



Overview of U.S. Trade Control Laws and Section 889

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A scenic landscape photograph of a mountain range with green hills and a prominent rock formation in the foreground. The image is used as a background for the agenda slide.

Agenda

- Introduction to Trade Control Laws
- Export Controls
- Fundamental Research Exemption
- Economic Sanctions
- Section 889 Compliance
- Huawei Restrictions

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What are U.S. Export Controls and Sanctions Regulations?

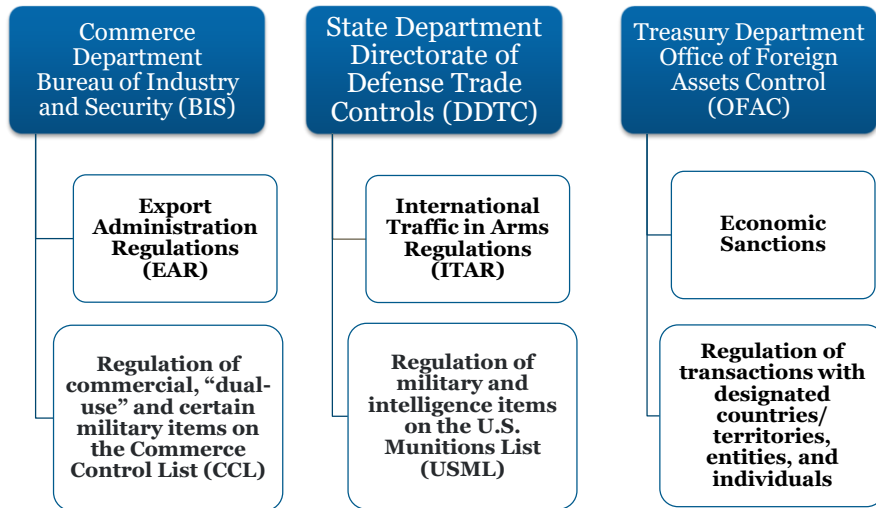
- **Export Controls:** Restrict the transfer of certain goods, software, services, or technology outside the United States and/or to non-U.S. persons (including deemed exports)
 - Applicable controls will depend on type of item, destination, end use and end-user
- **Economic Sanctions:** Restrict certain transactions with designated countries, entities, and individuals



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Which Agencies Administer These Regulations?*



* Other agencies, including the Department of Energy, Nuclear Regulatory Commission and Census Bureau are also involved in regulating exports

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Why is This Important?

- Supports the U.S. Government's objectives relating to national security and foreign policy
- Reduces non-compliance risks and potential exposure to significant penalties for violations
 - Civil penalties
 - Criminal penalties
 - Suspension/denial of export privileges
- Global cooperation on enforcement
- Avoids reputational harm and adverse publicity
- Banks, insurance companies, and other third parties are increasingly requesting representations regarding sanctions and export compliance
 - Third parties who are SEC-filers must comply with reporting requirements related to transactions involving certain sanctioned countries/parties



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How does this affect you?

- U.S. persons must comply
 - U.S. citizens and “green card” holders
 - U.S. companies
 - Foreign nationals in the United States
- Non-U.S. persons dealing in U.S.-origin goods, software, or technology must comply
- Trade controls may:
 - Restrict your ability to transact with certain countries
 - Restrict your ability to transact with certain persons and entities
 - Restrict or delay your ability to export certain products
 - Restrict or delay your ability to provide technical data or services
 - Restrict your ability to train or provide support

