

Newsletter



INSIDE THIS ISSUE

- 1 Recognizing Foreign Government-Sponsored Talent Recruitment Programs
- 2 Improving Compliance with NSF Project Reporting Requirements
- 3 Finance Systems Stabilization Progress
- 4 University of California Overall Conflict of Interest Policies and Disqualification Rule
- 4 ClinicalTrials.gov Good Cause Extension for Submission of Results
- 5 Recent Cases of Research Misconduct and the Recommended Sanctions
- 6 Research Compliance Corner: Word to the Wise
- 7 HOT TOPICS: How Global Export Control Regimes Impact Research
- 8 Principal Investigator Responsibilities in Animal Research
- 9 Appointment of Camille Nebeker as the Director of the UC San Diego Research Ethics Program
- 9 The History and Importance of Women's History Month
- 10 The High Cost of Award Mismanagement
- 10 Research Compliance Hot Topics and Training Program
- 11 Ask the Questions: Q & A

Recognizing Foreign Government-Sponsored Talent Recruitment Programs

BY DIANA D. KIM



The [Public Service Announcement](#) by the Federal Bureau of Investigation (FBI) reflects the government's heightened concern that certain foreign governments may seek to influence United States (U.S.) research through recruitment of U.S. researchers. In addressing the concerns about foreign influence on research, protecting research integrity, and adhering to the guidelines and policies the government put in place, it is important to recognize foreign government-sponsored talent recruitment programs ("foreign talent programs").

Foreign talent programs are any foreign government run or funded programs that target individuals including but not limited to scientists, engineers, academics, researchers and entrepreneurs of all nationalities working or educated in the U.S. in an attempt to acquire U.S.-funded research and/or technology in exchange for financial and other types of support. Foreign talent programs have varying names depending on the country initiating the program. Features of foreign talent programs may include:

- Compensation in exchange for knowledge, expertise or other intellectual asset transfer to the foreign state. The compensation can take several forms such as cash, research facilities, other in-kind support, honorific

titles, career advancement opportunities, promised future compensation, or other types of remuneration or consideration.

- The foreign talent program's active engagement in attracting the targeted individual to join the foreign talent program and transfer their knowledge and expertise to the foreign state. Recruitment may or may not include an invitation to attend or present work at an international conference.
- Incentives to physically relocate to the foreign state. Of particular concern are some foreign talent programs that allow for continued employment at U.S. institutions and/or receipt of U.S. federal research funds while receiving compensation from the foreign talent program at the same time.

The recently released [Guidance for Implementing National Security Presidential Memorandum 33](#) included the following definition of a Foreign government sponsored talent recruitment program, "Effort organized, managed, or funded by a foreign government, or a foreign government instrumentality or entity, to recruit science and technology professionals or students (regardless of citizenship or national origin, or whether having a full-time or part-time position). Some foreign government-sponsored talent recruitment programs operate

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Recognizing Foreign Government-Sponsored Talent Recruitment Programs

with the intent to import or otherwise acquire from abroad, sometimes through illicit means, proprietary technology or software, unpublished data and methods, and intellectual property to further the military modernization goals and/or economic goals of a foreign government. Many, but not all, programs aim to incentivize the targeted individual to relocate physically to the foreign state for the above purpose. Some programs allow for or encourage continued employment at United States research facilities or receipt of Federal research funds while concurrently working at and/or receiving compensation from a foreign institution, and some direct participants not to disclose their participation to United States entities. Compensation could take many forms including cash, research funding, complimentary foreign travel, honorific titles, career advancement opportunities, promised future compensation, or other types of remuneration or consideration, including in-kind compensation.”

The UC San Diego research community is being solicited for their expertise and skill sets by varying foreign talent programs. Over 100 recruitment emails have been identified recently. Participation in a foreign government-sponsored talent program is not prohibited, but provisions in such programs may be in conflict with the policies for the federal agencies and/or the University. Every researcher at UC San Diego is responsible for disclosing external financial interests and support, affiliations, activities, and relations with any foreign entities completely and accurately. Appropriate disclosure protects the interests of everyone involved including the individual research, the international collaborators, UC San Diego, and US government.

