3.1 Export Controls Officer

**Contact:** Thomas Blair | [thb2002@med.cornell.edu](mailto:thb2002@med.cornell.edu) | (646) 962-2100

The Office of Research Integrity oversees all aspects of WCM's compliance with export control laws and regulations. The Export Controls Officer has been granted the authority to seek export licenses from the

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relevant government agencies in support of WCM activities. The Export Controls Officer is also authorized to provide administrative support and guidance to members of the WCM community for export control compliance.

In the event that a proposed activity may violate U.S. export control regulations, the Export Controls Officer has the authority to halt the activity. If a violation has occurred, the Export Controls Officer is authorized to submit disclosures to the relevant regulatory agencies on behalf of WCM.

The Export Controls Officer is responsible for:

- Developing procedures to ensure WCM's compliance with U.S. export control regulations;
- Performing regular risk assessments to evaluate the relative strengths and weaknesses of the University's export compliance programs;
- Serving as WCM's principal point of contact for agencies with regulatory or enforcement authority under the export control regulations;
- Providing assistance and training to WCM faculty, staff and students regarding the laws, regulations and University procedures associated with export controls; and
- Preparing and submitting export license applications to the relevant U.S. government agencies as necessary.

### 3.2 Environmental Health And Safety

**Contact:** Abigail Nixon | [aeo2003@med.cornell.edu](mailto:aeo2003@med.cornell.edu) | (646) 962-7233

Shipping, transferring or taking controlled information, technology or other commodities outside of the U.S., whether temporarily or permanently, is considered an export and may require a license or authorization.

Environmental Health and Safety (EHS) must review and approve the export of all goods based upon BIS regulations. EHS will also assist in the assessment of "Dangerous Goods" classification when necessary. Factors that may affect approvals include the type of Dangerous Good, the total value of requested items, the manufacturer recommended shipping temperatures, and the end use of the items. EHS will provide a certifying letter for goods approved for transport in checked baggage.

**WCM students, visitors and contractors are not permitted to transport goods in or out of the U.S. under any circumstances.**

Exports may require permits, filings or special provisions based on their classification. For this reason, members of the WCM community must consult with EHS and/or the Research Integrity Office to export consumables, data, technology, medical devices or pharmaceuticals.

Employees anticipating an export must:

- Submit a Dangerous Goods Assessment form to EHS at least one (1) week prior to the anticipated export date. EHS will assess all items for Dangerous Goods classification and/or export restrictions.
- Contact EHS or the Research Integrity Office for clarification of guidelines, if export regulations are unclear.
- Follow the BIS guidelines. If an export permit must be obtained, work with the Research Integrity Office to apply through BIS SNAP-R. Note that permits may take several weeks to obtain.

The Export Controls Officer and EHS have authority to halt shipments that do not pass the export control review process.

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## 3.3 Office of Sponsored Research Administration (OSRA)

**Contact:** Aleta Gunsul | [alg2047@med.cornell.edu](mailto:alg2047@med.cornell.edu) | (646) 962-4037  
**Contact:** Stephen Hunt | [sjh2004@med.cornell.edu](mailto:sjh2004@med.cornell.edu) | (646) 962-4042

OSRA reviews research proposals to identify situations which may trigger export control issues, such as, but not limited to, publication or foreign national restrictions, shipments of equipment overseas and deemed exports. OSRA negotiates research terms and conditions to ensure that WCM research projects qualify for the fundamental research exclusion to export control regulations. Any research agreements which contain language impacting the export control status of the project will be referred for evaluation to the Export Controls Officer.

## 3.4 Information Technologies and Services (ITS)

**Contact:** Brian Tschinkel | [brt2008@med.cornell.edu](mailto:brt2008@med.cornell.edu) | (646) 962-2768  
**Contact:** Vinay Varughese | [vinay@med.cornell.edu](mailto:vinay@med.cornell.edu) | (212) 746-6387

ITS requires minimum security requirements on all devices connecting to the WCM network. Such requirements are detailed in ITS policies, but include items such as system management software for security update distribution and remote wiping capabilities, encryption software, anti-virus/anti-malware software, and data loss prevention monitoring software. The full ITS policy library is on the ITS website at <https://its.weill.cornell.edu/policies>.

In addition, ITS has developed and implemented attestations which must be completed by all workforce members on an annual basis. The attestations ask a series of statements which requires users to attest to how they secure data deemed high risk by our data classification policies and how they secure WCM data when working from a remote location (“off campus”). Lastly, ITS has several monitoring tools and dashboards in place to detect inappropriate flow of data that may be in violation of existing policies. This includes firewalls, intrusion detection/prevention systems, data loss prevention, audit logging, and email security scanning, among others.