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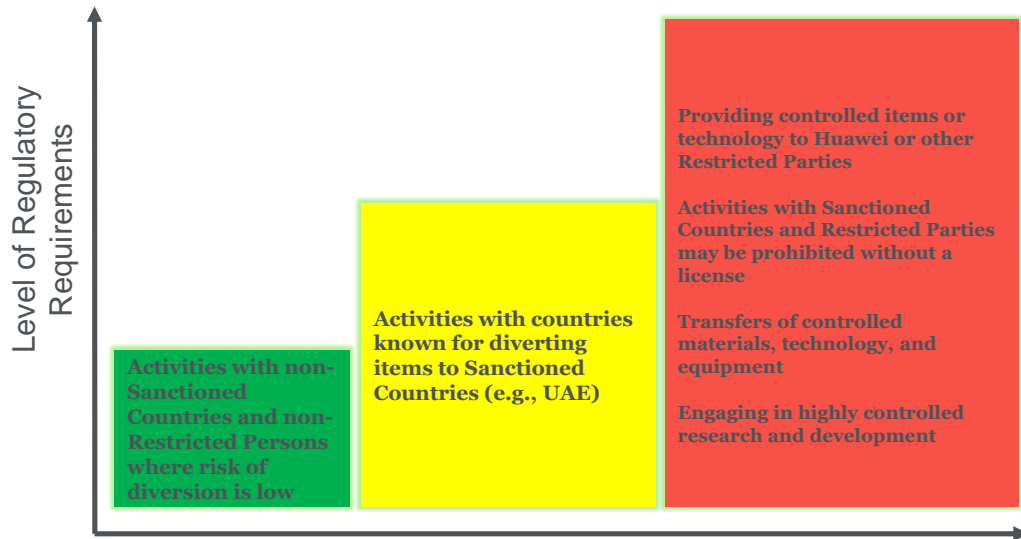
Enforcement of Trade Control Laws

- Criminal Penalties
 - Up to \$1 million per violation and 20 years in prison for an individual and \$1 million per violation for an organization
- Civil Penalties
 - Up to \$307,922 per violation or twice the value of the transaction, whichever is greater
- Administrative Penalties
 - Seizure/forfeiture of goods
 - Loss of export privileges
 - Debarment from U.S. government procurement
 - Negative publicity
- Example: In February 2021, Princeton University entered into a settlement agreement with BIS to pay a fine of \$54,000 for exporting various strains and recombinants of animal pathogens from the United States to various overseas research institutions without the required export licenses.
 - Required to conduct one external and one internal audit of its export compliance program and submit audit reports to BIS
 - Voluntarily disclosed the matter to BIS

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What are the risks?



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Export Controls – Basic Terminology



- Exports
 - Actual shipments or transfers of U.S. goods, software, or technology
 - Electronic or digital transmission of software or technical data
 - Release or disclosure of controlled software source code or technical data to a non-U.S. person by email, Internet, phone/fax, in-person presentation, or visual inspection
- Reexport
 - Export of U.S.-origin item, software, or technology from one foreign country to another
- Deemed Exports
 - Disclosure of technical data or software source code to a non-U.S. person in the United States

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Export Administration Regulations (EAR)

- Commercial and “dual use” items, software, and technology are regulated by the U.S. Commerce Department under the EAR, including:
 - Medical devices
 - Certain pathogens, toxins and biological materials
 - Encryption hardware, software or technology
- Items listed on the CCL are assigned a five digit alpha-numeric Export Classification Control Number (ECCN)
 - Each ECCN has one or more “reasons for control” that dictates where your item can be exported

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EAR (cont'd)

- Medical and surgical products generally are classified as “EAR99” and are subject to the **lowest level of control** under the EAR
 - Computers and other items used in hospitals or medical facilities might be subject to higher level of control
- A license to export or reexport items controlled under the EAR may be required based on:
 - Export classification
 - Destination
 - End-user
 - End-use
- General Prohibition 10 makes it unlawful for companies to proceed with a transaction with knowledge that a violation has occurred or is about to occur



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Transfers of Technology



- Release of controlled technology to foreign persons or entities may require an export license
 - Deemed Export - Release of technology to a foreign person in the United States is deemed to be an export to their home country
- "Technology" and "Technical Data" are broadly defined and generally refer to the information necessary for the development, production, or use of a controlled commodity
- Can take the form of blueprints, drawings, photographs, plans, diagrams, models, formulae, tables, engineering specifications, and other documentation
- Technology transfers can occur with virtually any exchange of information, including telephone conversations, technical proposals, fax communications, e-mails, briefings, meetings, or training sessions

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Controlled Materials and Equipment