The UC San Diego Facility Security Officer (FSO) supports the security functions of UC San Diego in compliance with federal regulations that information entrusted to the University is properly safeguarded. If you receive any foreign government-sponsored talent recruitment emails, please contact the UC San Diego FSO at fso@ucsd.edu.

For questions or additional information, please visit the Research Compliance and Integrity (RCI) Office's [International Research and Engagement page](#) or contact the RCI Office at rci@ucsd.edu or (858) 822-4939.

Improving Compliance with NSF Project Reporting Requirements

BY DIANA D. KIM



The National Science Foundation (NSF) [Important Notice No. 148](#) reminds the recipients of the awards to comply with all terms and conditions of the award, which include project reporting requirements. Project reports serve as result-oriented accountability for grants, enhance stewardship of the grants, and ensure that the public receives value for funding spent on grant programs. The NSF directs Principal Investigators (PIs) to submit:

- ▶ Final project reports within 120 days after the award end date, and
- ▶ Annual project reports prior to the annual performance period end date.

Specifically, the [closeout](#) section of the federal regulations specifies that, “The recipient must submit, no later than 120 calendar days after the end date of the period of performance, all financial, performance, and other reports as required by the terms and conditions of the Federal award.” It further specifies that NSF (the awarding agency), “must proceed to close out with the information available within one year of the period of performance end date” if the recipient does not submit all reports.

It is important for PIs to actively monitor the status of their project reports. The NSF Notice indicates that 10% of PIs fail to meet the reporting requirements on a timely basis while 90% of PIs submit the reports on time. Late submission of reports of an award will delay the NSF review and processing of pending proposals as well as additional funding and administrative actions for all identified PIs and Co-PIs. The NSF intends to explore all means to ensure compliance, including the [enforcement actions](#) outlined in the federal regulations such as suspension or termination of the award or withholding future awards for the project.

For additional information and resources, please visit [Research.gov](https://www.research.gov), the online grants management site for the NSF community.

FINANCE SYSTEMS STABILIZATION PROGRESS

BY ALLORAH PRADENAS

As part of the on-going efforts to stabilize the UC San Diego finance systems, our major focus is on report development and data integrity. Beginning in mid-March, the Business Intelligence (BI) and Financial Reporting team will be launching many enhancements to campus financial dashboards over the next several months. These dashboards serve as a critical component for researchers and PIs to track and manage their sponsored projects.

The Faculty and Researcher Dashboard, which is now in testing, is among the initial set of reporting enhancements. The entire dashboard has been redeveloped to deliver better speed and add payroll projections. The summary page will include balances of net payroll projections and the drill-through pages will include projection details.

Additional releases will provide a variety of improved features, such as:

- Consolidating duplicative reports to provide a single point of entry
- Reducing run time down to a few seconds with a goal to increase report speed and performance
- Developing high-level variance analysis across general and sub-ledgers and various systems
- Presenting payroll and non-payroll expenditures by month by project
- Designing additional search capabilities by:
 - All available person roles (i.e., project/task manager, fund manager, etc.)
 - Organization/financial unit
 - Expenditure type/category and account code/category
 - Time period of your choice
 - Vendor, invoice number, or PO number
 - Isolate or filter out cost transfers, and more



Look for more on reporting changes and improvements at [Report Development](#) on the [BI and Financial Reporting Blink page](#). On this website, you can also find important information about how report enhancement requests are submitted, vetted, approved, and prioritized. For faculty and staff that would like to have a voice in report development processes and needs, [you can volunteer](#) to be a report tester as well as a subject matter expert to contribute to report development efforts.

