

Research Administration Network Agenda

SUB Lobo A&B

April 11th, 2017

9:00am to 10:00am

1. Introductions
2. Presentations
 - Audrey Pineda, Office of Research and Compliance
Topic: Industrial Security and Export Control
 - Ana Tomlinson, Office of Research & Compliance
Topic: Conflict of Interest
 - a. Introductions
 - b. COI Operations
 - c. PHS processes changes
 - Stephanie Tofighi, Faculty Research Support Office
Topic: Website overview (frdo.unm.edu) and upcoming workshop
3. Upcoming training
4. Reminders
5. Closing remarks

Why does UNM need Export Control

Increased Federal Focus on Universities

To comply with export control legislation, universities must implement stricter, more centralized on-campus systems to oversee and manage the transfer of technology to foreign nationals.

These measures include being able to determine which of their research, technology, and equipment can be classified as controlled under international trade legislation.

Institutions must also have the capability to screen foreign students, staff, researchers, sponsors and their associates, suppliers and visitors against Government-maintained Restricted Party lists.

Red Flags for Export Control and Industrial Security

Areas of Concern:

Electrical & Computer Engineering
Chemical & Nuclear Engineering
Manufacturing Engineering
Engineering Centers
Computer Science
Physics & Astronomy
Earth & Planetary Sciences
Biology
Equipment Purchases/Gifts
International Travel

Terms to Watch for:

Semiconductors
Lasers & Sensors
Robotics
Materials processing
Unmanned Aerial Vehicles/UAV
Software & Computers
Export Control (generate/receive)
Controlled Unclassified Information
Restrictions: Publication requiring "Approval"/Trade secrets
Restrictions: foreign nationals
Military/Defense applications
DD Form 2345: Military Critical Technical Data Agreement

Terms that Indicate a need to contact Industrial Security:

COMSEC
OPSEC
FOUO/CUI
Classified Information

Government/National Laboratories/Private Sector:

DoD/DOE
NASA
DTRA
MDA
NRO
DHS
SNL/LANL/Other National Laboratories
Defense Contractors (Boeing, Honeywell, Raytheon)
Foreign Sponsors
International Collaboration

Red Flags for Contracts:

FARS
DFARS
DEARS



What is Fundamental Research Exclusion (FRE)?

Fundamental Research is defined as basic or applied research in science and engineering, without restrictions on publication or specific access controls on foreign national participation.

...does not normally come under export controls because the information and data generated by such research is ordinarily published and shared within the scientific community...

According to the law, any information – technological or otherwise – that is publicly available is not subject to controls.

Examples of FRE – made available to the public without restrictions upon its further dissemination.

- Libraries or other public collections that are open and available to the public
- Posting on the internet on sites available to the public
- Submission of manuscript to co-authors or reviewers for trade publications (just because submitted for review, does not mean its published – so does not apply)
- Submission of presentation to organizer of open conference

Limits of the FRE - FRE does not apply

- Physical commodity exports
- Input technical data or information
- Results with specific access and dissemination restrictions, including those for national security
- ITAR defense services
- Sanctions and embargoes restrictions
- Denied/restricted parties requirements

What we can help with:

- Determine if ITAR (International Traffic in Arms Regulations) or EAR (Export Administrative Regulation)
- Obtaining license from proper agency (30 day to six-month lead time depending on country/persons)
- Restricted party screening
- Traveling outside of U.S. with UNM owned equipment
- Travel briefings (country specific)
- I-129 (include CV)
- Foreign visitors

Please allow 24-48 hour turn-around response time

Everything (except the science) You Need for Successful Proposals

**Wednesday, April 12th 1-3pm
UNM Ortega Hall, 3rd Floor Reading Room 335**

Space is Limited. Please RSVP by April 10th.

Are you thinking of writing a proposal for external funding?

Come and discover the resources available on campus to help make it a success.

AGENDA

1:00-1:05	Introduction
1:05-1:15	Departmental Letter of Support
1:15-1:30	Educational Plan
1:30-1:40	Broader Impacts
1:40-1:55	Data Management Plan
1:55-2:10	Break/Networking
2:10-2:35	Evaluation/Assessment Plan
2:35-2:50	Introduction to Office of Sponsored Projects
2:50-3:00	Overview of Other Early Career Funding Opportunities

Questions? Ask Stephanie Tofighi

COI in Research Program

➡ Update to RAN

- ➡ Introduction of new staff
- ➡ Scope of review
- ➡ PHS process

COI in Research Program: Who we are?

- Office of Research & Compliance
- 505.277.5358 & 505.277.1045
- <http://researchcompliance.unm.edu/coi>
- Office Hours: 8:00 am – noon & 1pm - 5:00pm
- Monday through Friday
- COI in Research handled by:
- **Sue Marker, Compliance Assistant**
505.277.1045
- Receptionist: Arlene Brummett
- Director: Ana Andzic Tomlinson

COI in Research Program: Who we are?

