



Cornell University Policy Office policy.cornell.edu

Policy 4.22 Export and Import Control Compliance

1 Policy Introduction

This policy sets forth Cornell's commitment to compliance with U.S. Export and Import Control Regulations, identifies responsibilities, and establishes the administrative foundation for University compliance.

2 To Whom This Policy Applies

The Export and Import Control Compliance Policy applies to every Cornell University staff member, faculty, and student (whether paid or unpaid), as well as all activities undertaken by or on behalf of the University.

Cornell University Weill Cornell Medicine

3 Policy Principles

3.1 Fundamental Research: Cornell University conducts only research that qualifies as Fundamental Research. Research projects that do not permit the free and open publication of results are not accepted at Cornell. In particular, research which is confidential to the sponsoring entity or which is classified for security purposes is not permitted. It is the responsibility of all Cornell personnel to ensure that any contract signed adheres to this principle, and that no actions are taken that would circumvent or compromise this foundational research and scholarship tenet. Any exception will be granted out of the Export Controls Office (ECO) and with the approval of University leadership as appropriate.

3.2 International Shipments: All international shipments must be assessed for export or import control concerns, related to both the item(s) being shipped, and the end user/end use of the item(s). It is the responsibility of all parties involved to ensure that the international shipment complies with regulatory and legal requirements. All shipments being sent from or on behalf of Cornell to an international location must be reviewed and approved by the ECO.

3.3 Controlled Information: Controlled Information at Cornell may result in a Deemed Export violation, if not properly controlled. The use, storage, or receipt of Technology or Technical Data controlled under U.S. Export Control Regulations is prohibited at Cornell University, unless expressly authorized by the ECO.

3.4 International Travel: Travel to certain sanctioned countries is prohibited without a general or specific license. All international travel made on behalf of Cornell must be registered in the Cornell or WCM Travel Registry, as appropriate. Registration is required pursuant to [University Policy 8.5](#), and timely registration ensures compliance with current sanctions. All items and information hand carried abroad shall be reviewed against the travel information on the [Export Control Website](#) to determine compliance, and any questions directed to the ECO.

4 Responsibilities

4.1 Responsible Offices:

Export Control Compliance Officer (ECCO): The ECCO is granted authority to oversee and administer the University's [Export Control Program](#), this policy, and is granted the ability to halt exports or imports that violate (or are reasonably suspected of violating) U.S. Export or Import Control Regulations. The ECCO shall serve as the University's authorized signatory on export and import control documentation, including customs documents and license applications. The ECCO is also granted the authority to authorize shipping carriers and freight forwarders to make export and import control filings, if any, on Cornell's behalf.

Export Control Office (ECO): The ECO serves as the primary resource to the Cornell community on export and import control matters.

4.2 University Management:

University Management: Responsible for having knowledge of the information in the University's [Export Control Program](#), as well as knowledge of the export and import controls relating to the area(s) and activities that are under their purview. University Management shall, upon request by the ECO, designate a primary point of contact in their Unit to serve as the ECO's liaison on export and import control related matters. University Management requires that everyone working under their authority takes mandated training and follows all processes and procedures and required by the ECO.

4.3 Individuals

Each Cornell University staff member, faculty, and student, whether paid or unpaid, is responsible for: compliance with U.S. Export and Import Control Regulations, reading and abiding by the processes and procedures set forth in the University's [Export Control Program](#), consulting the ECO when questions arise, and taking training as required. No University faculty, staff, or student may engage in any activity, or commit the University to engage in any activity that violates U.S. Export or Import Control Laws and Regulations.

5 Record Retention

Under U.S. Export Control Regulations, and U.S. Import Regulations, records must be retained for five years after the completion of the activity and made available to the regulating authority upon request. Records that must be retained include all memoranda, notes, correspondence (including email), financial records, shipping documentation, as well as any other information related to the export activities.

Records associated with this policy shall be maintained by the individual or Unit engaging in the activity. Records shall be retained or disposed of in accordance with [University Policy 4.7, Retention of University Records](#) and [Policy 4.21, Research Data Retention](#).