Beyond report development, another critical focus is accuracy of the data. We are working closely with central offices and department staff to monitor and clean up data, as needed. The highest priorities are the following:

- Ensuring payroll expenses in UC Path are charged to the correct projects in Oracle, and not in error to the default project account, by launching Default Day
- Reducing the burden of reconciliation at the department level by hiring a central reconciliation team, anticipating majority of staff in place by March 2022
- Posting tuition remission more efficiently to the ledger and reducing student stipend payment errors by developing automated processes with the Graduate Division Financial Support Unit

With so much happening and changing in the finance world, it can be difficult to know where to go for reliable, up-to-date information. The [Main Issues list](#) is a resource intended to provide transparency and awareness to our campus community about on-going implementation issues, whether technical or functional in nature. We launched a [new finance website](#), where you'll find an overview of how financial management works at UC San Diego as well as recent information about improvements and related updates via the Main Issues list, links to finance-related websites and more.

While these improvements are steering us in the right direction, we plan for continued and sustained efforts to improve our financial systems and operations. We are immensely grateful to the campus community for staying the course during such a monumental change. We are committed to ensuring your needs and concerns are addressed to achieve our overarching goal of reshaping the way UC San Diego manages its financial operations.

If you have any questions or comments, please contact Allorah Pradenas, Project Manager, Finance Systems Stabilization, at apradenas@ucsd.edu.

University of California Overall Conflict of Interest Policies and the Disqualification Rule

BY JENNIFER J. FORD

The University of California's overall conflict of interest policy stipulates that an employee shall not engage in any activities that place them in a conflict of interest between their official duties and any other interest or obligation. As a public educational institution, the primary legislative document governing conflict of interest and related issues is the [State of California Political Reform Act](#).

The University of California (UC) has comprehensive and interrelated policies and guidelines that address the conduct of UC employees, their interactions with private industry and conflict of interest. The [Compendium of Specialized University Policies, Guidelines, and Regulations Related to Conflict of Interest](#) is a collection of complementary policies and guidelines that work together to set standards for employees, ensure the integrity of UC research results and guide interactions of UC employees in their partnerships with industry and other university-related activities.

University employees are expected to devote their primary professional allegiance to the University and to the mission of teaching, research, and public service. Outside employment or consulting must not interfere with University duties. Outside professional activities, personal financial interests, or acceptance of benefits from third parties can create actual or perceived conflicts between the University's mission and a University employee's individual private interests. University employees who have certain professional or financial interests are expected to disclose them in compliance with applicable conflict of interest or conflict of commitment policies, as applicable. For research and other related activities, such conflict of interests must be disclosed in [Kuali COI](#). In all matters, University employees are expected to take appropriate steps, including consultation if issues are unclear, to avoid both conflicts of interest and the appearance of such conflicts.

When University employees have a conflict of interest, they must disqualify themselves from participating in a University decision if a financial conflict of interest is present under the Political Reform Act's [disqualification rule](#). If it is determined that a financial interest requires the employee to disqualify

themselves from making, influencing or participating in the making of a University decision, the employee must refrain from participating in any way in the decision, and the employee must not use their official position to influence any other person with respect to the matter. Some examples are:

- ▶ If a University employee is involved in the selection process for a University Request for Proposal (RFP) for a bid with a for-profit, and the same University employee is on the Board of Directors of a for-profit entity that plans to submit a bid in response to the RFP.
- ▶ If a University employee needs to procure a software product for a University teaching or research lab of a for-profit entity and the same employee is consulting for the for-profit entity.
- ▶ If a University employee is participating in the negotiations of a research contract between the University and a for-profit or non-profit entity in which the same University employee received an honoraria or managerial position (whether compensated or uncompensated) with the for-profit or non-profit entity.

University employees with conflicts of interest may have to disqualify and/or recuse themselves from participating or influencing the University's decision making process. The Political Reform Act's disqualification rule depends upon the effect a UC decision will have on an employee's financial interests. Only certain types of financial interests of a UC employee will trigger a disqualification analysis under the Act, and merely having one of these interests does not automatically disqualify you from a UC decision. A University employee with a conflict of interest should review the [disqualification rule](#) guidance document.

