

Science and Security: Campus Updates



September 15, 2021



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for

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Science & Security Panel

Brian Collier

Director of Science and Security
Office of Vice Chancellor for Research
Division of Research

Melissa McMurray

Manager of Global Partnership Administration
Office of the Vice Provost for Global Affairs

Joy Bryde, Moderator

COI Officer and Director, COI Program
Institutional Science and Security Officer
Div. of Institutional Integrity & Risk Management

Sarah Schtakleff Ball

Associate University Counsel
Office of University Counsel

Kelly Dockham

Director

Roxana Boyd

Assistant Director

Office of Federal Affairs

Quinton Johnson

Chief Compliance Officer

Export Control Officer

Div. of Institutional Integrity & Risk Management



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Science and Security Planning Team



- Brian Collier
- Joy Bryde
- Quinton Johnson
- Melissa McMurray
- Kelly Dockham and Roxana Boyd
- Sarah Schtakleff Ball

- Jackie Quay, OTC
- ITS
- Finance



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2019 National Defense Authorization Action (NDAA)

Section 889

- Prohibits a government contractor from using telecommunications or video surveillance equipment from five Chinese companies and any entity reasonably believed to be owned, controlled by, or otherwise connected to, the People's Republic of China (use clause). It also prohibits a government contract from providing prohibited telecommunications or video surveillance equipment and services to the Federal government (scope of work clause).
- Being non-compliant is **NOT** an option; it would result in the shutdown, temporarily or permanently, of our Federal contracting activities, both research and non-research.
- It directly **impacts work-related travel** to China, certain parts of Asia, and certain parts of Sub-Saharan Africa (e.g., Malawi, Liberia, Zambia, South Africa, etc.).
- Travelers to China will have to remain **“off the grid”**, meaning they can't use internet or telephone services for official business. The same may apply to other countries in the regions noted above.



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Visiting Scholars & International Collaborations

- ISSS J-1 Exchange Visitor Playbook
 - Describes formal process for departments seeking to host international visiting scholars, including steps related to HR and immigration
 - Also includes mandatory review by Export Compliance and Science & Security
 - <https://iss.unc.edu/j-1-exchange-visitor-playbook/>
- Unpaid Volunteers, Interns, and Visiting Scholars resources
 - Follow policies for requesting approval for visiting scholar and fill out certain forms
 - <https://hr.unc.edu/employees/policies/other/unpaid-volunteers-interns-visiting-scholars/>
- Visiting Scholar Working Group
- Other Resources for International Collaborations & Activity (OVPGA)
 - International Collaboration Agreements
 - UNC International Traveler's Toolkit
 - <https://global.unc.edu>



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Export Controls at UNC

What is it? A complex set of laws and regulations that control the transfer of information, technology, software, other items, and services vital to national security, economic competitiveness, or foreign policy.

What it applies to? All research, international travel, visa support, external payments, and international collaborations.

What do you need to do?

1. Contact Export Compliance Office before shipping any physical items, including technology or biological/other materials, to an international destination.
 - Electronic Export Information (EEI) includes ECCN (export control classification number) – provide details on items being shipped.
2. Follow UNC's procedures for international travel and for hiring individuals who need visa support.
 - Electronic intake form for Export Control and Science & Security reviews for H1-B and J-1 applications.
3. Work closely with Export Compliance Office to put in place and follow a technology control plan if your funded research project has publication or information dissemination controls.
4. Contact Export Control Officer for individual or department level trainings that will be targeted to the types of transactions and work typical for you or your department.

Contact information: exportcontrol@UNC.edu or visit <https://iirm.unc.edu/export-control/>



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US Dept of Education Section 117 Reporting

- Required of all higher education institutions which receive federal dollars for financial aid.
- The University is required to report of all gifts, revenue (aka royalties), contracts or grants from foreign entities with a combined value greater than \$250K in a calendar year.
- Systemized process for research, gifts and other keys areas.
- Current proposal in Congress to make the combined reporting threshold \$50K. The state of Florida already has this threshold for all of its universities.