## 3.5 Finance

### 3.5.1 Purchasing and Procurement

**Contact:** Anita Ferdinand | [aohallfe@med.cornell.edu](mailto:aohallfe@med.cornell.edu) | (646) 962-3691

New vendors are screened against restricted and denied party lists using Descartes Visual Compliance software. Purchasing Operations also reviews the terms and conditions of vendor agreements for export control language that could trigger a review, as well as classification of the equipment or materials being purchased.

The equipment and materials purchased by WCM to support research and educational activities may be subject to export control requirements. Foreign nationals are generally permitted to use items controlled by Export Administration Regulations (EAR) on campus; however, access to controlled information, technology, source code and object code may require a license or other authorization.

### 3.5.2 Accounting

**Contact:** Paul Brown | [pmb2004@med.cornell.edu](mailto:pmb2004@med.cornell.edu) | (646) 962-3672

New vendors on Payment Requisitions e-forms are screened against restricted and denied party lists using Descartes Visual Compliance software. All new Foreign Person vendors are first sent to the Compliance Department to ensure proper backup and tax implications if any, before being routed to Accounts Payable via the e-form process.

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## 3.6 Center for Technology Licensing (CTL)

**Contact:** Quintin Schwab | [qis2@cornell.edu](mailto:qis2@cornell.edu) | (607) 254-4815

Any biological, data or technology shipments must have a Material Transfer Agreement (MTA) in place prior to shipment. If there are any questions regarding MTA's, please contact CTL at [mta-ctl@cornell.edu](mailto:mta-ctl@cornell.edu).

## 3.7 Institutional Animal Care and Use Committee (IACUC)

**Contact:** Jennifer Akl | [jea2012@med.cornell.edu](mailto:jea2012@med.cornell.edu) | (646) 962-2982

IACUC reviews research protocols, conducts evaluations of the institution's animal care and use, and periodically performs inspections of animal housing and procedure facilities. The two (2) scenarios that involve the transfer of materials are outlined below.

**Rodent Exportation** – This is where a WCM investigator wants to share mice with collaborators at other institutions. The process is described in the Guidelines for the Shipment of Rodents to Other Institutions, found at <https://encompass.mskcc.org/Documents/7076>. WCM may require the receiving institution to sign a Material Transfer Agreement (MTA). CTL handles all outgoing MTAs.

**Rodent Importation** – This is where a WCM investigator wants to bring mice from collaborators at other institutions. Animals that are imported/purchased from other institutions and companies that are not listed on the approved vendor list must undergo quarantine before being released into WCM's Research Animal Resource Center's (RARC) animal facilities. The process is described in the Guidelines for Importing Rodents from Sources Requiring Quarantine, found at <https://encompass.mskcc.org/documents/8153359>. OSRA handles all incoming MTAs, except that the JCTO handles incoming MTAs when the transfer agreement is related to a clinical trial under their management.

## 3.8 Human Resources

**Contact:** Jeanie Huang | [jch2003@med.cornell.edu](mailto:jch2003@med.cornell.edu) | (646) 962-3623  
**Contact:** Susan Shevlin | [sshevlin@med.cornell.edu](mailto:sshevlin@med.cornell.edu) | (646) 962-3669

**Onboarding and Visa Review:** WCM Human Resources completes a post offer background check on all new hires administered by a third party vendor. As part of this process, our Nationwide Healthcare Fraud and Abuse Search specifically queries the Restricted Party and Specially Designated Nationals (SDN) Screening, the Federal Export Control Regulations and Sanctions list, the DDTC and OFAC. For those new hires who require visa sponsorship, a satisfactory background check is completed prior to processing of visa application documents. The United States Department of Homeland Security's Citizenship and Immigration Services (USCIS) requires a visa sponsor for H-1B, O-1A and L-1 visa applicants to conduct an initial export controls review and attest to whether or not the Foreign Person requires an export license. In the event that an export license is required, Human Resources notifies the Research Integrity Office of the new hire in question.

All self-funded candidates requiring WCM J-1 visa sponsorship are screened by the WCM Human Resources Immigration Office against restricted and denied party lists using Descartes Visual Compliance software prior to the processing of J-1 visa application documents. The Research Integrity Office is notified in the event that an export license is required for the visa applicant in question.

## 3.9 External Affairs

**Contact:** Gloria Kao | [glkao@med.cornell.edu](mailto:glkao@med.cornell.edu) | (646) 962-9506  
**Contact:** Rhonda Holdip | [rhh2003@med.cornell.edu](mailto:rhh2003@med.cornell.edu) | (646) 962-9500

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The Office of External Affairs has implemented a series of procedures to mitigate the potential of WCM soliciting or accepting gifts from foreign persons or entities which may damage the reputation of the institution or violate export control and foreign gift reporting regulations. Please see Appendix C for a description of these measures.

