Research Security

What It Means for the UGA Community

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Today's Objectives

Introduction to the Office of Research Security and Export Control
U.S. Government Research Security Concerns
National Security Presidential Memorandum-33
UGA's Response to Evolving Legislation, Regulation, and other Mandates
Office of Research Security and Export Control

- Established in May of 2022
  - Office of Export Control previously established in 2014 and manages export and trade sanctions compliance
- Identify risks, review university transactions, provide guidance and training to university personnel, and develop and implement policy and process
- Proactively respond to federal law and regulation and evolving federal guidance and mandates
What is Research Security?

• “[S]afeguarding the U.S. research enterprise against the misappropriation of research and development to the detriment of national or economic security, related violations of research integrity, and foreign government interference.” — White House Office of Science and Technology Policy

• Key Components
  • Restricted Research Security
    • Classified Research
    • Safeguarding Controlled Unclassified Information
    • Export Controlled Research
  • Fundamental Research Security
    • “Basic and applied research in science and engineering, the results of which ordinarily are published and shared broadly within the scientific community, as distinguished from proprietary research and from industrial development, design, production, and product utilization, the results of which ordinarily are restricted for proprietary or national security reasons.” — National Security Decision Directive 189 (September 21, 1985)
    • National Security Presidential Memorandum-33
      • “Research Security Program” mandate
U.S. Government Research Security Concerns

Unfortunately, threats to the integrity of U.S. biomedical research exist. NIH is aware that some foreign entities have mounted systematic programs to influence NIH researchers and peer reviewers and to take advantage of the long tradition of trust, fairness, and excellence of NIH-supported research activities. This kind of inappropriate influence is not limited to biomedical research; it has been a significant issue for defense and energy research for some time. Three areas of concern have emerged:

1. Diversion of intellectual property (IP) in grant applications or produced by NIH-supported biomedical research to other entities, including other countries;
2. Sharing of confidential information on grant applications by NIH peer reviewers with others, including foreign entities, or otherwise attempting to influence funding decisions; and
3. Failure by some researchers working at NIH-funded institutions in the U.S. to disclose substantial resources from other organizations, including foreign governments, which threatens to distort decisions about the appropriate use of NIH funds.

"THIS IS REAL THEFT"

NIH Investigates Foreign Influence at U.S. Grantee Institutions

Eric S. Evans

U.S. Department of Defense Tightens Screws on Cybersecurity Compliance

Holland & Knight Government Contracts Blog

JULY 14, 2022
National Security Presidential Memorandum-33

“This memorandum directs action to strengthen protections of United States Government-supported Research and Development (R&D) against foreign government interference and exploitation.”
National Security Presidential Memorandum-33

- Standardization of Disclosure Requirements
  - Pre and Post Award Disclosures
    - Common Biographical Sketch form
    - Common Current and Pending (Other) Support form
  - Expanded disclosure requirements for PIs and other senior/key personnel:
    - organizational affiliations and employment,
    - positions and appointments,
    - foreign government-sponsored talent recruitment programs, and
    - current and pending support and other support.
- Identifying Conflicts of Interest and Commitment
  - Implementation of digital persistent identifiers (DPIs) to complete and update disclosures for sharing across federal agencies (optional at this time)

- Research Security Program
  - Institutional certification that the following components have been implemented:
    - Cybersecurity
    - Foreign travel security
    - Research security training
    - As appropriate, export control training
UGA’s Response to Federal Research Security Concerns

• Conflicts of Interest Review and Management
  • Update policy and processes
  • Development of new disclosure system

• Research Security and Export Control
  • Help shepherd and develop tools for engaging in restricted research
  • Assess and implement the NSPM-33 Research Security Program mandate
    • NSPM-33 Next Steps
      • Awaiting final federal agency guidance to review and implement
      • Cybersecurity assessment
      • Development of research security training

New COI director hired in light of growing innovation ecosystem
By Ashley Crain

Runge to lead Office of Research Security & Export Control
July 8, 2022 - by Ian Bennett
Research Security Program

• Potential Cybersecurity needs addressed at EITS and College/Department level
• New “Research Security Training” required for Investigators engaged in federally funded research, at minimum
• Potential additions to international travel process

Disclosure Requirements

• Federal rollout of new common forms
• New UGA policy and process for disclosing outside activities and financial interests and new disclosure portal
• Expanded conflict of interest training requirements
What are Export Controls and Trade Sanctions?

Export Controls
U.S. laws and regulations that govern the transfer of controlled items or information to foreign nationals, countries, and entities for reasons of national security and foreign policy.

Trade Sanctions
Prohibitions on certain transactions with restricted and/or sanctioned individuals, entities, countries, or economic sectors.
University Activities with Export Control Risk

• Sponsored research with dissemination and or foreign national access or participation restrictions*

• International Shipments

• International Travel

• Foreign national “use” of controlled items

• Foreign national access to controlled technology/information

• Collaborations with restricted parties

*UGA research is almost exclusively “fundamental research” and information that arises during, or results from, is excluded from export control regulations
Countries of Concern

Comprehensively sanctioned countries are subject to U.S. prohibitions on the export (and import) of technology, goods, and “services”

- Cuba
- Iran
- North Korea
- Syria
- Russian occupied regions of Ukraine

Countries currently subject to enhanced export controls that are not yet “comprehensive”

- Belarus
- China
- Russia
International Shipping Due Diligence

• Due diligence required
  • Export classification
  • Restricted Party Screening
  • General shipping compliance
  • Hazardous materials shipping policy

FedEx to pay USD 500,000 for violating the US export control regime

https://research.uga.edu/export-control/international-shipping/
Building a Culture of Research Security

Research Security is a part of the Responsible Conduct of Research and we ask UGA investigators to commit to accountability and integrity in conducting their research.
Commitments to Researchers

1. Always work to the YES
2. Aim to reduce administrative burden
3. Make the effort to make compliance easy

Research Integrity and Safety

The Office of Research Integrity and Safety (ORIS) provides professional expertise and service to facilitate research that is conducted with integrity.

ORIS Mission

The mission of the Office of Research Integrity and Safety (ORIS) is to partner with the University community by providing professional oversight, training, subject matter expertise and support that fosters optimal science and scholarship while promoting integrity and safety.

ORIS Values

- Working in partnership with researchers to promote a culture of scholarly integrity
- Using professional judgement and flexibility in interpreting and applying regulations
- Minimizing burden by focusing on goals of the regulations and emphasizing performance outcomes
- Implementing best practice that is evidence based and data driven
- Striving for exemplary service by supporting the research community through process navigation
Contact Us

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