- Examples of items controlled on the Commerce Control List (CCL):
 - ECCN 1C350: Chemicals that may be used as precursors for toxic chemical agents
 - ECCN 1C351: Certain human and animal pathogens and toxins
 - ECCN 1C353: Genetic elements and genetically modified organisms
 - ECCN 1C354: Certain plant pathogens
 - ECCN 1C395: Mixtures and medical, analytical, diagnostic, and food testing kits
 - ECCN 1C991: Vaccines and immunotoxins
 - ECCN 3A101: Analog-to-digital converters
 - ECCN 3A002.a.7: Oscilloscopes
 - ECCN 4A003: Equipment performing analog-to-digital conversions
 - ECCN 2B255: Remote manipulators
 - ECCNs 2B231 and 2B350.e: Certain vacuum pumps

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Antiboycott Compliance

- U.S. Government maintains anti-boycott regulations administered by two agencies
 - Commerce Department's Bureau of Industry and Security (BIS)
 - Treasury Department's Internal Revenue Service (IRS)
- Rules are designed to prevent U.S. entities and certain controlled foreign entities from participating in, cooperating with, or otherwise furthering unsanctioned international boycotts, primarily the Arab League boycott of Israel
- Anti-boycott regulations prevent certain activities and language, and require reporting to BIS and IRS regarding receipt of certain language and requests
 - May be received orally, as well as in writing
- IRS boycotting countries: Iraq, Kuwait, Lebanon, Libya, Qatar, Saudi Arabia, Syria, UAE and Yemen
 - But other countries may raise boycott issues (e.g., Bahrain, Bangladesh, Oman, Pakistan, Malaysia)

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Hypothetical – Lasers

Scenario: An investigative team submitted an MTA to loan an Optical Frequency Domain Imaging (OFDI/OCT) system to collaborators in Japan.

Analysis:

- If MGB did not manufacture the item, ask the manufacturer to provide the export classification.
- If the manufacturer is not able to provide the export classification, MGB would then review the USML. If the laser is not on the USML, MGB would review the CCL to see if the system falls under any of the enumerated ECCNs.
- Category 6 of the CCL controls various lasers and sensors.
 - Examples: ECCN 6A002 – controls certain optical sensors and equipment, the entire entry is controlled for NS1 reasons – license required for export to Japan.
 - Example: ECCN 6A004 – optical equipment and components – controlled for NS2 reasons, NLR for Japan.

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Hypothetical – Foreign National Hire

Scenario: An investigative team in Boston is working on a research project involving development of a vaccine for the yellow fever virus, which is controlled under ECCN 1C991. The team is looking to hire a researcher and has interviewed a citizen of India in the U.S. on a H-1B visa. The position would require the new hire to have access to detailed technical specifications and instructions regarding the production of the vaccine.

Analysis:

- Export of controlled technology to a foreign national in the U.S. is considered a “deemed export” to the foreign national’s country of nationality
- 1C991 items are not controlled for export to India. However, the *technology* related to the development or production of items controlled under 1C991 are classified under ECCN 1E001 and are controlled for export to India
- Deemed export license from BIS would be required to provide an Indian national access to technology related to the yellow fever vaccine (or yellow fever virus) to an Indian national
 - For deemed export purposes, the EAR considers the most recent citizenship or permanent residency of an individual to be their country of nationality
 - Confirm whether the candidate holds any other citizenships or permanent residencies

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Hypothetical – VSV Genetic Elements

Scenario: An investigator is working with a pharmaceutical company on its COVID-19 vaccine which contains Vesicular stomatitis virus (VSV) genetic elements. The VSV virus is classified under ECCN 1C351 but SARS-CoV-2 is not listed under CCL. What would be the COVID-19 vaccine’s export classification when approved by the FDA? What is necessary to export the vaccine to collaborators?

Analysis:

- COVID vaccines containing genetic elements of items controlled by ECCN 1C353 (such as VSV) are now controlled under ECCN 1C991, instead of ECCN 1C353.
- An export license would only be required for sanctioned countries and restricted parties.

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Hypothetical – VSV Genetic Elements

Scenario: A laboratory works with plasmid systems that are pseudo-typed with VSV glycoprotein. The plasmids contain VSV genetic elements or use cell lines that contain VSV genetic elements. A MGB collaborator abroad asks MGB to export the plasmids, cell lines, or virions (with no VSV genetic elements) in order to further research on VSV genetic elements. What export authorizations would be required?