6 Compliance

The Export Control Office, University Compliance Office, University Audit, and others may audit or investigate to assess compliance with this policy. Non-compliance with university policies is

addressed in accordance with applicable policies and procedures and is subject to progressive disciplinary action up to and including termination.

7 Related University Policies and Resources

Description	URL	WCM-Specific URL
Export Control Website	https://researchservices.cornell.edu/export-controls	
Export Control Manual	https://researchservices.cornell.edu/policies/export-control-compliance-manual	
Foreign Collaborations and Support Information	https://researchservices.cornell.edu/process/foreign-collaborations-and-support	https://research.weill.cornell.edu/wcm-investigators/writing-submitting-grant-proposal/office-sponsored-research-administration-osra
Cornell's Statement on Sensitive and Proprietary Research	https://research.cornell.edu/sites/default/files/Sensitive_and_Proprietary_Research.pdf	
Cornell's Statement on Openness in Research	https://research.cornell.edu/sites/default/files/Openness_in_Research.pdf	
Cornell Travel Registry	https://travelregistry.cornell.edu/	https://riskmanagement.weill.cornell.edu/travel/travel-registration
International Travel Policy	https://policy.cornell.edu/policy-library/risk-management-international-travel	
High Risk Travel Loaner Program	https://it.cornell.edu/highrisktravel	https://its.weill.cornell.edu/news/welcome-to-the-smartdesk-how-can-we-help-you

8 Definitions

Term	Definition
Controlled Information	Technology or Technical Data as defined below.
Export	Any release of export-controlled items, information, Technology, Technical data, or services to anyone (including a U.S. citizen) outside the U.S.. "Release" includes shipment as well as oral, written, electronic (fax, e-mail, Internet, etc.), or visual disclosure as well as the export of encryption software source code or object code. Deemed Export are also considered exports.
Deemed Export	The release of any Technology, Technical Data, source code, or service subject to export controls to any foreign national in the United States or abroad. Deemed exports may occur through such means as a demonstration, email, computer access, oral exchanges, or visual inspection of equipment and facilities, as well as the electronic transmission of controlled information or technology. This

	exchange is “deemed” to be an export to the country of the foreign national.
Fundamental Research	Basic or applied research, the results of which ordinarily are published and shared broadly, and for which the researchers and/or the University have not accepted restrictions for proprietary or national security reasons. For ITAR purposes, Fundamental Research must be conducted at an accredited institute of higher learning in the U.S.
Import	Goods brought into the United States from a foreign location.
Technology	Information necessary for the “development,” “production,” “use,” operation, installation, maintenance, repair, overhaul, or refurbishing of a controlled item. Technology may be in any tangible or intangible form, such as written or oral communications, blueprints, drawings, photographs, plans, diagrams, models, formulae, tables, engineering designs and specifications, computer-aided design files, manuals or documentation, electronic media or information revealed through visual inspection.
Technical Data	Information regarded as required for the design, development, production, manufacture, assembly, operation, repair, testing, maintenance, or modification of defense articles. Technical Data includes information in the form of blueprints, drawings, photographs, plans, instructions, or documentation. It further includes classified information, information covered by an invention secrecy order and software directly related to defense articles.
University's Export Control Program	Cornell University’s export control related processes, procedures, and requirements as set forth by the ECCO and contained on the export control websites, in the manuals for both the main campus and WCM, and as further determined by the ECCO.

9 Policy Administration and Responsible Office

Policy Clarification and Interpretation	Contact	Phone	Email/Web Address
Cornell University	Export Control and Compliance Officer	(607) 255-5284	exportcontrols@cornell.edu ; https://researchservices.cornell.edu/export-controls
Weill Cornell Medicine	Export Control and Compliance Officer	(607) 255-5284	exportcontrols@cornell.edu ; https://research.weill.cornell.edu/export-controls

10 Responsible Executive

Unit	Title
Research	Vice President for Research and Innovation

11 Revision History

Date	Summary of Revisions
Originally Issued:	Interim Policy issued August 27, 2021
Current Version Approved:	August 11, 2022
Last Updated:	August 19, 2022
August 19, 2022	Interim status removed.