### 4.0 Embargoed / Sanctioned Countries

Pursuant to the Export Administration Regulations (EAR), either unilaterally or to implement United Nations Security Council Resolutions, the Bureau of Industry and Security (BIS) implements certain U.S. Government sanctions against the following countries:

- Cuba - <https://www.bis.doc.gov/index.php/policy-guidance/country-guidance/sanctioned-destinations/cuba>
- Iran - <https://www.bis.doc.gov/index.php/policy-guidance/country-guidance/sanctioned-destinations/iran>
- North Korea - <https://www.bis.doc.gov/index.php/policy-guidance/country-guidance/sanctioned-destinations/north-korea>
- Sudan - <https://www.bis.doc.gov/index.php/policy-guidance/country-guidance/sanctioned-destinations/sudan>
- Syria - <https://www.bis.doc.gov/index.php/policy-guidance/country-guidance/sanctioned-destinations/syria>

The license requirements, license exceptions and licensing policy vary depending upon the particular sanctioned destination. The corresponding country pages listed above are intended to assist exporters and re-exporters determine the export and re-export requirements for sanctioned destinations pursuant to the EAR.

Exporters and re-exporters should be aware that other U.S. Government agencies administer regulations that could also apply to export or re-export transactions. For example, the Department of the Treasury's Office of Foreign Assets Control (OFAC) also implements certain sanctions against Cuba, Iran, North Korea and Syria (see <https://www.bis.doc.gov/urlmessages/ofac.html> for more information). Exporters and re-exporters are responsible for complying with all applicable regulatory requirements.

### 4.1 Traveling or Collaborating Overseas:

Before traveling to countries that may be the subject of sanctions, carrying covered goods or items overseas, collaborating with a foreign national outside of WCM or any person or entity outside of the U.S., or presenting your research at an international conference; a Specially Designated Nationals (SDN) screening must be conducted. Contact the Research Integrity Office for guidance prior to engaging in such activities.

### 4.2 Diversion Clause

If shipment is for export, these commodities, technology or software must be exported from the U.S. as dictated by the export administration regulations. Diversion contrary to the U.S. Law is prohibited.

### 5.0 Procedures

Prior to engaging in activities that involve an export, members of the WCM community must understand and identify any potential export limitations. Most activities at WCM will qualify for an exclusion to export control regulations, such as the public domain exclusion or the fundamental research exclusion. However, there are some situations in which export controls may still apply.

Examples of situations where export controls are applicable include:

- Where Foreign Persons may be exposed to technical data related to export-controlled equipment;

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- Where WCM will interact with agencies of foreign governments;
- Where WCM hosts foreign visiting scholars for the purpose of participating in research that is not subject to the fundamental research exclusion;
- Where equipment needed for experiments or research abroad will be exported (i.e., shipped or accompanying the researcher/faculty member), including, for example, laptops, GPS equipment, other hand-held mobile devices, etc., or any device that contains encrypted software.

Many WCM activities are eligible for one of the available exclusions, meaning that no license will be required. However, when a research or educational activity involves an export, WCM must document its analysis of export control issues, including the availability of any exclusion or exemption.

The export compliance analysis should be undertaken with the assistance of the Research Integrity Office, which has been granted authority in this area. This analysis must be done prior to engaging or agreeing to engage in the activity.

The Research Integrity Office may decide not to accept funding for research containing export controls or restrictions, including, but not limited to, when there is insufficient time to obtain a license or to take appropriate measures to properly protect export-controlled information.

### 5.1 Visual Compliance Screening

#### 5.1.1 Descartes Visual Compliance Software

Visual Compliance is a web-based export compliance tool which compiles multiple U.S. government debarment lists into one searchable database. Through Cornell University's license, this tool is available for use by WCM employees who have a need to use the software.

The software may be used to:

- Conduct Restricted Party and Specially Designated Nationals (SDN) screening
- Search current Federal Export Control regulations and sanctions
- Determine categories of hardware subject to export controls
- Determine exemption, exception, exclusion or licensing requirements

Restricted Party Screening is conducted by multiple offices, according to their roles in the institution. To obtain access to Visual Compliance, contact the Research Integrity Office for instructions. All new users should visit the Visual Compliance Training Center for helpful information and training on how to use the software.

#### 5.1.2 Descartes Visual Compliance Records

Visual Compliance records are maintained electronically within the software indefinitely.

### 5.2 Training

The Research Integrity Office provides training on export controls to individuals or groups interested in learning the fundamentals of export control. To schedule a presentation at your next departmental meeting, contact the Research Integrity Office via [export@med.cornell.edu](mailto:export@med.cornell.edu) or 646-962-8200.

Attendee lists for the training sessions are retained in the Research Integrity Office.

### 5.3 Risk Assessment and Audits

The Export Controls Committee will conduct biennial risk assessments and programmatic audits to highlight where risks exist within the area of export controls.