Analysis:

- VSV virus itself is controlled under ECCN 1C351.a.56 and is controlled for CB1 and AT1 reasons. Export license required to export VSV to all destinations
- ECCN 1C353.a.1 controls “any genetically modified organism that contains, or any genetic element that codes for, any gene or genes specific to any virus controlled by 1C351.a”
 - “Plasmids” included within definition of “genetic element” (see Technical Note 2 to ECCN 1C353) and would be classified under ECCN 1C353.a.1
 - Cell lines that contain the VSV genetic elements would also be classified under ECCN 1C353.a.1
 - Items classified under 1C353.a.1 are controlled for CB1 and AT1 reasons. Export License required to export to all destinations
 - If the virions do not fall under the definition of “genetic elements” or genetically modified organisms as set forth in ECCN 1C353, they would be classified as EAR99 and could be exported to most destinations without an export license or prior authorization, with the exception of sanctioned countries and Restricted Parties

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What are my obligations?

- Technical collaboration
 - Prior to meeting or collaborating with a foreign business partner or foreign person, confirm whether you will need to transfer any controlled technology
 - Don't guess – seek assistance when you are not sure
- Mark any export controlled document (whether in electronic format or hard copy)
- Export of equipment, components, materials and prototypes
 - Certain tangible items may be controlled for export or reexport (e.g., autopilot demo device)
 - Seek assistance before exporting any tangible items from the United States
- Non-U.S. suppliers
 - Seek classification information from non-U.S. suppliers when procuring equipment or other items
- International travel
 - Review *Export Controls Travel Guidance for Researchers*
 - Take a clean laptop for high-risk countries (i.e. China, Russia)



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How can trade controls affect research?

- Many activities relevant to MGB qualify for the Fundamental Research Exclusion (“FRE”)
- What projects are considered fundamental research under the EAR?
 - “Fundamental research” means 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.
- The ITAR also has a FRE
 - MGB is not currently engaged in any ITAR-controlled work
 - Note that the ITAR FRE requires that the research activities be conducted on-campus at an accredited institution of higher learning in the United States
- Neither the EAR nor the ITAR control publicly available information (including that which has been published or is available online, at conferences, in patents, etc.)



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Limits of the EAR Fundamental Research Exclusion

- The EAR FRE generally does not apply if MGB accepts any contract clause, for example, that:
 - Forbids/restricts the participation of non-U.S. Persons
 - Gives the sponsor a right to approve publications resulting from the research (limited pre-publication review is okay)
 - Restricts access to and disclosure of research results
- Export controls may also restrict:
 - Ability of non-U.S. Persons to participate in projects
 - Ability to send equipment, spare/replacement parts, technology, or software to foreign countries
 - Ability to collaborate with researchers in foreign countries



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FRE: Things to watch out for

- Side deals between a Principal Investigator (“PI”) and sponsor that may destroy FRE
- Presence of or access to “classified information” during research
 - Special rules apply and only U.S. citizens can receive access to it
- Hardware, chemicals, or other materials that arise from research do not qualify for the FRE exclusion and a license may be required for export outside the United States
- Special rules and exceptions apply to software
- Grant or contract doesn’t have to specify that it is subject to FRE
 - Silence in the agreement is sufficient, so long as the conditions for the exclusion apply
- Be aware of broad NDAs that impose publication restrictions



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Hypothetical – FRE and Foreign Persons Working in Labs

Scenario: MGB enters into a cooperative research arrangement with a U.S. company and has agreed to prepublication review

- Research will be conducted at an MGB lab, and there is a student from China working in the lab
- Does the research qualify as FRE?

Answer: While the sponsor has the right to prevent publication, FRE would still apply if the prepublication review was intended solely to avoid compromising patent rights

- In this scenario, you could involve the Chinese student on the project provided that MGB has not agreed to any other restrictions (e.g., access by foreign persons, etc.) and that the input data received for the project is not controlled for export to China, if the student even needs access to such data
- If the input data is controlled for China, you would need to determine if a license exception is available and, if not, MGB would need to restrict the student's access to the data



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Hypothetical – International Research Collaborations

Scenario: A non-U.S. company is funding research at MGB. There are no prepublication restrictions but the company is requiring that researchers do some work at the foreign company's facility abroad. What are some potential issues to watch for?

