

Research Security

What It Means for the UGA Community

November 11, 2022

Dan Runge, Director, Research Security and Export Control

Marty Bink, Facility Security Officer & Director, Defense & Security Collaborations

Research **Live**



UNIVERSITY OF
GEORGIA



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



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

National Institutes of Health
Bethesda, Maryland 20892

August 20, 2018

Dear Colleagues:

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.

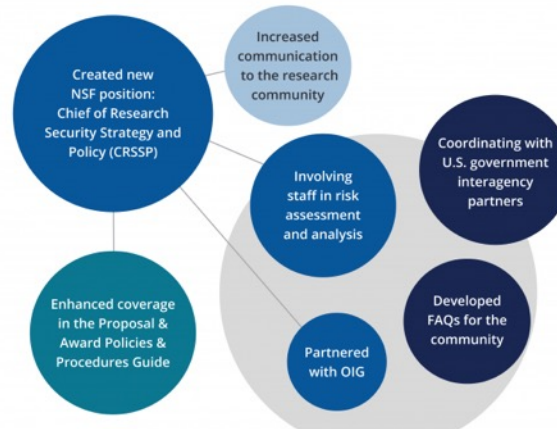
'THIS IS REAL THEFT'

NIH Investigates Foreign Influence at U.S. Grantee Institutions

SCIENCEINSIDER | SCIENCE AND POLICY

'Has it peaked? I don't know.' NIH official details foreign influence probe

NSF's Actions in Research Security



JULY 14, 2022

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

Holland & Knight Government Contracts Blog

Eric S. Crusius



ADMINISTRATIVE ACTIONS

Figures as of March 23, 2022

NSF has taken a range of actions against individuals and entities associated with foreign talent programs or organizations receiving foreign funding, based on recommendations by the OIG. In many cases, actions were taken based on grant fraud or other wrongful conduct (or allegations thereof) before any foreign affiliation was surfaced to NSF.



AWARD SUSPENSION
31 awards suspended*



AWARD TERMINATION
20 awards terminated



FINAL PAYMENT CANCELED
Final payment cancelled to 1 organization on 1 award



GOVERNMENT-WIDE SUSPENSION
15 government-wide suspensions issued for 9 researchers and 4 entities.
One researcher and one entity were suspended twice.



DEBARMENT
4 researchers and 2 entities debarred



VOLUNTARY EXCLUSIONS
5 researchers and 1 entity agreed to voluntary exclusions following notices of proposed debarments by NSF



BAR ON SERVING AS A REVIEWER, PANELIST OR CONSULTANT
16 individuals barred from serving as reviewers
15 of these bars arose from government-wide debarments, government-wide suspensions, or voluntary exclusion agreements.

Collectively, collaborations with the OIG to date have resulted in:



Grant funds recovered by NSF



Other entities involved



Organizations of higher education/small businesses involved*



Researchers involved

*Note: Suspensions were lifted for a small subset of these awards based on OIG recommendations or responsive actions taken by the organization (e.g., removal of PI under OIG investigation).
**Note: This total includes funds that may have eventually been paid out under the awards; however, when there was risk to NSF of misuse or fraud, they were protected.



UNIVERSITY OF GEORGIA

Research Live

5

National Security Presidential Memorandum-33

PRESIDENTIAL MEMORANDA

Presidential Memorandum on United States Government- Supported Research and Development National Security Policy

NATIONAL SECURITY & DEFENSE | Issued on: January 14, 2021



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

SCIENCEINSIDER | SCIENCE AND POLICY

Parting Trump memo on U.S. research security seen as road map for Biden

Former science adviser wins kudos for long-awaited guidelines on combating foreign influences

28 JAN 2021 • BY JEFFREY MERVIS

January 27, 2022

White House Guidance on Implementing NSPM-33: Standardization of Disclosure and Security Measures for Federal Research Funding

The Result: The White House Office of Science and Technology recently released guidance implementing NSPM-33, including detailed disclosure and security requirements. These requirements will impact every researcher and research institution applying for federal scientific research funding.



