Sponsored Programs Administration

February 21, 2019
Agenda

- Export Control
- Training Updates
- Active and Pending Support Guidance
- IPR Updates: Coming Soon!
- Eligibility for NIH Diversity Supplements
- PI Eligibility for Fellowship Applications
- NSF Clarification on Participant Support Costs
- Spotlight on Object Codes – SPARs/5232
- Themes from the Audit
This presentation does not contain any Export Controlled technical data.
Background

- Proudly serve as UConn’s Senior Export Control Officer
- Lead UConn’s Export Compliance Program
- Responsible for disclosing potential export violations
Export Control is a unit within the Office of OVPR

OVPR is committed to building a world-class export compliance program

OVPR oversees UConn’s $260 million research enterprise
Sponsors

- UConn works with multiple companies
- Long list of sponsors includes both US government & private entities
- Each sponsor has unique process for safeguarding export controlled technology
Key Activities

- Review grants & contracts to determine export control requirements
- Develop TCPs
- Analyze FRE
- Screen Visitors
Mission

➢ To foster an environment where faculty & students are free to engage in research in an open academic setting

➢ Satisfy obligation to comply with US Export Regulations
Regulations

- Export Control includes U.S. laws & regulations from
  - US Departments of State (ITAR)
  - Commerce (EAR)
  - Treasury (OFAC)
US Person / Foreign National

- A U.S. person” is any one of the following: U.S. citizen; Lawful permanent resident (green card holder); and “Protected Person” i.e. political asylum holder

- Individuals who are present in the U.S. on a temporary immigration visa, e.g., F or J visa, is a foreign national
Actual Export

- Restricts the shipment or transfer of certain information/technology **outside the US** for foreign policy or national security reasons.

- UConn professor hand caring her export controlled microscope when she travels to China.
Deemed Export

- Restricts sharing export controlled information to a FN in the US
  - students, post-docs, faculty, visiting scientists or training fellows

- Sharing export controlled information with a FN on campus during
  - Conversations in student union
  - Research presentations
  - Visits to UConn labs
Fundamental Research (FRE)

- Exclusion from US export regulations
- Allows FNs who are part of our UConn community to work on published research projects involving export controlled information without having to get permission from the US government when certain criteria are met
Universities are required to screen individuals & their institutions before engaging in collaborative research

Visual Compliance
Sanctioned Destinations

CUBA

IRAN

NORTH KOREA

SYRIA

UPDATED - CRIMEA REGION OF RUSSIA/UKRAINE
Travel Warning

- U.S. law restricts travel to Cuba, Iran, Syria, North Korea, & the Crimea region of Russia/Ukraine **even for academic/research purposes**

- ALL faculty, students, staff, & admin, MUST obtain written approval from UConn’s OVPR Export Control Office **BEFORE** organizing any travel to these countries
The export of university-owned equipment may require a license to take out of the US.

<12 months employees may take common technology (e.g. laptop computers, commercial software, & cell phones) to most international destinations without an export license.

This is possible under the TMP license exception when certain criteria are met.
Universities conducting international business are legally bound to retain records for a certain period of time.

Timely Retrieval
Penalties

- Monetary damages up to $1 million dollars
- Criminal penalties, including jail time (up to 10 years) for individual researchers
- Loss of federal funding
- Damage to reputation
OVPR does not expect PIs to become experts in complex & constantly-evolving Export Controls

PIs need only be aware of export-control regulations & situations to raise questions & alert OVPR to possible issues

- Understand & Protect technology
- Follow IT Safeguards
- Know your research partners
- Keep orderly records
IT Safeguards

- DFARS Clause 252.204-7012 mandates:
  - Provide adequate IT security
  - Implement all 109 NIST 800-171 controls
  - Comply by 12-31-2017
  - Report areas of non-compliance to DoD within 30 days after contract award
IT Safeguards

- NIST 800-171
- 14 families of security requirements comprising of 110 controls
- Controls must be implemented for projects that contain Controlled Unclassified Information (CUI)

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Export Control Website
https://ovpr.uconn.edu/services/rics/export-control/

Export Control Email
exportcontrol@uconn.edu
860-486-3994
Case Study – Actual Export

- Research fellow at the University of Michigan is currently being prosecuted for allegedly exporting a medical device to an embargoed country.