Answer:

- Restricted party screening should be conducted on the non-U.S. company before proceeding
- Determine if FRE applies, or if there are applicable U.S. Government approvals required to export technology to the foreign company's facility location or to foreign nationals from the non-U.S. company
- Determine if there would be any shipments of hardware to the foreign country



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Hypothetical – Dual Use Research of Concern (DURC)

Scenario: MGB is the prime contractor on a project to develop vaccines against high consequence pathogen, including development of the vaccine and assessing efficacy. The Funding agency requires in the grant that an Institutional Review Entity (IRE) perform a DURC review of the project. What are potential impacts on FRE analysis if IRE determines that publishing restrictions are required due to DURC determination?

Answer: From an export control perspective, if as a result of DURC determination IRE imposes a restriction on publication, then it eliminates eligibility for FRE exemption

- If there are parts of the research results that are not subject to imposed restrictions on publication, such results would still be considered FRE
- Separate from export controls, there may be CDC or other health-related restrictions that could apply to research determined to be DURC



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Sanctions Overview

- OFAC administers U.S. sanctions regulations
- Sanctions programs vary in scope depending on the country involved
- U.S. persons and companies generally may not directly or indirectly engage in the following without a license from the U.S. Government:
 - Export or import goods, software, technology or services to or from a sanctioned country
 - Enter into contracts related to A sanctioned country
 - Make investments in a sanctioned country
 - Approve or facilitate any of the above activities
 - Engage in activities intended to evade or avoid sanctions



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Overview (cont'd)

- Prohibitions are very broad
- Sanctions programs can affect:
 - Travel
 - Contracts
 - Employment
 - Shipments
 - Procurement
 - Payments
 - Services

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Types of Economic Sanctions

- **Comprehensive economic sanctions/embargoes** - prohibit nearly all transactions with:
 - Cuba, Iran, North Korea, Syria, Crimea territory
- Restricted activities for comprehensively sanctioned countries include, for example:
 - Entering into any contract, purchase order or other agreement for any activity or service with any individual or entity located in a country subject to comprehensive sanctions
 - Participating in, approving or facilitating any discussion, negotiation or execution of any contract, purchase order or other agreement involving a country subject to comprehensive sanctions
 - Making or authorizing payments to or from a country subject to comprehensive sanctions (e.g., banks and governments) or for any activity involving a country subject to comprehensive sanctions
 - Providing advice, advisory services or technology support to parties located in a country subject to comprehensive sanctions or to third parties who are engaging in activities involving a country subject to comprehensive sanctions
- **Targeted sanctions** – (non-territorial in nature – imposed primarily against individuals, entities, or groups in these countries)
 - Sectoral sanctions – Russia, Venezuela
 - List-based sanctions – Balkans, Belarus, Burundi, Burma, Central African Republic, China, Democratic Republic of Congo, Hong Kong, Iraq, Lebanon, Libya, Mali, Nicaragua, Somalia, Sudan, South Sudan, Ukraine, Yemen, Zimbabwe
- Programs vary in scope



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Restricted Parties

- U.S. Government maintains restricted party lists, such as:
 - OFAC: SDN List, Sectoral Sanctions Identification (“SSI”) List, Foreign Sanctions Evaders List
 - BIS: Entity List, Denied Persons List, Unverified List, Military End User List, Military-Intelligence End User List
 - DDTC: Debarred Parties List
- Lists includes thousands of entries and are regularly updated
- SDNs include:
 - Terrorists and sponsors of terrorist activities
 - Narcotics traffickers
 - Proliferators of weapons of mass destruction material
 - Agents of sanctioned country governments
- U.S. persons are generally prohibited from engaging in any transactions or dealings with restricted parties or entities majority owned or otherwise controlled by SDNs (i.e., “50% Rule”)



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Restricted Parties (cont'd)