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

NSTC Research Security Subcommittee
NSPM-33 Implementation Guidance
Disclosure Requirements & Standardization



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

 INNOVATION | MAY 21, 2021

New COI director hired in light of growing innovation ecosystem

By [Ashley Crain](#)

Campus News

Runge to lead Office of Research Security & Export Control

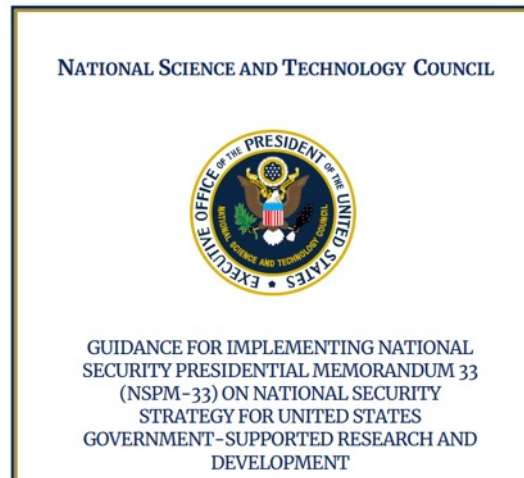
July 8, 2022 · by Ian Bennett



How will NSPM-33 impact UGA?

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



May 20 UMass Lowell Fined For Entity List Violations

Posted by Clif Burns at 4:54 pm on May 20, 2013
Category: BIS - Entity List

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

Sebastiaan Bennink April 26, 2018

Split Verdicts in Texas Trial Of Professor and the Plague

Give this article

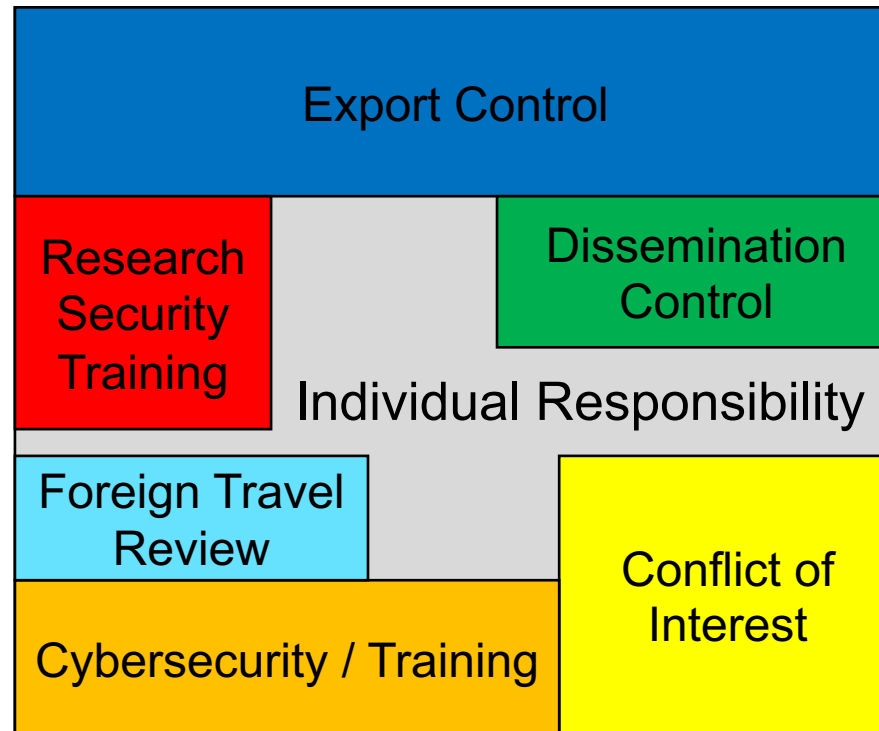
By Kenneth Chang
Dec. 2, 2003

<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

Dan Runge
Director, Research Security and Export Control
2-4188
drunge@uga.edu

<https://research.uga.edu/research-security/>

Marty Bink
Director, Defense and Security Collaborations
Facility Security Officer
2-0038
martin.bink@uga.edu

<https://research.uga.edu/dsc/>

<https://research.uga.edu/dsc/conducting-cleared-research/>

