



UNIVERSITY OF CALIFORNIA MERCED
 5200 N. LAKE ROAD | MERCED, CA 95343
 TEL: 209.228.4400

Dear Colleagues,

The Office of Research Compliance & Integrity (RCI) would like to take this opportunity to share new information and remind everyone of our responsibilities around [Export Controls](#) and [International Activities \(Foreign Engagement\)](#). In response to the scrutiny around foreign influence risk in research and a systemwide foreign influence risk audit, we have implemented a number of new processes, procedures and resources.

Research Security Program Standards: The Office of Science and Technology Policy (OSTP) has released a draft of the [Research Security Program Standards](#). Institutions receiving more than \$50 million a year in federal support for two consecutive fiscal years must establish a research security program.

The implementation of the Research Security Program Standards is part of the [National Security Presidential Memorandum 33 \(NSPM-33\)](#), a directive from the executive branch intended to safeguard the security and integrity of federally funded research. NSPM-33 mandates the establishment of research security programs to protect against foreign government interference and exploitation at research institutions receiving federal funds.

UC Merced has not reached the funding threshold to implement a research security program, however, we anticipate that we will meet the threshold within the next two years. The RCI Office will partner with units across campus to implement the Research Security Program Standards once we reach the funding threshold. The implementation of the research security program will require all researchers who receive federal funding to complete research security training and export control training. Our office currently provides [export control training](#) via the UC Learning Center.

The table below summarizes the draft Research Security Program Standards.

| Cybersecurity | Foreign Travel Security | Research Security Training | Export Control Training |
|---|---|--|---|
| <ul style="list-style-type: none"> Implement safeguarding protocols and procedures for information systems used to store, transmit, and conduct federally funded R&D <ul style="list-style-type: none"> 12 requirements for safeguarding information systems | <ul style="list-style-type: none"> International travel policy As appropriate: <ul style="list-style-type: none"> Disclosure and authorization prior to travel Security briefings Electronic device security guidance | <p>Research security training for appropriate personnel on research security threat awareness, identification, and insider threats.</p> <ul style="list-style-type: none"> Requires training in 9 specific areas. | <ul style="list-style-type: none"> Required for personnel that conduct R&D subject to export controls Include: <ul style="list-style-type: none"> Requirements & processes for review of foreign sponsors & collaborations Compliance with export controls/restricted entity lists |

Letter from UCOP President Drake Regarding Research Security: On August 28th, 2023, UCOP President Drake issued a letter addressing research security with 3 mandates for the UC campuses.



UNIVERSITY OF CALIFORNIA MERCED
5200 N. LAKE ROAD | MERCED, CA 95343
TEL: 209.228.4400

- **Enhanced Review and Approval Process:** All international affiliations and agreements involving [emerging technology](#) and [countries of concern](#) will be thoroughly vetted by the campuses, then directed to UCOP for review.
- **Inventory of International Collaborations:** Each Chancellor and the LBNL Director shall furnish UCOP with a comprehensive inventory detailing all active or currently pending international affiliations and agreements involving foreign countries of concern.
- **Routine Compliance Reporting:** Each Chancellor and the LBNL Director will ensure that Export Control Officers (ECOs) will routinely brief their respective campus' Chief Ethics and Compliance Officers (CECOs) on all active or proposed international affiliations involving emerging technology.

UCOP has provided guidance to assist campuses in local implementation of the mandates. Faculty members and researchers who are working with entities in countries of concern and/or with emerging technologies should reach out to the RCI office at RCI@ucmerced.edu for guidance. Please be aware that review of such engagements and activities may take more time to accommodate UCOP's review.

Prohibition on Participation in Malign Foreign Talent Recruitment Programs (MFTRPs): The National Science Foundation's (NSF) revised [Proposal and Award Policies and Procedures Guide](#) (PAPPG), expected to go into effect in May 2024, prohibits participation of senior personnel in MFTRPs. All senior personnel will be required to certify prior to proposal submission and annually that they are not party to an MFTRP. In addition, the institution will need to certify that all senior personnel associated with the proposal have been made aware of and have complied with their responsibility to certify that they are not a party to a malign foreign talent recruitment program.