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Conflict of Commitment (COC)

- Currently no federal definition. University definition focuses on “time”.
- Proposed definition by Office of Science and Technology Policy (OSTP) in the White House, January 2021; echoed by Trump Presidential Memo, January 14, 2021. Halted due to change in administration 6 days later.
- Definition expands COC to includes conflicting obligations, including sharing or withholding information.
- August 10, 2021 - Current OSTP Director Lander issues memo announcing final guidance to federal agencies will be issued in 90 days.
- 2022 – UNC policy on COC will be revised to meet new federal guidance.



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Congressional Update

UNC Chapel Hill
*Office of
Federal Affairs*



Kelly Dockham
*Director of Federal
Affairs*
kellydockham@unc.edu



Roxana Boyd
*Assistant Director of
Federal Affairs*
roxanaboyd@unc.edu



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Office of Federal Affairs (OFA)

- The UNC Office of Federal Affairs represents the University and advocates on its behalf before the U.S. Congress, the Administration, and national higher education organizations.
- **Policies regulating federal lobbying activities on behalf of UNC-Chapel Hill:**
 - *Contact by University Employees with Federal Government Officials*
 - *Federal Lobbying Disclosure Act*



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Science & Security

Congressional Action *in* 2021

WHAT WE KNOW?

- Strong bipartisan interest
- Broad scope of issues and jurisdiction
- Multiple bills in both chambers
- 2 Major pieces of Legislation:
 - Senate: **U.S. Innovation & Competition Act (USCIA)**
 - House: **National Science Foundation for the Future Act**
 - **Legislative Conference Needed**

WHAT WE DON'T KNOW?

- Conference process, key players & timing
- Final bill – which provisions will stick?



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Questions? Contact us

Kelly Dockham
Director
kellydockham@unc.edu

Roxana Boyd
Assistant Director
roxanaboyd@unc.edu

federalaffairs.unc.edu



@UNCFedAffairs



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Upcoming Focus

- White papers issued by national organizations
- Pending guidance from OSTP and decisions from federal agencies
- Launch of data intake form for export control and science and security reviews related to visa processing
- Future launch of new OVCR and IIRM Science and Security Program websites
- Formation of an Affiliate Status Working Group to review processes and make recommendations for improvement
- Review and modification of certain OSR RA processes to accommodate new science and security needs
- Continued creation and circulation of new science and security-related training materials and tools



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Contact

- Brian Collier
Director of Science and Security
Office of Vice Chancellor for Research
Division of Research
bcollier@email.unc.edu

- Joy Bryde, Moderator
COI Officer and Director, COI Program
Institutional Science and Security Officer
Div. of Institutional Integrity & Risk
Management
jbryde@email.unc.edu

- Kelly Dockham
Director, Federal Affairs
kdock@email.unc.edu

Roxana Boyd
Assistant Director, Federal Affairs
roxanaboyd@unc.edu

- Melissa McMurray
Manager, Global Partnership Administration
Office of Vice Provost for Global Affairs
melissa_mcmurray@unc.edu

- Sarah Schtakleff Ball
Associate University Counsel
Office of University Counsel
schtakleff@unc.edu

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quinton@unc.edu



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Q&A



Submitted Questions

- 1. Is there some way that OSR can do a special session of this info for PIs...so that they can be informed of the do's and don'ts.**
 - Session is recorded and available on OSR website. Please share with the faculty in your unit!!
 - Additional trainings or information sessions are in the process of being planned.
 - Subject matter specific trainings, such as export control, can be requested from any of the panelists.
- 2. It seems there are constant issues with collaborating with China, do you think there will eventually be a rule put in place where UNC will prohibit collaboration with China or other international locations that are a problem?**

The University is committed is to maintaining international collaborations and supporting our faculty in these relationships. UNC complies with all federal regulations concerning export compliance, trade sanctions, and science and security.



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of NORTH CAROLINA
at CHAPEL HILL