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The risk assessment will serve to:

1. Identify risk areas
2. Assess the severity of a given risk
3. Assess the likelihood of occurrence for a particular issue
4. Prioritize risk areas
5. Develop mitigation strategies for risk areas

## 5.4 Recordkeeping

Forms and documents related to export control compliance are stored electronically by the respective office. Records related to export shipments must be maintained by the sender of the package, or the traveler where the item(s) is hand-carried. All documents related to export licenses are retained and stored by the Export Controls Officer. These records are typically retained electronically, and may be reproduced in hardcopy.

Records related to export control issues are retained for a minimum of five (5) years. In situations where records are related to a multi-year project, records are retained for a minimum of five (5) years after the conclusion of the research project.

## 6.0 Reporting Problems and Violations

### 6.1 Internal Reporting

**Members of the WCM community working with export-controlled equipment or technical data assume responsibility for conducting their activities in compliance with U.S. export control laws and regulations.**

Concerns related to violation of export control regulations must be reported to the institution for review and investigation.

The Export Controls Officer has the responsibility to review and investigate all non-compliant activities related to export control regulations. The WCM community may submit a concern directly to the Export Controls Officer. You may also raise the concern with a supervisor, manager or department chair who can provide guidance regarding the concern.

### 6.2 External Reporting

In the event that an investigation of a reported export control violation is to be launched, the following steps will occur:

1. If an export control violation is suspected, the Office of University Counsel must be notified.
2. If it is determined that an export control violation has occurred or is about to occur, the activities related to the violation must be ceased immediately. Continuing to carry out the activity after it has been identified creates the opportunity for continued violation of export control regulations, and commensurate penalties.
3. The Export Controls Officer, the Office of University Counsel, and other WCM personnel may be involved in investigating the possible violation. These personnel will determine the scope of the investigation and identify the “who, what, where, when and how” of the possible violation. The investigatory team will prepare a report on the investigation for submission to the relevant WCM administrators and/or departments, including any corrective actions that have already been implemented, as well as additional recommended corrective actions.

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4. WCM individuals involved in the possible violation must be notified that an investigation of the possible violation has been launched and their assistance may be required during the course of the inquiry, unless doing so may impede the investigation.
5. Members of the WCM community who engage in illegal activity are subject to disciplinary action, up to and including termination of employment or student status, in addition to possible criminal prosecution.

### 6.3 Voluntary Disclosure

When a violation is determined to have occurred, WCM's Export Controls Officer will determine whether a disclosure of the incident to the relevant government authority is warranted. Such disclosures are considered a mitigating factor in any export enforcement administrative action.

### 6.4 Violations

Penalties for violations of civil and criminal export control laws or trade sanctions can be severe, including personal liability, monetary fines and imprisonment. Penalties for the institution may include fines and debarment.

EAR: Criminal violations by the university can incur penalties up to one million U.S. dollars (\$1,000,000.00) for each willful violation. For individuals, these penalties can reach up to one million U.S. dollars (\$1,000,000.00) or twenty (20) years imprisonment, or both, per violation. Civil penalties for both the university and individuals can exceed two hundred and ninety-five thousand U.S. dollars (\$295,000.00) per violation, or two times (2X) the value of the export, whichever is greater. These violations can also result in a denial of export privileges as well as other potential collateral penalties.

OFAC: Penalties will range depending upon the sanction regime in question. Criminal violations by the university can reach up to ten million U.S. dollars (\$10,000,000.00) per violation, and criminal penalties for individuals can reach five million U.S. dollars (\$5,000,000.00) per violation or thirty (30) years in prison, or both. Civil penalties can be imposed in excess of one million U.S. dollars (\$1,000,000.00) per violation, or two times (2X) the transaction in question, whichever is greater.

ITAR: Criminal penalties can reach up to one million U.S. dollars (\$1,000,000.00) per violation and twenty (20) years imprisonment for individual willful violations. Civil penalties imposed upon departments, agencies, and officials can exceed one million U.S. dollars (\$1,000,000.00) per violation. A person or university found to be in violation of the ITAR (under the Arms Export Control Act) can be debarred from contracting with the government and could lose their export privileges.

### 6.5 Corrective Actions

Following the investigation, the Export Controls Officer and the Office of University Counsel will recommend a course of action to the Dean for Research. The Dean for Research may take action according to the nature, severity and scope of the offense.

### 7.0 Definitions

- **Deemed Export:** Releasing or otherwise transferring "technology" or source code (but not object code) to a Foreign Person in the U.S. Any release in the U.S. of "technology" or source code to a Foreign Person is a deemed export to the Foreign Person's most recent country of citizenship or permanent residency.