UC Merced researchers will make the initial certification in the Biographical Sketch and Current and Pending (Other) Support documents during the proposal process. The process for annual recertification will be shared once the process is fully developed.

Beginning August 9, 2024, the Department of Defense (DoD) is prohibited from providing funding to or making an award of a fundamental research project proposal in which a covered individual is participating in a malign foreign talent recruitment program or to a proposing institution that does not have a policy addressing malign foreign talent programs. To address the policy needs across the UC system, the UCOP Grants and Contracts Manual will be revised to include language prohibiting participation in malign foreign talent recruitment programs.

We encourage researchers to review this [short video series](#) for more information on malign foreign talent recruitment programs and research security.

Find information on how to identify a non-US talent recruitment program [here](#).

Updated Audience for Ethics and Compliance Briefing for Researchers (ECBR): The systemwide mandated ECBR course is intended for all University extramurally funded researchers, including faculty and staff researchers, as well as postdoctoral scholars. The course was developed to raise awareness of the UC Statement of Ethical Values and Standards of Ethical Conduct and to convey important information about conflict of interest (COI) regulations when accepting extramural research funds. It also addresses federal funding agency research security concerns.



UNIVERSITY OF CALIFORNIA MERCED
5200 N. LAKE ROAD | MERCED, CA 95343
TEL: 209.228.4400

The audience for the ECBR course has been updated by UCOP as a new system is being utilized to identify researchers who must complete this course. Researchers who must complete this course will receive notifications from the UC Learning Center (UCLC) in the next few weeks. The ECBR course must be completed every 2 years.

Foreign Activities Disclosure Monitoring: Continued scrutiny of foreign influence on academic research by the federal government and federal sponsors remains constant. We would like to remind researchers of their obligations to disclose to federal sponsors all foreign activities. This includes any foreign support, research sites, components, and affiliations, both paid and unpaid, and honorary affiliations that would typically be listed on a PI biosketch. It is important that researchers be transparent when disclosing international activities. We have developed a [resource page](#) that identifies what, when and where to disclose foreign activity. We have conducted monthly monitoring of foreign activity notifications made to our office to ensure that foreign activities disclosures made in proposals to federal funding agencies are in alignment with foreign activities disclosed in other disclosure systems, such as in the University of California Outside Activity Tracking System (UC OATS). As part of this monthly monitoring, we are also reviewing researchers' recent publications to ensure that research in collaboration with foreign collaborators is appropriately disclosed in proposals to federal funding agencies.

International Activity: As a reminder, any interaction (payments, shipments, travel, etc.) to U.S. comprehensively sanctioned countries (Iran, Cuba, Syria, North Korea, Crimea), will require a license from the U.S. government prior to the activity. *This may include virtual interactions (e.g. giving a lecture virtually at an Iranian institution).* Likewise, research in a sanctioned, embargoed or other high risk countries (e.g. China, Russia, Belarus), interactions with restricted parties or collaborations involving [controlled items](#) or [activities](#) may also require a license. Please contact the [UC Merced Export Controls office](#) prior to participating in any of these activities/collaborations.

RCI serves as a resource for all UC Merced personnel on issues of export controls and foreign engagement, so we encourage everyone to contact us with any questions or concerns that you may have about the above listed topics. We are committed to facilitating the research mission of our university and making sure it is carried out in compliance with all U.S laws and regulations.

Please contact exportcontrols@ucmerced.edu or foreignengagement@ucmerced.edu with any questions on the issues above or other related research compliance concerns.

Sincerely,

Gillian Wilson
Vice Chancellor for Research, Innovation and Economic Development

Leslie Teixeira-Porto
Assistant Vice Chancellor for Research Compliance and Integrity and Chief of Staff