If you have questions or need additional information, please contact the Conflict of Interest Office at (858) 534-6465 or info-coi@ucsd.edu.

CLINICALTRIALS.GOV GOOD CAUSE EXTENSION FOR SUBMISSION OF RESULTS

BY BEC BEUTLER

As of January 25, 2022, the [ClinicalTrials.gov Protocol Registration and Results System \(PRS\)](#) no longer accepts good cause extension requests submitted on or after the results submission deadline for applicable clinical trials (ACT). Prior to January 25, 2022, a good cause extension could be submitted later than the date of results reporting deadline.

Per [Title 42 CFR 11.44\(e\)](#), a responsible party can request an extension of the deadline for results submission. An extension request must be submitted via ClinicalTrials.gov PRS prior to the date that the results are due. This request must provide a detailed justification for extension of the deadline, and an estimated date in which the results will be submitted. The good cause extension request must include sufficient detail to allow for proper evaluation of the request. Once evaluated, an electronic response will be sent to the responsible party confirming whether the good cause extension has been granted. If granted, results must be posted to ClinicalTrials.gov no later than the extended deadline. If the request is denied, the decision can either be appealed or results can be posted within 30 calendar days after the date of the notice of denial was sent to the responsible party.

Failure to post clinical trials results or submit a good cause extension prior to the deadline for results posting can result in penalization from the Food and Drug Administration (FDA) or National Institutes of Health (NIH). Please see the ClinicalTrials.gov [Frequently Asked Questions \(FAQs\)](#) and the Research Compliance and Integrity Office (RCI) factsheet on [Instructions for Publishing Results and Adverse Events](#).

For questions or additional information, please visit the [RCI ClinicalTrials.gov](#) website or contact the RCI Office at ctgov@ucsd.edu or (858) 822-4939.

Recent Cases of Research Misconduct and the Recommended Sanctions

BY BEC BEUTLER

In a report to congress made by the National Science Foundation (NSF) Office of Inspector General (OIG), recommendations to impose sanctions on six cases of research misconduct were made. Research misconduct cases are defined as the falsification, fabrication, or plagiarism of data. Notable in the Semiannual Report (SAR) was the OIG's recommendations for additional sanctions than what was imposed by the universities.

One unidentified case was the alleged misrepresentation of data in a publication and distribution of this falsified data into a genetic sequence database. An investigation completed by an unnamed university committee determined that a graduate student falsified data and published these false results in both a manuscript and to a public database. The graduate student's professor was also found guilty of research misconduct by knowingly allowing the publication of falsified data. In response to the investigation findings, the university suspended the graduate student for two academic semesters, required both the student and professor to complete research training, and retract data from both the database and the publication. Both the student and professor were successful in meeting these requirements except for retraction of the publication, which the professor blocked. In the OIG's SAR, they recommended a federal finding be made against the student, a set of sanctions should be imposed for a period of three years, and the enforcement of the retraction of the falsified publication.

In a case involving a student intentionally committing both fabrication and falsification of data, university sanctions prohibited the student from applying for or receiving federal or external research funding, dismissed the student from the university without a degree and prohibited the student from ever reapplying. After an investigation, it was found that the student was manipulating images to falsify and fabricate results for over three years for research support by both National Institutes of Health (NIH) and NSF funding. The OIG recommended a three-year debarment, a five-year period in which submission of certifications of data integrity must be completed, and a ban on serving as a peer reviewer.