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- **Export:** In export control regulations, there are several meanings which include any of the following: (1) actual shipment of any covered goods or items; (2) the electronic or digital transmission of any covered goods, items or related goods or items; (3) any release or disclosure, including verbal disclosures or visual inspections, or any technology, software or technical data to any foreign national; or (4) actual use or application of covered technology on behalf of or for the benefit of any foreign entity or person anywhere.
- **Dual-Use:** Items which have both commercial and military or proliferation applications. While this term is used informally to describe items that are subject to the EAR, purely commercial items are also “subject to the EAR”, as are certain “low level” military items (see §734.2(a) of the EAR).
- **Foreign Person:** Any natural person who is not a lawful permanent resident of the United States, citizen of the United States, or any other protected individual as defined by 8 U.S.C. 1324b(a)(3). It also means any corporation, business association, partnership, trust, society, or any other entity or group that is not incorporated in the United States or organized to do business in the United States, as well as international organizations, foreign governments, and any agency or subdivision of a foreign government (e.g., diplomatic mission). “Foreign Person” is synonymous with “foreign national,” as used in the EAR, and “foreign person” as used in the International Traffic in Arms Regulations (22 CFR 120.16). This definition does not apply to part 760 of the EAR (Restrictive Trade Practices or Boycotts).
- **Fundamental Research:** Research in science, engineering or mathematics, the results of which ordinarily are published and shared broadly within the research community, and for which the researchers have not accepted restrictions for proprietary or national security reasons. It is not considered fundamental research when there are restrictions placed on the outcome of the research, or restrictions on methods used during the research. Proprietary research, industrial development, design, production and product utilization, the results of which are restricted and government-funded research that specifically restricts the outcome for national security reasons, are not considered fundamental research.
- **Public Domain:** Publicly available technology and non-encryption software, such as information that is the subject of an open patent application, published in a book or periodical, released at an open conference anywhere, available on a website accessible by the public with no access controls, or information that will be published is not subject to Export Administration Regulations (EAR).
- **Commerce Control List (CCL):** List of items under the export control jurisdiction of the Bureau of Industry and Security, of the Department of Commerce. The CCL is found in Supplement 1 to Part 774 of the EAR.

The CCL is divided into ten categories: (0) Nuclear Materials, Facilities and Equipment, and Miscellaneous Items; (1) Materials Chemicals, Microorganisms, and Toxins; (2) Materials Processing; (3) Electronics Design Development and Production (4) Computers; (5) Part 1: Telecommunications and Part 2: Information Security; (6) Sensors and Lasers; (7) Navigation and Avionics; (8) Marine; (9) Aerospace and Propulsion.

Every CCL category is subdivided into five (5) product groups, as follows: (A) Systems, Equipment and Components; (B) Test, Inspection and Production Equipment; (C) Material; (D) Software and (E) Technology.

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- **Export Control Classification Number (ECCN):** CCL classification and related export requirements for specific consumables, software, technology or materials. All commodities, software and technology subject to the EAR, but not specifically identified on the CCL, are identified by the designator “EAR99”.
- **Re-export:** An actual shipment or transmission of items subject to export regulations from one foreign country to another foreign country. For the purposes of the U.S. EAR, the export or re-export of items subject to the EAR that will transit through a country or countries to a new country, or are intended for re-export to the new country, are deemed to be exports to the new country.

## 8.0 Citations

1. Export Compliance Guidelines - <https://www.bis.doc.gov/index.php/documents/pdfs/1641-ecp/file>
2. Embargo Sanctioned Countries section - <https://www.bis.doc.gov/index.php/policy-guidance/country-guidance/sanctioned-destinations>
3. **Definitions**

## 9.0 References

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## Appendix A – Dangerous Goods Assessment Form

### Dangerous Goods Assessment Form



Please complete sections 1 to 3 of this form and submit along with any dangerous goods (e.g., batteries, biological products, chemicals, patient specimens, reagents, samples) to be shipped from Weill Cornell Medicine (WCM). A copy of the manufacturer safety data sheet (SDS) should be attached for each chemical listed. This information will allow EHS to accurately assess shipping, packaging, labeling, and documentation requirements for your upcoming flight or shipment. **NOTE: Radioactive substances are NOT included on this form;** if applicable, please contact EHS ([ehs@med.cornell.edu](mailto:ehs@med.cornell.edu) or 646-962-7233) for radioactive substance shipments instructions.

Please note that some items identified as "Dangerous Goods" for air transport must be shipped using a freight forwarder and may require a government agency permit. This process requires additional documentation for government regulatory agencies, transporters, and airlines, which can take several weeks to complete. The shipping timeline is dependent upon the nature of the material and complexity of the shipment. Additional information regarding shipping can be found on the EHS website: <https://ehs.weill.cornell.edu/shipping>. Some shipments may require additional filing for export due to value restrictions.

Please submit this form at least 1 week prior to the expected ship date. If more than 5 items need assessment, please re-fill out this form as many times as necessary and e-mail all forms compiled to [ehs@med.cornell.edu](mailto:ehs@med.cornell.edu).

