Agenda

- Welcome
- Training Update
- Export Control
- Fly America Act
- NIH Updates
• Interactive Learning Experiences

Brenda Lowther
Interactive Learning Experiences

On January 23, 2019, the first Interactive Learning Experience, Federal Costing Principles, will be held. There is still time to sign up.

This 3 hour experience will be completely collaborative with activities that will mimic real-world scenarios.

Upcoming topics include Effort Reporting, Subawards, and Account Monitoring and Management.

As we develop learning modules for the larger UConn/UConn Health certificate program, they will be rolled out as short experiences.

If you have input, topic suggestions, questions, or comments please email brenda.lowther@uchc.edu
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)
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
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.
Record Keeping

- Universities conducting international business are legally bound to retain records for a certain period of time
- Timely Retrieval

Record keeping is what proves your compliance
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)

<table>
<thead>
<tr>
<th>FAMILY</th>
<th>FAMILY</th>
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<tbody>
<tr>
<td>Access Control</td>
<td>Media Protection</td>
</tr>
<tr>
<td>Awareness and Training</td>
<td>Personnel Security</td>
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<tr>
<td>Audit and Accountability</td>
<td>Physical Protection</td>
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<tr>
<td>Configuration Management</td>
<td>Risk Assessment</td>
</tr>
<tr>
<td>Identification and Authentication</td>
<td>Security Assessment</td>
</tr>
<tr>
<td>Incident Response</td>
<td>System and Communications Protection</td>
</tr>
<tr>
<td>Maintenance</td>
<td>System and Information Integrity</td>
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</tbody>
</table>
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.
• Fly America Act
• Open Skies

David Larkin
§200.474 Travel costs.

...the expenses for transportation, lodging, subsistence, and related items incurred by employees who are in travel status on official business of the non-Federal entity.

Such costs may be charged on an actual cost basis, on a per diem or mileage basis in lieu of actual costs incurred, or on a combination of the two, provided the method used:

• is applied to an entire trip and not to selected days of the trip, and

• results in charges consistent with those normally allowed in like circumstances in the non-Federal entity's non-federally-funded activities and in accordance with non-Federal entity's written travel reimbursement policies.

https://health.uconn.edu/finance/travel/policies-and-procedures/
§200.474 (e) Commercial air travel.

(1) Airfare costs in excess of the basic least expensive unrestricted accommodations class offered by commercial airlines are unallowable except when such accommodations would:

i. Require circuitous routing;

ii. Require travel during unreasonable hours;

iii. Excessively prolong travel;

iv. Result in additional costs that would offset the transportation savings; or

v. Offer accommodations not reasonably adequate for the traveler's medical needs. The non-Federal entity must justify and document these conditions on a case-by-case basis in order for the use of first-class or business-class airfare to be allowable in such cases.
University and Sponsor Travel Policies

41 CFR 301-10.131 through 301-10.143

Fly America – requires the use of a U.S. air carrier even if:
- A foreign air carrier service is less expensive, or
- A foreign air carrier service is preferred by the traveler, or
- A foreign air carrier service is more convenient.

Fly America Exceptions:
- A U.S. air carrier is not available
- When the use of a U.S. carrier service would extend travel time (including delay at origin) by 24 hours or more.
- When a U.S. carrier does not offer nonstop or direct service between origin and destination.
  - Increase the number of aircraft changes outside the United States by two or more
  - Extend travel time by at least six hours or more
  - Require a connecting time of four hours or more at an overseas interchange point.
Fly America Exceptions

• For short distance travel, U.S. flag carrier service is considered unavailable when the elapsed travel time on a scheduled flight from origin to destination by a foreign air carrier is:
  o 3 hours or less and
  o the use of a U.S. flag air carrier doubles the time en-route.