- His plan was to ship it to the Netherlands first but it was discovered by an undercover federal agent.
Case Study – Screening

- The University of Massachusetts was charged with sanctions violations when they exported atmospheric testing equipment to a party in Pakistan that was a prohibited party.

- As part of its settlement agreement, UMass had to pay a $100,000 fine, change their procedures, and hire dedicated export staff.
Questions
• Subaward Class for February is full

• Contact brenda.lowther@uchc.edu if you would like me to offer Federal Costing Principles and Subawards again in the near future.

• Account Management and Monitoring is March 28. More information will be distributed on the research administrators listserv once available.

• Larger program for Introduction to Research Administration is being developed for presentation in Fall 2019. If you are interested in contributing and/or presenting contact brenda.lowther@uchc.edu

• Uconn Fiscal Institute of Training (FAIT 2.0) is being developed for presentation in Fall 2019.
Active and Pending Support Guidance

https://ovpr.uconn.edu/services/sps/proposals/proposal-preparation/active-pending-support/

NIH areas of concern:

1. 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.

2. Diversion of intellectual property in grant applications or produced by NIH-supported biomedical research to other entities, including other countries; and

3. In some instances, sharing of confidential information by peer reviewers with others, including in some instances with foreign entities, or otherwise attempting to influence funding decisions.
IPR Updates

Coming soon!!

• New questions related to foreign components
• Updated (fixed!) links
• Clarification to instructions
• New/expanded question related to biological materials

Send feedback related to the IPR to joni.gould@uconn.edu or laura.kozma@uconn.edu
NIH Diversity Supplements

• Supplement *may not* be used to support someone who is already paid on the parent award.

PI Eligibility on Fellowship/NRSA Applications

• The Request to Serve as a PI/Co-PI form is *not* required for these types of applications. Contact your SPS Pre-Award Specialist if you need guidance or have questions:
  [https://ovpr.uconn.edu/services/sps/proposals/proposal-preparation/pre-award-contacts/](https://ovpr.uconn.edu/services/sps/proposals/proposal-preparation/pre-award-contacts/)
NSF Clarification on Participant Support Costs

• Chapter II.C.2.g(v), Participant Support – Updated to Clarify when an individual should be classified as a participant or a speaker at a conference
  • Speakers and trainers generally are not considered participants
  • What is the primary purpose of the individual’s attendance?
    • Learning and receiving training – cost may be classified as participant support
    • Speaking or assisting with the management of conference – cost should be budgeted in appropriate categories other than participant support
• Participant support costs may not be budgeted to cover room rental fees, catering costs, supplies, etc., related to an NSF-sponsored conference.
• Human subject payments should be included under "Other Direct Costs“ and any applicable indirect costs should be calculated
Spotlight on Object Codes

• Special vs. Summer Pay

  • 5231 - special payroll authorizations that occur throughout the year
  • 5232 - special payroll authorizations that are specific to the summer period (5/23-8/22)

• By selecting the “Summer Payroll Indicator” the payroll will charge the 5232 object code.

• Particularly important when summer payroll may be paid outside of summer period – facilitates entries to be included in correct effort reporting period
Themes from the Audit

• Major items that were reviewed:
  • Mandatory Cost Share
  • Subrecipient Monitoring
  • Cost Transfers
  • Equipment Purchases not originally budgeted
  • Period of Performance
    • Timeliness of closeouts
    • Expenditures after the end date
  • Key Personnel
  • Financial Management of Award
    • Timeliness of expenditures
    • Cash on hand
Next SPA and Questions

Have a question or topic you would like covered at the SPA Meetings?

Email brenda.lowther@uchc.edu

Next Meeting:

March 21, 2019

10:00 – 11:30 a.m.
Student Union
Rm. 104
(room subject to change)
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