- Restrictions vary depending on the list
 - SDN List – virtually all activities prohibited
 - SSI List – certain financial transactions prohibited
 - Entity List – exports/reexports/transfers of items subject to EAR prohibited
- New military end user/military-intelligence end user restrictions
 - Military End User List – exports/reexports/transfers of certain types of items (including some types of mass market commercial software) prohibited to military end use or “military end users” in China, Russia, Venezuela
 - Military-Intelligence End User (“MIEU”) List – exports/reexports/transfer of any items subject to the EAR prohibited, as well as certain transactions involving MIEUs in certain countries by US persons *even if items are not subject to the EAR*
 - MEU and MIEU lists are not exhaustive - enhanced due diligence needed by US entities

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Huawei Technologies Co., Ltd.

- May 16, 2019 - Huawei and 66 non-US affiliates added to Entity List
 - Persons are prohibited from exporting, re-exporting, or otherwise transferring to Huawei and its designated affiliates any hardware, software, source code or technology subject to the EAR without an export license from BIS.
 - License exceptions under the EAR are no longer available for exports, reexports, or transfers to Huawei.
 - License applications for Huawei or its designated affiliates are generally subject to a presumption of denial by BIS (certain transactions that do not involve 5G technology are subject to a case-by-case review).
- August 19, 2019 –Additional 46 non-US affiliates added to Entity List
- August 17, 2020 Final Rule
 - 38 non-U.S. affiliates added to Entity List
 - Removed a temporary general license for Huawei and its non-U.S. affiliates and replaces those provisions with a more limited authorization
 - General Prohibition 3: Foreign-Produced Direct Product Rule expansion

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Restricted Parties (cont'd)

- What do these entities have in common?
 - Grupo F Y F Medical Internacional De Equipos
 - Well Being Enterprise Co., Ltd.
 - Gimnasio Body and Health
 - Research FX Consultants Limited in Canada
 - Distribuidora Medica Hospitalaria, AS de C.V.
 - Baghiatollah Medical Sciences University
 - Northwestern Polytechnical University
 - Sichuan University
- **Answer:** These entities are all restricted parties even though they are located in various countries

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Example Scenario – Unverified List

Scenario: While performing a routine export control review for an MTA, we discovered that the receiving institution, Tongji University, was listed on the Unverified List published by BIS.

- Answer:
 - The Unverified List is set forth in Supplement No. 6 to Part 744 of the EAR. Restrictions on exports, reexports and transfers (in-country) to persons listed on the UVL are set forth in [Section 744.15 of the EAR](#).
 - Parties listed on the UVL are ineligible to receive items subject to the EAR by means of a license exception. In addition, exporters must file an Automated Export System record for all exports to parties listed on the UVL and obtain a statement from such parties prior to exporting, reexporting, or transferring to such parties any item subject to the EAR which is not subject to a license requirement.
 - **Note: Tongji University was removed from the UVL as of October 9, 2020.**
 - MGB would assess whether export license or other authorization required for export to entity in China on basis of ECCN and related reasons for control.