For a case involving plagiarism, three NSF proposals made by the same principal investigator (PI) were found to contain both plagiarized text and figures copied from seven separate sources. This case, first investigated by OIG, was referred back to the university, who found that the PI plagiarized over 15% of proposal material. The PI admitted to plagiarizing the content of the proposals and resigned when offered the opportunity to either resign or be terminated. OIG officials conducted a more thorough investigation following the university's, noting how the university's investigation was too shallow. It was found during this investigation that a substantial amount of the professor's proposals was plagiarized, and an additional industry source proposal contained plagiarized content as well. Sanctions recommended by OIG included a requirement to submit certifications and assurances by his employer that the submitted NSF proposals and reports do not contain falsified, fabrication, or plagiarized material and the PI should be barred from becoming a peer reviewer or consultant for NSF.

For more information, read the [Semiannual Report to Congress](#). For questions or additional information, please visit the Research Compliance and Integrity (RCI) Office [Research Misconduct website](#) and [FAQ's](#) or contact the RCI Office at rci@ucsd.edu or (858) 822-4939.

When In doubt — report it



Facilitating Responsible Research, Innovation and Education for Global Excellence

- [ClinicalTrials.Gov](https://clinicaltrials.gov)
- [Conflict of Interest](#)
- [Dual Use of Research Concern](#)
- [Export Control](#)
- [Good Clinical Practices](#)
- [Institutional Animal Care and Use Committee](#)
- [Research Misconduct](#)
- [Responsible Conduct of Research](#)

rci@ucsd.edu | 858-822-4939

coi@ucsd.edu | 858-534-6465

export@ucsd.edu | 858-246-3300

iacuc@ucsd.edu | 858-534-6069

UC San Diego

RESEARCH COMPLIANCE AND INTEGRITY

RESEARCH COMPLIANCE CORNER: WORD TO THE WISE

The United States Government Drops Charges Against the MIT Scientist Accused of Hiding China Ties

The United States (U.S.) government dropped all charges against Gang Chen, a mechanical engineering professor at the Massachusetts Institute of Technology (MIT). Chen was indicted on charges of wire fraud, making a false statement on a tax return, and failing to disclose a foreign bank account a year ago. The charges included that Chen hid his affiliations with Chinese government institutions in applications for \$2.7 million in grants from the US Department of Energy.

The move for dismissal is seen as a high-profile setback to the China Initiative, which is the Department of Justice's effort intended to counter economic espionage and national security threats. This initiative came under criticism for singling out scientists of Chinese heritage and for discouraging the collaborative research environment. For more information, please read the [NY Times article](#).

Former Professor Pleads Guilty to Lying about Chinese Patents

A former University of Arkansas engineering professor, Simon Saw-Twong Ang, pleaded guilty to one count of making a false statement to the Federal Bureau of Investigation (FBI) when he denied he was named as the inventor for numerous patents in China. Ang pleaded guilty to just one of the 59 total counts, including 55 counts of wire fraud. Prosecutors alleged Ang concealed his affiliation to Chinese companies and Universities from the University of Arkansas and the US government agencies that funded his research and salary.

Ang faces a maximum sentence of 5 years for the single charge he pleaded to but has a plea deal in place. Ang is one of several academic scientists or engineers who have faced criminal prosecution under the Department of Justice's China Initiative for allegedly lying about Chinese funding sources or affiliations. For more information, please read the [news article](#).

University of Tennessee Reinstates Professor Falsely Accused of Espionage

Anming Hu, an engineering professor at the University of Tennessee (UT), returned to the University with tenure after he was acquitted of federal charges. Hu was prosecuted last year on charges related to hiding his relationship with a Chinese university while receiving National Aeronautics and Space Administration (NASA) research grants. UT fired Hu. UT offered to reinstate Hu shortly after his acquittal, but Hu demanded assurances before he returned, which included obtaining the proper work authorization, \$300,000 in funding to restart his research program and reinstatement of his lab space similar to what he had before. The Department of Justice's China Initiative has been sharply criticized by academics and Asian American advocates for racially profiling Asians. For more information, please read the [news article](#).

