

**MEMORANDUM**

July 26, 2021

To: College Presidents and Provosts

From: Robert T. Maruca, Associate University Provost for Planning &  
Tamera Schneider, Associate Vice Chancellor & University Provost for Research,  
Co-Chairs, Task Force on Foreign InfluenceRe: **Guidance on Onboarding J-1 Researchers and Scholars Exchange Visitors**

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The purpose of this memo is to inform you of the recommended procedures and protocols that will be implemented starting this summer for all CUNY colleges who will engage in hosting/sponsoring J-1 Researchers and Short Term Scholars. We are still working on developing a compliance program and educational awareness for all stakeholders, but this memo can be used in the interim to ensure CUNY's compliance with federal regulations.

Context: The federal government has foreign influence concerns that include, but are not limited to, program sponsors who invite J-1 exchange visitors to conduct research at their respective institutions. CUNY officials must certify and comply with the export control regulations pertaining to sponsored J-1 research scholar visa holders as propagated by the Department of State International Traffic in Arms Regulations (ITAR), U.S. Department of Commerce Export Administration Regulations (EAR), and the U.S. Department of Treasury Office of Foreign Asset Control (OFAC). All CUNY colleges must comply with all federal regulations pertinent to research conducted by exchange visitors in J-1 Researcher and Scholar exchange visitors on several fronts. This process is being implemented to ensure that CUNY remains committed to and maintains the teaching and research environment engaged through our academic and research endeavors, while ensuring compliance with regulations.

University-wide procedures were needed to help ensure that CUNY administrators, faculty, staff and affiliated units follow processes that aid in CUNY complying with federal regulations. We formalized a uniform submission of all requests to invite/sponsor J-1 Research or Scholar exchange visitors that **must** be followed by the sponsoring academic department, faculty member, researcher's immediate supervisor, or the Principal Investigator for a review process. The implementation of this process is the fulfillment of the recommendation of the Task Force on Foreign Influence.

**Task Force Background:**

The Task Force on Foreign Influence was created to work on different identified areas associated with foreign influence. CUNY works with Fischer & Associates to examine foreign influence and U.S. federal regulations, including but not limited to research and other activities. The Office of International Student and Scholars Services (ISSS) at Central Office engaged with the J -1 Visiting Research Scholars area to review processes and documents collected by each campus' J-1 Responsible Officers for the issuance of the DS-2019 Immigration Certificate of Eligibility for exchange visitors in J-1 immigration status.

**Actions Taken:**

A university-wide inquiry was conducted, revealing incongruences on the governance and processes across campuses. A lack of procedures and/or existing discrepancies in certain areas included, but were not limited to:

- J-1 export control review
- ID management
- IT system access
- IP generation/ownership
- COI review
- Post-visit On-going activity monitoring

It was also discovered that there was a lack of “Visual Compliance Screening” on the visiting scholars at the CUNY colleges. This process, commonly referred to as Restricted Party Screen (RPS), is a critical part of an export compliance program. Exchange Visitors in J-1 Research and Scholar immigration status fall under the category of persons that must undergo this screening.