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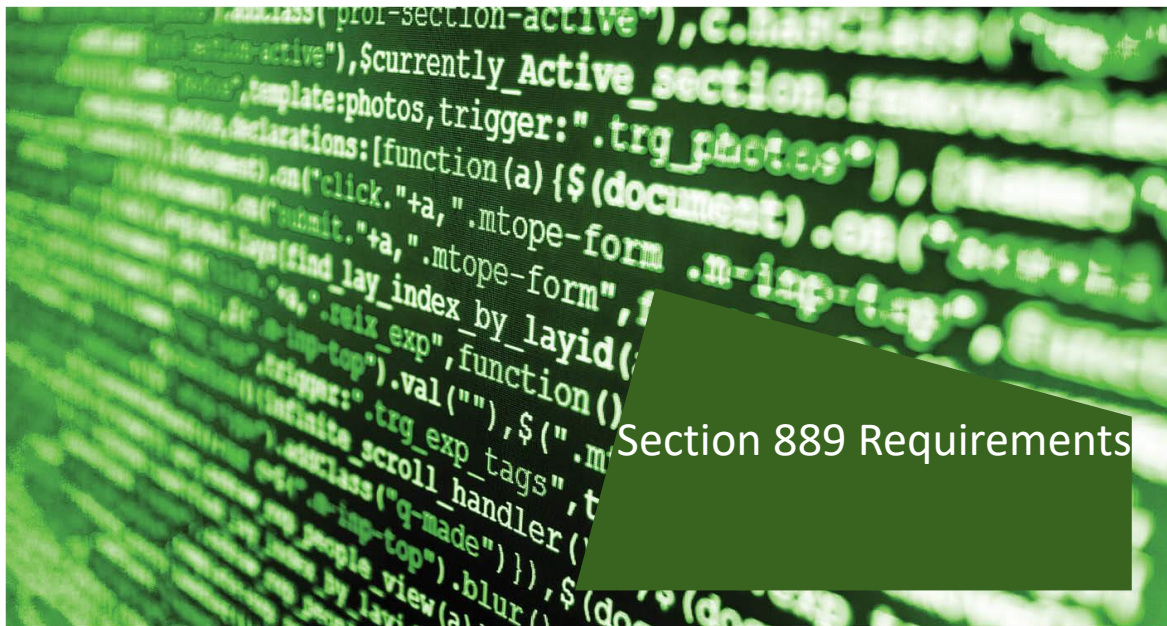
What are MGB's obligations?



- Screen all potential business partners and counterparties against the Restricted Party Lists prior to entering into agreements or engaging in any transactions
- MGB employees should immediately report any transaction that may directly or indirectly involve a sanctioned country and not proceed without guidance
- Sanctions obligations always apply to US persons even if they work for a non-US company
- MGB export control officers perform restricted party screening. MGB uses Visual Compliance for Restricted Party screening

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Section 889 – Statutory Prohibitions

- Section 889(a)(1) of the 2019 National Defense Authorization Act (NDAA) (Pub. L. 115-232) prohibits the U.S. government (USG) from both:
 - **Purchasing** any products or services that use certain prohibited telecommunications equipment or services (Section 889(a)(1)(A)) (“**Part A**”); and
 - Contracting with any entity that itself **uses** products or services that use the prohibited telecommunications equipment or services (Section 889(a)(1)(B)) (“**Part B**”).
- Prohibitions implemented in every USG contract via mandatory Federal Acquisition Regulation (FAR) clauses

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What is the prohibited technology?

- “**Covered telecommunications equipment or services**” includes
 - Telecommunications equipment provided by ZTE Corporation and Huawei Technologies Company or any of their subsidiaries or affiliates,
 - Video surveillance and telecommunications equipment provided by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any of their subsidiaries or affiliates),
 - Video surveillance or telecommunications services provided by such entities for any purpose, and
 - Any other suppliers that the Secretary of Defense reasonably believes are owned, controlled, or otherwise connected to a covered foreign country (i.e., China).

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FAR prohibitions – What does Part A require?

- **Part A** has been in effect since **August 13, 2019** via a series of mandatory FAR contract clauses that appear in every USG prime contract.
- Part A requires contractors to represent that they are not providing under a USG contract any equipment, system, or service that uses "covered telecommunications equipment or services."
- If the contractor represents that it is providing such items, it must seek a waiver from its USG customer.

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FAR prohibitions – What does Part B require?

- **Part B** went into effect on **August 13, 2020** (now appears in the same mandatory FAR contract clauses that previously covered only Part A requirements).
- Must represent that the contractor *itself*, after conducting a "**reasonable inquiry**," does not use equipment, system, or service that uses "covered telecommunications equipment or services."
 - **It does not matter whether that internal use has anything to do with the company's USG contracting work.**
- If the contractor represents that it is using such items, it must seek a waiver from its USG customer.