- Sue since November of 2016
- Ana since August of 2016

COI in Research Program: What do we do?

- Conflicts of Interest in Research may occur when research investigator's **professional or financial relationships** and interests **outside UNM** may **compete with** his or her **professional obligations to UNM** and/or may **impact objectivity** of his/her UNM research.
- Conflicts **need not be eliminated** in every situation, **as long as** they can be **managed**.
- **Disclosure is required** under Faculty Handbook Policy E:110 & federal regulations.

2016-2017 Academic Year		% increase from AY 2015-16
Risk Level	Count	
High	25	24%
Moderate	45	32%
Low	79	44%
Family collaboration only	70	29%
No Outside Interests	1667	15%
Sponsored Travel only	1	-80%
Total	2099	25%

2015-2016 Academic Year	
Risk Level	Count
High /Red	19
Moderate / Yellow	31
Low/ Green	45
Fam. Collaboration only / Blue	50
No Outside Interests / Gray	1420
Sponsored travel only /Turquoise	5
Total	1611

Types of COI Disclosures

- Annual Disclosures (due at the beginning of Academic Year)
 - UNM Investigator
 - Non UNM Investigator
- PHS/NIH Disclosures (project specific; to be filled out at the time of applying for funds or to report a material change – within 30 days of the material change)
- Non-PHS/NIH Material Change Disclosure (to be filled out within 30 days of the material change)
- [web site link: <http://researchcompliance.unm.edu/submit-fcoi-disclosure>]

COI Process for PHS Projects

➤ major Public Health Service (PHS) agencies are:

- NIH
- CDC
- FDA
- SAMHSA
- ATSDR
- IHS
- HRSA
- ...

COI Process for PHS Projects

- At the time **proposal is submitted** to PHS agency, **all investigators** must have completed & submitted their **COI disclosures** to the COI office.
- **Principal Investigators are responsible to identify** key members of the research team (listed on the proposal) **and to instruct them to disclose** but UNM is also responsible to the funding agency if this is not done.

COI Process for PHS Projects - Subawards

- For **Subawards**, OSP has to **collect assurance that COI will be addressed** in accordance with the sponsor requirements **or, alternatively,** **ensure that sub's researchers are on the list that is regularly provided to OSP by the COI in Research Office.**

COI Process for PHS Projects – Newly Added Investigators

- **All newly-added investigators** to the grant application or an existing project/award **must submit a completed conflict of interest disclosure form within 30 days after beginning work on the research.**
- **The PI and co-PI are responsible for informing newly-added investigators** of this requirement and ensuring that they submit disclosure forms **within 30 days after beginning work on the research.**

UNM's Certifications and Reports to PHS Sponsors:

- **At the time of grant submission**, the **COI disclosure** has to have been **submitted** to the COI in Research Office.
- **Prior to the expenditure of any funds** under the PHS grant, **the COI has to be addressed and satisfactorily managed**, reduced or eliminated.
- **Annually** – COI report is submitted along with a progress report; also due at project extension.
- **Within 60 days of any subsequently identified COI** (new investigator or material change).
- **Within 120 days of UNM's determination of non-compliance** by the investigator.

Initial Award Reporting

➤ WHEN:

- Prior to the expenditure of any funds or
- Within 60 days of any subsequently identified COI

➤ WHAT:

- Grant No.
- PI
- Name of outside entity
- Nature of the FCOI
- Value of financial interest (in increments)
- Description of how FI relates to research
- Key Elements of Management Plan

Annual Award Reporting

➤ WHEN:

- Due at the same time as when the institution is required to submit
 - annual progress report,
 - multi-year report,
 - multi-year progress report, or
 - at time of extension.

➤ WHAT:

- Status of FCOI and changes to management plan, is applicable.

Who Does the Reporting?

- Initial Award Reporting => OSP
- Annual Award Reporting => OSP/CGO &/or the Principal Investigators
- COI in Research office interfaces with OSP/CGO to provide specifics about COI management plans to be reported to the funding agency and circulates lists to OSP about persons who filed their COI disclosure forms.

COI Process for PHS Projects

- Disclosure and reporting rules are mandates of PHS agencies.
- Bolstered enforcement.

COI in Research Program: Contact us at...

- Office of Research & Compliance
- 505.277.5358 & 505.277.1045
- <http://researchcompliance.unm.edu/coi>
- Office Hours: 8:00 am – noon & 1pm - 5:00pm
- Monday through Friday
- COI in Research handled by:
- **Sue Marker, Compliance Assistant**
505.277.1045
- Receptionist: Arlene Brummett
- Director: Ana Andzic Tomlinson