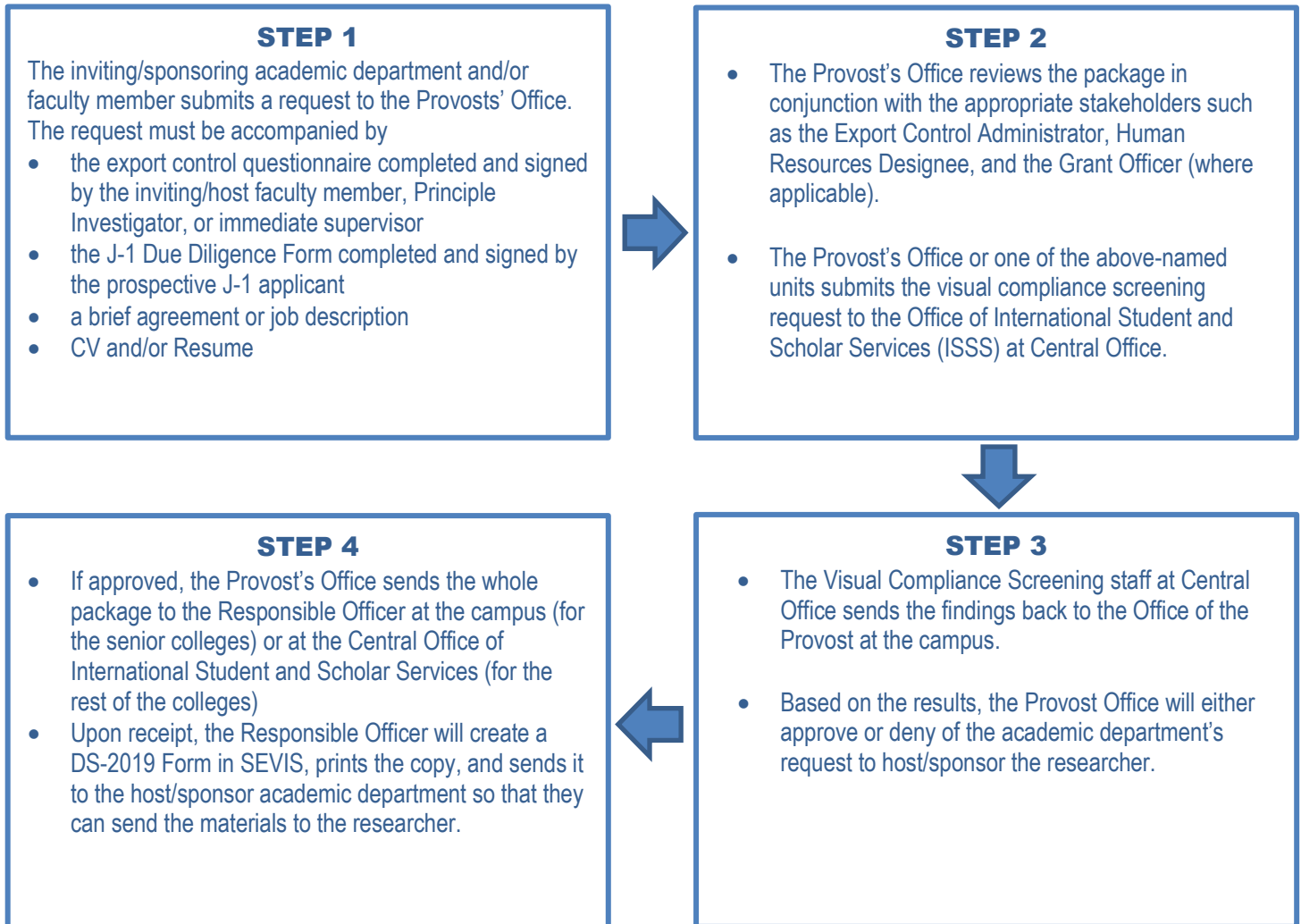
This memo is accompanied by the recommendations of the Task Force. Appendixes include (a) the **J-1 Visa/Export Control questionnaire** that must be completed by the host/sponsor faculty member, Principal Investigator or researcher’s immediate supervisor, and (b) **J-1 Foreign Influence Due Diligence Form that must be completed by the prospective J-1 candidate.**

Questions pertaining to these processes can be directed to Ruth Kamona, University Director, International Student and Scholar Services at [Ruth.Kamona@cuny.edu](mailto:Ruth.Kamona@cuny.edu).

cc: Daniel Lemons, Interim Executive Vice Chancellor & University Provost  
Chief Academic Officers  
Senior Research Officers (CARS)  
Human Resources Directors  
Legal Affairs Designees  
Export Control Administrators  
Grants Officers  
International Student and Scholar Advisors/J-1 Responsible Officers

## Task Force on Foreign Influence Recommendations

**Establish and implement a university-wide policy and/or standard procedures and protocols on onboarding J-1 Visiting Scholars and Researchers.** This includes developing a J-1 Visa/Export Control questionnaire for the sponsoring academic departments, and the Foreign Influence due Diligence Form for the prospective exchange visitor.



**The Provost's Office and the Responsible Officer in charge of the issuance of the DS-2019 must have shared governance and retention of the records in accordance with the CUNY policy on retention of records. This process will also facilitate swift responses to requests from any federal affiliated agency, specifically, the US Department of State.**

### **Provide University-wide Visual Compliance Screening at the Central Office.**

- The Office of International Student and Scholar Services (ISSS) and the Office of Research at Central Office works in tandem to implement CUNY-Wide visual compliance screening standard protocol.
- Identify and appoint a person in the Office of International Student and Scholar Services (ISSS) dedicated to conducting university-wide restricted party visual compliance screening on all J-1 Researches and Scholars coming to CUNY. The person will work in conjunction with campus Export Control Administrators and HR Designees as deemed necessary.
- The screening process must be completed before the SEVIS DS-2019 form is issued to the J-1 Researcher or Scholar exchange visitor.
- Develop and implement a compliance program including educational awareness and training for the stakeholders whose work is directly involved in this process.
- Provide training in either the Fall 2021 or Spring 2022 semesters.