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FAR Representations & Disclosures

- **FAR 52.204-24, *Representation Regarding Certain Telecommunications and Video Surveillance Services or Equipment***
 - Appears in all USG solicitations
 - Part A Representation: 52.204-24 (d)(1) Offeror represents it **will**, or **will not**, *provide* to the USG covered items; and
 - Part B Representation: 52.204-24 (d)(2) Offeror represents it **does**, or **does not**, itself *use* covered telecommunications equipment or services, or *use* any equipment, system, or service that uses covered telecommunications equipment or services
 - An offeror that represents it “will” and / or “does” must provide additional disclosures about the equipment or services, and may need to obtain an agency **waiver**

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FAR Representations & Disclosures

- **FAR 52.204-26, *Covered Telecommunications Equipment or Services-Representation***
 - Annual System for Award Management (SAM) representation
 - Allows each SAM registrant to *annually* (rather than on an offer-by-offer basis) make the Part A and Part B representations contained in FAR 52.204-24

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FAR Ongoing Reporting Obligation

- **FAR 52.205-25, *Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment***
 - Contractor must **report** if it discovers covered technology during contract performance
 - Within **one business day**, the contractor must report to the contracting officer (or online at <https://dibnet.dod.mil> for U.S. DoD contracts) basic information about the identified equipment or services and any readily available information about mitigation actions undertaken or recommended
 - Within **10 business days**, the contractor must report additional information about mitigation efforts actions undertaken or recommended

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Section 889 Prohibition on use of USG Grant Funds

- This is a separate part of the NDAA statute: Section 889(b)(1) Prohibition on Loan and Grant Funds
- Implemented in regulations via the updated Uniform Guidance from the Office of Management and Budget (OMB).
 - 2 CFR 200.216, *Prohibition on certain telecommunications and video surveillance services or equipment*
 - Prohibited from obligating or expending loan or grant funds to (1) procure or obtain, (2) extend or renew a contract to procure or obtain, or (3) enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that use prohibited telecommunications equipment or services
 - 2 CFR 200.471 provides that costs for any covered equipment or services described in 2 CFR 200.216 are unallowable.

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Section 889 Prohibition on use of USG Grant Funds

- Differences between FAR prohibition & grants prohibition:
 - Unlike federal procurement contracts, the Section 889 prohibitions cannot be waived for assistance instruments such as grants and cooperative agreements. **No waiver process applies.**
 - Grants can be awarded to an organization that **uses** covered telecommunications equipment or services, as long as USG funds do not pay for the prohibited equipment or services.

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Recap: MGB Obligations Under U.S. Trade Controls and Section 889

- Trade Controls:
 - Be aware of sanctioned country and restricted party considerations
 - Confirm export classifications of MGB hardware, software, or technology
 - Confirm the need for licenses or other authorization prior to providing any hardware, software, or technology to foreign countries or foreign nationals
- Section 889:
 - Review MGB activities to confirm whether equipment or services are being provided by subject companies or whether activities involve the use of equipment or services provided by subject companies

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Export Control Officers – Contact Information

- If you have doubts regarding an activity or transaction, contact your Export Control Officer for further guidance
- Brigham and Women’s Hospital (BWH) Lisa Griffin | 617-525-8833
LGRIFFIN11@BWH.HARVARD.EDU
- Massachusetts General Hospital (MGH) Kelé Piper | 617-726-2111
KKPIPER@MGH.HARVARD.EDU
- McLean Hospital (McLean) Kimberlee Roselando | 617-855-2160
KROSELANDO@PARTNERS.ORG
- Spaulding Rehabilitation Hospital (SRH) Monica Baggio Tormey | 617-952-5991
MBAGGIOTORMEY@PARTNERS.ORG
- Mass Eye and Ear (MEE) Ryan Schlimgen (acting) | 857-282-1799
RSCHLIMGEN@PARTNERS.ORG
- Mass General Brigham (MGB) Ryan Schlimgen | 857-282-1799
RSCHLIMGEN@PARTNERS.ORG

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Follow-Up “Deeper Dive” Training Sessions

- Section 889 Considerations for Research/Tech Transfer and Advisory Services
 - Length: 30 minutes
 - Attendees: Export Control Officers, Research Compliance, OGC, International Business Offices leadership
- Export Control Considerations for Sponsored Research, Technology Transfer and Licensing
 - Length: 30 minutes
 - Attendees: Export Control Officers, Research Compliance, Licensing leadership, OGC
- Export Control Considerations for International Advisory Services
 - Length: 30 minutes
 - Attendees: Export Control Officers, OGC, International Business Offices leadership

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Questions?



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