• **Code-sharing agreements** with foreign air carriers - where American carriers purchase/have the right to sell a block of tickets on a foreign carrier.
  • **complies** with the Fly America Act Regulations only when the ticket, or documentation for an electronic ticket, is purchased from and identifies the U.S. carrier's designator code and flight number (not the foreign carrier).
# Fly America Exceptions

<table>
<thead>
<tr>
<th>COMPLIANT</th>
<th>NOT COMPLIANT</th>
</tr>
</thead>
<tbody>
<tr>
<td>AIRTRAN AIR (FL)</td>
<td>ALASKA AIR (AS)</td>
</tr>
<tr>
<td>FRONTIER (F9)</td>
<td>HAWAIIAN AIR (HA)</td>
</tr>
<tr>
<td>SPIRIT (NK)</td>
<td>UNITED (UA)</td>
</tr>
<tr>
<td>AMERICAN (AA)</td>
<td>JET BLUE (B6)</td>
</tr>
<tr>
<td>DELTA (DL)</td>
<td>SOUTHWEST (WN)</td>
</tr>
<tr>
<td>USAIRWAYS (US)</td>
<td>VIRGIN AMERICA (VX)</td>
</tr>
</tbody>
</table>
Fly America Exceptions

• **Open Skies Agreements**
  o Exception to Fly America Act may allow the use of non-U.S. air carriers
  o Four (4) Agreements to-date that permit booking of travel for passengers using Federal funds:
    • European Union
    • *Australia* (Ex. Qantas, Virgin Blue, and Pacific Blue)
    • *Switzerland* (Ex. Swiss Air)
    • *Japan* (Ex. Nippon Air)
  o City-Pair contract fare is GSA negotiated discount fares that are available to U.S. Government employees and federal award recipients
    • For city pair verification, click on the following link (Instructions on the use of the City Pair tool begins on slide 8): [http://cpsearch.fas.gsa.gov/](http://cpsearch.fas.gsa.gov/)

• **Open Skies Agreements** - Do not apply to travel supported with Department of Defense (DOD) funds.
## Fly America and Open Skies Matrix

<table>
<thead>
<tr>
<th>Airline Travel (Origin &amp; Destination)</th>
<th>US Air Carrier Required</th>
<th>Exception permitted</th>
<th>Allows for use of EU Carrier</th>
<th>Open Skies (Member States) Requires City Pair Check - To use these countries Air carriers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Domestic (US–US)</td>
<td>Y</td>
<td>N/A</td>
<td>N</td>
<td>Australia</td>
</tr>
<tr>
<td>DOD Funded Awards</td>
<td>Y</td>
<td>N/A</td>
<td>N</td>
<td>Switzerland</td>
</tr>
<tr>
<td>Intl (US–EU)</td>
<td>N</td>
<td>Y</td>
<td>Y</td>
<td>Japan</td>
</tr>
<tr>
<td>Intl (within EU)</td>
<td>N</td>
<td>Y</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>Intl (US-Non EU Countries)</td>
<td>N</td>
<td>Y</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>Intl (US-Australia)</td>
<td>N</td>
<td>Y</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>Intl (US-Switzerland)</td>
<td>N</td>
<td>Y</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>Intl (US-Japan)</td>
<td>N</td>
<td>Y</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>Intl (Within Other Countries)</td>
<td>N</td>
<td>Y</td>
<td>Y</td>
<td></td>
</tr>
</tbody>
</table>

- A city pair check is required between any point in the US to any point in a Open Sky (Non EU) Member state. If search results provide a contracted rate, US carrier is required.

- No city pair check required when travel is with a Member State carrier between any two points outside US.
## Open Skies Member States

### European Union (EU) Carriers

Not All-Inclusive

<table>
<thead>
<tr>
<th>EU Carrier</th>
<th>EU Carrier</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria – Austrian Airlines</td>
<td>Italy – Alitalia</td>
</tr>
<tr>
<td>Belgium – Brussels Airlines</td>
<td>Lativa – airBaltic</td>
</tr>
<tr>
<td>Bulgaria – Bulgaria Air</td>
<td>Lithuania – None under Open Skies</td>
</tr>
<tr>
<td>Croatia – Croatia Airlines</td>
<td>Luxembourg - Luxair</td>
</tr>
<tr>
<td>Cyprus – Cyprus Airways</td>
<td>Malta – Air Malta</td>
</tr>
<tr>
<td>Czech Republic – Czech Airlines</td>
<td>Netherlands – KLM Royal Dutch Airlines</td>
</tr>
<tr>
<td>Denmark – Scandinavian Airlines System</td>
<td>Norway* - Scandinavian Airlines System</td>
</tr>
<tr>
<td>Estonia – Estonian Air</td>
<td>Poland – LOT Polish Airlines</td>
</tr>
<tr>
<td>Finland - Finnair</td>
<td>Portugal – TAP Portugal</td>
</tr>
<tr>
<td>France – Air France</td>
<td>Romania - TAROM</td>
</tr>
<tr>
<td>Germany – Air Berlin, Lufthansa</td>
<td>Slovakia – None under Open Skies</td>
</tr>
<tr>
<td>Greece – Olympic Air</td>
<td>Slovenia – Adria Airways</td>
</tr>
<tr>
<td>Hungary – Malev Hungarian Airlines</td>
<td>Spain – Air Europa, Iberia, Spanair</td>
</tr>
<tr>
<td>Iceland* - Icelandair</td>
<td>Sweden - Scandinavian Airlines System</td>
</tr>
<tr>
<td>Ireland – Air Lingus</td>
<td>United Kingdom - bmi, British Airways, Virgin Atlantic</td>
</tr>
</tbody>
</table>