For questions regarding Material Transfer Agreements, please contact the Office Of Sponsored Research Administration: <http://osra.weill.cornell.edu>.

Any biological, data, or technology shipments must have a MTA (material transfer agreement) in place prior to shipment. If there are any questions regarding MTA's, please contact CTL at [mta-ctl@cornell.edu](mailto:mta-ctl@cornell.edu).

If shipment is for export, these commodities, technology or software were exported from the US in accordance with the export administration regulations. Diversion contrary to the US Law is prohibited.

SECTION 1: CONTACT INFORMATION					
SHIPPER / TRAVELER INFORMATION			AIRLINE / DESTINATION INFORMATION		
Principal Investigator / Lab:			Name of Destination Country:		
Name of Contact to Discuss Shipment / Transport:			Name of Layover Countries (if any):		
Shipper / Transporter Contact Phone:			Name of Courier / Airline to be Used:		
Shipper / Transporter Contact E-Mail:			Expected Ship / Travel Date:		
End Use			End User Name		
End User Address					
SECTION 2: MATERIAL DESCRIPTION (Please note: Provide the Safety Data Sheet for all items with chemicals.)					
	ITEM 1	ITEM 2	ITEM 3	ITEM 4	ITEM 5
Material Name / Type:					
Manufacturer:					
Catalog/NDC Number (if applicable):					

*\*If medical license is required, please attach a copy of license to this form.*



Environmental Health and Safety  
 TEL 646-962-7233 | WEB [ehs.weill.cornell.edu](http://ehs.weill.cornell.edu) | EMAIL [ehs@med.cornell.edu](mailto:ehs@med.cornell.edu)  
 Weill Cornell Medicine | 402 East 97th Street, Room LA-0229 | New York, NY 10065

Updated October 2019

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## Appendix A – Dangerous Goods Assessment Form (cont'd)

CONTINUED: Dangerous Goods Assessment Form					
	ITEM 1	ITEM 2	ITEM 3	ITEM 4	ITEM 5
Country of Manufacture:					
Number of Items:					
Item ECGN:					
MTA In Place	Please Select <input type="button" value="v"/>				
Is medical license required for purchase?*					
Volume / Weight of Each Individual Item:					
Value of Each Item (US\$):	\$	\$	\$	\$	\$
Shipping Temperature:	Please Select <input type="button" value="v"/>				
Quantity of Dry Ice to be Used (if applicable):	kg	kg	kg	kg	kg
Need Assistance with Purchasing a Shipping Box/Container?	Please Select <input type="button" value="v"/>	Please Select <input type="button" value="v"/>	No <input type="button" value="v"/>	Please Select <input type="button" value="v"/>	Please Select <input type="button" value="v"/>
<b>SECTION 2B: Answer only if BIOLOGICAL MATERIALS.</b>					
Is Item Likely to Contain an Infectious Agent?	Please Select <input type="button" value="v"/>				
Which Description Best Fits This Item?	Please Select <input type="button" value="v"/>				
Is Item Contained in Leak-Proof Container?	Please Select <input type="button" value="v"/>				
Does This Item Contain a Preservative?	Please Select <input type="button" value="v"/>				
What Preservative Type and Quantity per Container?					
Who is Preparing the Shipment?	Please Select <input type="button" value="v"/>				
Date of Bio. Material and Dry Ice Shipments Training of Person Preparing Package:					
Need Assistance in Selecting Appropriate Packaging?	Please Select <input type="button" value="v"/>				
<b>SECTION 3: SUBMIT THE COMPLETED FORM to EHS via email: <a href="mailto:ehs@med.cornell.edu">ehs@med.cornell.edu</a>.</b>					
<b>SECTION 4: ENVIRONMENTAL HEALTH AND SAFETY USE ONLY</b>					
					EHS Identification #: <input type="text"/>

Environmental Health and Safety | Weill Cornell Medicine | TEL 646-962-7233 | WEB [ehs.weill.cornell.edu](http://ehs.weill.cornell.edu) | EMAIL [ehs@med.cornell.edu](mailto:ehs@med.cornell.edu)

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## Appendix B – Currently identified subsidiaries/affiliates of Huawei and ZTE Corporation

### Huawei Technologies Company

(Sources: business databases, Huawei Investment & Holding Co., Ltd., 2017 Annual Report)