Chinese American Scientist Pleads Guilty to Economic Espionage Charges

A former scientist from Monsanto, Xiang Haitao, pled guilty to United States (U.S.) economic espionage charges in early January. This plea agreement, made in the Eastern District of Missouri in St. Louis, detailed his recruitment and transfer of U.S. material to the Hundred Talents Program and Nanjing Institute.

From 2008 to 2017, Xiang Haitao was a senior research fellow at Monsanto in St. Louis, working on what Monsanto called the Nutrient Optimizer, a software that would allow farmers to monitor fertilizer needs by compiling multiple data sources. In 2015, Xiang emailed the Nanjing Institute in China, where he requested recruitment to the Hundred Talents Program, describing

his plans to develop a digital fertilizer platform. The Hundred Talents Program, initially launched in 1994 to recruit high-level talent, has been the center of Federal Bureau of Investigation (FBI) investigations into both Chinese nationals and Americans who have been charged with foreign involvement in U.S. research. Following recruitment, Xiang resigned from his position at Monsanto in 2017, traveling to Shanghai with a downloaded copy of Monsanto's Nutrient Optimizer on a flash drive. Soon after, he began operating a laboratory at the Nanjing Institute. He was arrested on his return to the U.S. in November 2019.

Sentencing for Xiang is set for April 2022, where just one charge of conspiracy to commit economic espionage has a maximum sentence of 15 years in prison and a \$5 million fine. For more information, please read the [Washington Times article](#).

Harvard University Professor Convicted in Department of Justice's China Initiative Case

Charles Lieber, a former Chair of Chemistry and Chemical Biology Department at Harvard University, was convicted in a case stemming from a crackdown of Chinese influence within United States (U.S.) research. A federal jury found Lieber guilty of making false statements to federal authorities, making and subscribing a false income tax return, and failing to file reports of foreign bank financial accounts (FBAR) with the Internal Revenue Services (IRS) about his affiliation with the People's Republic of China's Thousand Talents Program and the Wuhan University of Technology (WUT) in China.

Lieber served as the Principal Investigator of the Lieber Research Group at Harvard University, which received more than \$15 million in federal research grants between 2008 and 2019. Without the knowledge of his employer during this time, Lieber became a "strategic Scientist" at WUT and a contract participant in China's Thousand Talents Plan. The Thousand Talents Plan is a prominent Chinese talent recruitment plan designed to attract, recruit, and cultivate high-level scientific talent in advancing China's scientific development, economic prosperity and national security. Lieber was charged as part of the U.S. Department of Justice's China Initiative, which was launched to counter such suspected Chinese economic espionage and research theft. Lieber is not accused of espionage but concealing ties with the Chinese university and funding sources from the federal government. He is accused of not only falsely reporting taxable income, but also undermining the integrity of academic institutions and national security. For more information, please read the [Reuters report](#).

Former Defense Contractor Arrested for Attempted Espionage

A former defense contractor, John Rowe from South Dakota, was arrested on criminal charges stemming from his alleged espionage attempts. Rowe was employed for more than 40 years with multiple cleared sector experience and had various national security clearance working on matters related to the United States (U.S.) Air Force aerospace technology. A facility security officer and an information security officer at separate companies reported him as potential insider threat stemming from various security violations and interest in Russian affairs.

Rowe was caught by undercover Federal Bureau of Investigation agents posing as Russian agents, confirming his willingness to work for the Russian government and disclose his knowledge of classified information relating to U.S. national security and military concerns. Rowe is charged with attempting to communicate national defense information to aid a foreign government and faces a maximum statutory penalty of life in prison if convicted. For more information, read the [Department of Justice announcement](#).

HOT TOPIC: How Global Export Control Regimes Impact Research

BY MICHAEL J. MILLER

The [Wassenaar Arrangement \(WA\)](#) is the first of several international non-proliferation agreements established to prevent destabilization from the transfer of arms and dual-use goods and technologies.