* Iceland and Norway are not members of the EU but are included in the EU Open Skies agreement.
GSA City Pair Search Tool

For city pair verification, click on the following link: (http://cpsearch.fas.gsa.gov/)

• Enter Departure City and Arrival City (For Example Hartford, CT to Sydney Australia)
GSA City Pair Search Tool

- **Note:** No City Pair Contract found

Traveler may book Open Sky Carrier *(Qantas Airways)* for flight from Hartford, CT to Sydney Australia
GSA City Pair Search Tool

Enter Departure City and Arrival City; New York City, NY (JFK), to Sydney Australia, and you will receive the following results:

Note: Contract Fare Exists. YCA Fare = Coach Fare; Traveler must book US Flag Carrier, even though Government fare rate is not available to Federal grant recipients.
Clicking on Origin Airport provides the following details:

**Award Details**
- **Origin:** CHECK LGA, JFK OR EWR
- **Destination:** SYDNEY, NSW, AUSTRALIA
- **Award Year:** 2019
- **Airline:** United (UA)
- **Effective Date:** 10/01/2018
- **Expiration Date:** 09/30/2019
- **YCA Fare:** $621.00
- **CA Fare:** $581.00
- **Business Fare:** $0.00

**Note:** Contract Fare Exists. YCA Fare = Coach Fare; Traveler must book US Flag Carrier, even though Government fare rate is not available to Federal grant recipients.
Sponsor Updates

- NIH

Paul Hudobenko
NIH Reminder

For preparation of NIH applications, please be sure to use the Application Instruction Guidelines directly from the NIH website as these are updated several times a year.

NIH notice about application guidelines; the planned updates include changes to the following areas:

- The rigor of the prior research, formerly Scientific Premise
- Inclusion reporting
- Protections for human subjects

Significant updates are indicated in the tables below:

<table>
<thead>
<tr>
<th>Form</th>
<th>Section</th>
<th>Heading</th>
<th>Current language</th>
<th>Revised language</th>
</tr>
</thead>
<tbody>
<tr>
<td>Research Plan</td>
<td>Research Strategy</td>
<td>Significance</td>
<td>Describe the scientific premise for the proposed project, including consideration of the strengths and weaknesses of published research or preliminary data crucial to the support of your application.</td>
<td>Describe the strengths and weaknesses in the rigor of the prior research (both published and unpublished) that serves as the key support for the proposed project.</td>
</tr>
<tr>
<td>Research Plan</td>
<td>Research Strategy</td>
<td>Approach</td>
<td>Not Applicable</td>
<td>Describe plans to address weaknesses in the rigor of the prior research that serves as the key support for the proposed project.</td>
</tr>
<tr>
<td>Human Subjects and Clinical Trials Information</td>
<td>Section 2 – Study Population Characteristics</td>
<td>2.4 Inclusion of Women, Minorities, and Children</td>
<td>2. Inclusion of Children [References to the Inclusion of Children in Clinical Research policy]</td>
<td>2. Inclusion Across the Lifespan [References to Inclusion of Children replaced with Inclusion Across the Lifespan]</td>
</tr>
</tbody>
</table>
Unless stated otherwise in the Funding Opportunity Announcement, reviewers will be asked to consider the revised review questions summarized in the table below. All active Funding Opportunity Announcements with due dates on or after January 25, 2019 will be updated with the revised language or a link to the revised language by November 25, 2018.