1. Amartus, SDN Software Technology and Team
2. Beijing Huawei Digital Technologies, Co. Ltd.
3. Caliopa NV
4. Centre for Integrated Photonics Ltd.
5. Chinasoft International Technology Services Ltd.
6. FutureWei Technologies, Inc.
7. HexaTier Ltd.
8. HiSilicon Optoelectronics Co., Ltd.
9. Huawei Device Co., Ltd.
10. Huawei Device (Dongguan) Co., Ltd.
11. Huawei Device (Hong Kong) Co., Ltd.
12. Huawei Enterprise USA, Inc.
13. Huawei Global Finance (UK) Ltd.
14. Huawei International Co. Ltd.
15. Huawei Machine Co., Ltd.
16. Huawei Marine
17. Huawei North America
18. Huawei Software Technologies, Co., Ltd.
19. Huawei Symantec Technologies Co., Ltd.
20. Huawei Tech Investment Co., Ltd.
21. Huawei Technical Service Co. Ltd.
22. Huawei Technologies Cooperatief U.A.
23. Huawei Technologies Germany GmbH
24. Huawei Technologies Japan K.K.
25. Huawei Technologies South Africa Pty Ltd.
26. Huawei Technologies (Thailand) Co.
27. iSoftStone Technology Service Co., Ltd.
28. JV “Broadband Solutions” LLC
29. M4S N.V.
30. Proven Honor Capital Limited
31. PT Huawei Tech Investment
32. Shanghai Huawei Technologies Co., Ltd.
33. TD Tech
34. Tianwen Digital Media Technology (Beijing) Co., Ltd.
35. Toga Networks Ltd

### ZTE Corporation

(Sources: business databases, Wikipedia, ZTE Corporation 2017 Annual Report)

1. Anhui Wantong Information Systems Integration Company, Limited
2. Bestel Communications Ltd.
3. CASIC Shenzhen (Group) Company, Limited
4. Chengdu Zhongxing Software Company, Limited
5. Chengdu ZTE Software Company Limited
6. Enablence Technologies Inc.
7. Guangdong New Pivot Technology & Service Company Limited

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## Appendix B – Currently identified subsidiaries/affiliates of Huawei and ZTE Corporation (cont'd)

8. Hengyang ICT Real Estate Co., Ltd.
9. Huanggang Education Valley Investment Holdings Co., Ltd.
10. Intlive Technologies (Private) Ltd.
11. Jiaxing Xinghe Capital Management Company Limited
12. Kaznurtel LLC
13. Kron Telekomunikasyon Hizmetleri A.S.
14. Laxense, Inc.
15. Nanjing Piaoxun Network Technology Co., Ltd.
16. Nationz Technologies, Inc.
17. New Idea Investment Pte. Ltd.
18. Ningbo Zhongxing Technology Co., Ltd. Yunxiang
19. Nubia Technology Ltd.
20. OOO ZTE Russia Co., Limited
21. Pengzhong Xingsheng
22. Pt ZTE Indonesia
23. Puxing Mobil Tech Company Ltd.
24. S.C. First Project SA
25. Shanghai Xingfei Science And Technology Company, Limited
26. Shanghai Zhongxing Communication Co., Ltd.
27. Shanghai Zhongxing Qunli Information Technology Ltd.
28. Shanghai Zhongxing Telecom Equipment Technology & Service Company Limited
29. Shanghai Zte Technologies Co., Ltd.
30. Shenzhen Capital Group Co., Ltd.
31. Shenzhen Changfei Investment Company Limited
32. Shenzhen Force Science And Technology Co., Ltd.
33. Shenzhen Smart Electronics Ltd.
34. Shenzhen Weigao Semi-Conductor Technology Co., Ltd.
35. Shenzhen Zhongxing Hetai Hotel Investment and Management Co., Ltd.
36. Shenzhen Zhongxing ICT Company Limited
37. Shenzhen Zhongxing Microelectronic Technology Company Limited
38. Shenzhen Zhongxing Software Co., Ltd.
39. Shenzhen Zhongxing Telecom Technology & Services Co., Ltd.
40. Shenzhen Zhongxing Xinyu FPC Company Limited
41. Shenzhen ZTE Kangxun Telecom Co., Ltd.
42. Shenzhen ZTE Hetai Hotel Investment Management Ltd.
43. Sizhuo Zhongxing Hangzhou Technology Ltd.
44. Telecom Innovations
45. Wuxi Kaier Technology Co., Ltd.
46. Wuxi Taalink Optoelectronics Technology
47. Wuxi Zhongxing Optoelectronics Technologies Company Limited
48. Xi'an Zhongxing New Software Company Limited
49. Xian Zte Jingcheng Communication Company, Limited
50. Xingtian Communication Technology Tianjin Co., Ltd.
51. Yangzhou Zhongxing Mobile Telecom Equipment Co. Ltd.
52. Zhongxing Software Company Limited
53. Zhuhai Guangtong Automobile Co., Ltd
54. ZTE 9 (Wuxi) Co., Ltd.
55. Zte (Australia) Pty Ltd.
56. Zte Canada Inc.
57. ZTE Cooperatief U.A.
58. ZTE Corporation South Africa (PTY) Limited
59. Zte Czech, S.R.O.

