



Weill Cornell Medicine

Guide and Checklist for Hiring Personnel from Embargoed Countries

The United States Government strategically enforces embargos or total bans on unlicensed transactions with specific countries and regions across the globe with the interest of national security and other priorities. North Korea, Syria and Iran are prime examples of comprehensively embargoed countries on which all economic activities are prohibited, including a ban on all imports and sanctions on financial institutions.

Weill Cornell Medicine (WCM) generally engages in fundamental research with the explicit intent to broadly disseminate research results in reports, academic journals, conferences, and other venues. As a result, most of our faculty conduct research that may be exempt from United States Export Control laws and other such regulations. However, it is incumbent upon WCM faculty and staff to understand potential limitations and barriers to hiring personnel from embargoed countries and adequately protect their research programs. We encourage you to contact WCM's Export Controls Office at exportcontrols@med.cornell.edu when considering hiring personnel from any foreign country.

If an individual is not on a sanctioned list, there is no WCM policy prohibiting labs from hiring personnel from embargoed countries. However, it is crucial to understand the restrictions in place that prohibit transactions with such countries and how they impact hiring. WCM may not disclose controlled technology to an embargoed country, and it is important to note that disclosure to a non-US national in a WCM lab is effectively a disclosure to the embargoed country and considered a "deemed" export.

As with any non-US hire, documentation must be processed through the WCM Immigration Office and approved by the US State Department. If a visa is approved and offer accepted, the following should be reviewed closely when hiring a candidate from an embargoed country:

- Establish and review controls within the department and lab to ensure the individual can only perform fundamental research while at WCM. Research may not be confidential in nature and results must be broadly disseminated as appropriate in academic journals, conferences, etc.
- The individual cannot have an affiliation with the Government of the embargoed country or a non-Governmental entity within the country, i.e., an academic entity, during their tenure at WCM. They cannot receive financial support from an entity within an embargoed country. The individual cannot acknowledge affiliations with or financial support from the embargoed country on publications. Should the individual be given author credit, their sole affiliation on publications is strictly limited to WCM.
- The individual cannot have access to any proprietary information such as that covered under a non-disclosure agreement without the review and approval of Cornell University's Export Controls Officer.

- The individual may not have access to encryption source code that is not publicly available.
- The individual cannot have access to any ITAR controlled equipment. (A definition of such equipment can be provided by the Export Control Office.)
- The individual cannot have any IT administrator access and cannot upload or download software of any kind on a WCM desktop/laptop or other device.
- No imports from or exports to the foreign country may be conducted by WCM without express approval of Cornell's Export Control Officer. Approval is likely to require a license.
- Should you intend to pay the individual from grants, including NIH/US Government agency funds, discuss with the agency grants manager and/or program officer to confirm approval. While not explicitly prohibited, it does attract a very high level of scrutiny especially with the government's concentrated focus on Undue Foreign Influence and Foreign Export Controls.

We recommend that departments proceed with caution with the understanding that they must have backup plans in place to support salary or expenses for personnel to return home, and that the Department must be as invested as the PI about ensuring all the physical, IT and other controls are in place.

Contacts:

General inquiries and to initiate review process:

Export Controls Office

exportcontrols@med.cornell.edu

Sponsored research:

Aleta Gunsul, MPA, Executive Director for Research Operations

alg2047@med.cornell.edu

646-962-8290

Conflict of interest and conflict of commitment:

Conflict of Interest Office

conflicts@med.cornell.edu

Lab security consultations:

Brian Tschinkel, Chief Information Security Officer

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