<table>
<thead>
<tr>
<th>Section</th>
<th>Criteria</th>
<th>Current language</th>
<th>Revised language</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scored Review Criteria</td>
<td>Significance</td>
<td>Is there a strong scientific premise for the project?</td>
<td>Is the prior research that serves as the key support for the proposed project rigorous?</td>
</tr>
<tr>
<td>Scored Review Criteria</td>
<td>Approach</td>
<td>Not Applicable</td>
<td>Have the investigators included plans to address weaknesses in the rigor of prior research that serves as the key support for the proposed project?</td>
</tr>
<tr>
<td>Scored Review Criteria</td>
<td>Approach</td>
<td>If the project involves human subjects and/or NIH-defined clinical research, are the plans to address 1) the protection of human subjects from research risks, and 2) the inclusion (or exclusion) of individuals on the basis of sex/gender, race, and ethnicity, as well as the inclusion (exclusion) of children, justified in terms of the scientific goals and research strategy proposed?</td>
<td>If the project involves human subjects and/or NIH-defined clinical research, are the plans to address: 1) the protection of human subjects from research risks, and 2) the inclusion (or exclusion) of individuals on the basis of sex/gender, race, and ethnicity, as well as the inclusion (exclusion) of individuals of all ages (including children and older adults), justified in terms of the scientific goals and research strategy proposed?</td>
</tr>
<tr>
<td>Additional Review Criteria</td>
<td>Protections for Human Subjects</td>
<td>For research that involves human subjects but does not involve one of the six categories of research that are exempt under 45 CFR Part 46, the committee will...</td>
<td>For research that involves human subjects but does not involve one of the categories of research that are exempt under 45 CFR Part 46, the committee will...</td>
</tr>
<tr>
<td>Additional Review Criteria</td>
<td>Inclusion of Women, Minorities, and Individuals Across the Lifespan</td>
<td>When the proposed project involves human subjects and/or NIH-defined clinical research, the committee will evaluate the proposed plans for the inclusion (or exclusion) of individuals on the basis of sex/gender, race, and ethnicity, as well as the inclusion (or exclusion) of children to determine if it is justified in terms of the scientific goals and research strategy proposed.</td>
<td>When the proposed project involves human subjects and/or NIH-defined clinical research, the committee will evaluate the proposed plans for the inclusion (or exclusion) of individuals on the basis of sex/gender, race, and ethnicity, as well as the inclusion (or exclusion) of individuals of all ages (including children and older adults) to determine if it is justified in terms of the scientific goals and research strategy proposed.</td>
</tr>
</tbody>
</table>
FY 2019 Ruth L. Kirschstein National Research Service Award (NRSA) Stipends, Tuition/Fees, and Other Budgetary Levels

• Looking for the latest on Kirschstein National Research Service Award (NRSA) stipend levels, tuition/fees, and training related expenses? Check out the recent NIH Guide Notice. Continue reading →

FY 2019 Fiscal Policies for Grant Awards: Funding Levels, Salary Limits, and Stipend Levels

• NIH issued guidance for NIH Fiscal Operations for FY 2019 including the following new policies on funding levels, salary limits, and stipend levels. Continue reading →

Always Check Your FOA for New Related Notices 30 Days Before Submission

• You found a funding opportunity announcement (FOA) that fits your research, you’ve read it carefully, and have been working for months perfecting your application. Don’t forget to return to the FOA within 30 days of the due date to check for any new related notices which could impact your submission. Continue reading →
Next SPA and Questions

Next Meeting:

February 19, 2019
11:00 a.m.
ARB Large
Conference Room
(room subject to change)

Have a question or topic you would like covered at the SPA Meetings?
Email brenda.lowther@uchc.edu

ovpr.uconn.edu | ovpr.uchc.edu
## Upcoming SPA Dates

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Location</th>
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</thead>
<tbody>
<tr>
<td>February 19, 2019</td>
<td>11:00 am - 12:00 pm</td>
<td>ARB Large Conference Room</td>
</tr>
<tr>
<td>March 19, 2019</td>
<td>11:00 am - 12:00 pm</td>
<td>ARB Large Conference Room</td>
</tr>
<tr>
<td>April 16, 2019</td>
<td>11:00 am - 12:00 pm</td>
<td>ARB Large Conference Room</td>
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<tr>
<td>May 14, 2019</td>
<td>11:00 am - 12:00 pm</td>
<td>TBD</td>
</tr>
<tr>
<td>June 18, 2019</td>
<td>11:00 am - 12:00 pm</td>
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