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## Appendix B – Currently identified subsidiaries/affiliates of Huawei and ZTE Corporation (cont'd)

60. ZTE Do Brasil Ltda.
61. ZTE Energy Co., Ltd.
62. ZTE Energy (Tianjin) Company Limited
63. ZTE France SASU
64. ZTE Ghana Limited
65. Zte Group
66. ZTE Group Finance Co., Ltd.
67. ZTE (Hangzhou) Company Limited
68. ZTE (Hong Kong) Ltd.
69. Zte Hrvatska D.O.O.
70. ZTE India R&D Center Private Limited
71. ZTE International Investment Co., Ltd.
72. ZTE Italy, S.r.l.ZTE Kangxun Telecom Company Limited
73. ZTE Malaysia Corporation SDN. BHD.
74. ZTE Mauritius Ltd.
75. ZTE Microelectronics Technology Co., Ltd.
76. ZTE Mobile Tech Company Limited
77. ZTE Netherlands B.V.
78. Zte Nigeria Investment LTD.
79. Zte Norway As
80. Zte Portugal Projectos De Telecomunicacoes, Unipessoal, Lda
81. Zte Romania Srl
82. ZTE Service Deutschland GmbH
83. Zte Singapore Pte. Ltd.
84. ZTE Software Technology (Nanchang) Co.
85. ZTEsoft Technology Company Limited
86. ZTE Supply Chain Co., Ltd
87. ZTE Sweden Ab
88. ZTE Technology & Service Company Limited
89. ZTE Telecom India Private Limited Company Limited
90. ZTE (Thailand) CO., Ltd
91. ZTE Ukraine LLC
92. ZTE (USA) Inc.

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# Weill Cornell Medicine

## Office of External Affairs

### Prospect Research Best Practice: International Donors and Prospects

Updated: 9/26/19; 1/28/2020

#### (1) Identifying and Researching International Prospects

The proactive international prospecting effort will be largely focused on principal gift level prospects (\$1 million or more) and primarily conducted prior to the dean and vice provost or other senior leadership's international trips.

The Research team will also provide re-active research, to help qualify the names brought by overseers, faculty members and other volunteers, with a focus on principal gift level.

The Research team will use subscription-based tools, such as Wealth-X and Capital IQ, to qualify the prospect's financial information, and use reliable online publications to search for any previous philanthropic giving information.

#### **Data privacy:**

The Research team will ensure compliance with any data privacy regulation in the countries and regions our prospects are from. We will make every effort to study and understand the particular country or region's regulation on an ad hoc basis.

For instance, if the prospect is a European Union resident or a citizen of an EU country (even if he/she lives overseas), he/she is protected by the General Data Protection Regulation (GDPR).

#### **Due diligence:**

The Research team will use publicly available and reliable resources to conduct due diligence research, and notify gift officers and leadership about any potential reputational risks, pending lawsuits or negative publicity about the prospect. Research will run the prospect's name in the Visual Compliance Restricted Party Screening database to see if he/she appears on any sanction or wanted lists, and alert the gift officer and leadership of any findings.

If the Research team exhausts all available options and cannot complete the research due to lack of information transparency in particular countries or regions, we may recommend that leadership hire an outside due diligence research agency to conduct a thorough report.

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## Appendix C – External Affairs Best Practice for International Donors and Prospects (cont'd)

### (2) Soliciting International Prospects

The Research team will help gather information for gift officers to submit to Cornell University's International Gift Committee to review any planned solicitation of \$250,000 or more from a foreign donor prospect.

The Research team will use publicly available resources to conduct due diligence research. However, due to lack of information transparency in certain countries or regions, we may suggest a third-party due diligence research agency be hired to provide a comprehensive report.

### (3) Gift Acceptance and Reporting

In compliance with Section 117 of the Higher Education Act (disclosure of foreign gifts), the Operations staff provides regular reports of foreign gifts to the development staff in Ithaca, who centrally compile this information across all Cornell colleges and units for submission to the US Department of Education.

If gifts are being made in foreign currencies, the revenue processing staff will alert WCM Finance.

On occasion, gifts from foreign donors are solicited or received by faculty from their own contacts and connections, with minimal or no advance knowledge of the Office of External Affairs until the funds arrive. To handle such cases, the Operations staff has implemented a system so that any revenue of **\$1,000** or more from a donor with a foreign address will generate an alert to the prospect research staff when it is booked. At that point, the prospect research staff will vet the donor using the processes noted above.

In addition, as part of the semi-annual Department of Education reporting process, we will undertake the following reviews:

- Handled by Research: Any gift from a donor with a **valid foreign address** will be reviewed through Visual Compliance or other means to confirm there are no red-flags
- Handled by Operations: Any gift from a corporation with a **non-foreign address** will be reviewed to determine if it is foreign or has a foreign parent. If it is determined to be foreign, the non-US address will be added to BBEC. In either case, the org record will be updated with the Attribute of "Company without foreign address" category. The value will be either "foreign parent" or "no foreign parent."

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