11. Procurement

This section addresses the identification of export controlled laboratory instruments and materials in the procurement process, and communicating any control status of the item to the buyer or user on campus.

It is important that in those instances where CUNY purchases a controlled item or material for research purposes, the item be identified as such by the vendor, and the controlled status communicated to the user and the person responsible for the purchase. This is particularly true where ITAR items are concerned, as foreign national access shall be restricted in addition to normal outbound export controls. Hence, it is CUNY’s procedure to require vendors of laboratory instruments to provide the USML Category or EAR ECCN to the extent that either is applicable to the item procured. The request for such information shall be made a condition of the purchase order. In general, the request for such information by College Procurement staff shall be triggered by the purchase request for any electronic or reasonably sophisticated piece of laboratory equipment or non-business software.

Once the vendor or supplier has identified a control status, this information shall be transmitted to the laboratory user or administrator and the Export Control Administrator for the College. The Export Control Administrator shall inform the OVCR of such a purchase. The OVCR shall maintain a database of all such items so that access restrictions (ITAR) and outbound export of these items (ITAR or EAR) are appropriately flagged for potential licensing.

Where ITAR items are concerned, CUNY shall also screen those vendors from whom it is procuring the item against the U.S. Government watch lists to ensure compliance with screening guidelines. Individuals responsible for procurement should obtain documentation concerning screening results from the OVCR prior to proceeding with the purchase.