It defines broad guidelines for how the 42 member countries license technology and software across international borders. Members of the WA have agreed to implement national policies and programs that conform to a collective international framework of export controls. The arrangement leaves the details of enforcement up to individual nations.

Technologies enumerated in the United States (U.S.) export control regulations, including the Export Administration Regulations (EAR) and International Traffic in Arms Regulations (ITAR) are based, in part, upon the technologies defined in the WA's [Munitions and Dual-Use List](#). Members of the WA receive a trade perk for membership, a streamlined ability to export and transfer otherwise licensable technologies between most members under several licensing exceptions and exemptions. There are several other multi-lateral proliferation treaties and regimes that layer upon the WA by identifying additional technologies for control:



- ✓ [Nuclear Suppliers Group](#)
- ✓ [Missile Technology Control Regime](#)
- ✓ [Australia Group](#)
- ✓ [Treaty on the Non-Proliferation of Nuclear Weapons](#)
- ✓ [Biological Weapons Convention](#)
- ✓ [Chemical Weapons Convention](#)

Countries participating in these export control regimes retain the independence to augment their own indigenous controls, processes, licensing requirements, etc., so long as the core principles of the WA remain. For example, in the U.S. certain technologies on the EAR Commerce Control List (CCL) are controlled for reasons of U.S. National Security that are not included in the WA's Munitions and Dual-Use List. Conflicting technology controls are present throughout each control regime, often creating a perplexing dilemma for researchers: how to comply with both U.S. export control laws and those of a foreign country. In these situations, it is important to contact the UC San Diego Export Control Office to ensure compliance with U.S. export control regulations as opposed to agreeing to comply with the export control requirements of the foreign country.

Differences between U.S. export control regulations and sanctions and those of WA members include:

- ✓ Dual-Use Technologies
- ✓ Military Technologies
- ✓ Cyber security requirements, such as NIST 800-171
- ✓ Regulated entities, such as those on the Denied or Unverified List
- ✓ Economic sanctions
- ✓ Fundamental research

The bottom line is that the export control regulations of foreign countries do not lessen or replace compliance with U.S. export control laws and regulations. For certain activities, U.S. export control regulations are more favorable for intellectual property protection, or to ensure the activity is not otherwise restricted. Agreeing to contract terms or conditions that nullify U.S. export control laws does not remove the need for compliance. For questions or assistance with export control matters, contact the Export Control Office at export@ucsd.edu.

PRINCIPAL INVESTIGATOR RESPONSIBILITIES IN ANIMAL RESEARCH

BY THE IACUC OFFICE

When using animal models in research at UC San Diego, there is a great deal of information that the Principal Investigator (PI) and research staff are responsible for knowing. UC San Diego's Policy on the Use of Animals in Research and Teaching [PPM 100-6](#) and the UCSD Institutional Animal Care and Use Committee (IACUC), along with federal laws and regulations, assign a number of responsibilities to the Principal Investigator who is granted the privilege of using animals in research.

An early part of this process is submitting an online Animal Use Protocol to the UC San Diego IACUC. The IACUC website provides a number of resources, including Principal Investigator requirements, responsibilities and information needed to submit an animal use protocol. When a PI submits a protocol for review, they acknowledge that by clicking the "Submit for Review" button within the protocol, it is equivalent to an electronic signature and that they are providing their assurance for the humane care and use of animals used in teaching and research.

Below is a list of the PI's Assurances for the humane care and use of animals used in teaching and research:

1. I agree to abide by [PHS Policy](#), [USDA Regulations](#), [UC San Diego policies for the care and use of animals](#), the provisions of the [Institute for Laboratory Animal Research \(ILAR\) Guide to the Care and Use of Laboratory Animals](#), and all other federal, state, and local laws and regulations governing the use of animals in research.
2. I understand that emergency veterinary care will be administered to animals showing evidence of pain or illness, in addition to routine veterinary care as prescribed for individual species. I understand that it is my responsibility to provide current and updated emergency contact information for personnel who must be contacted in an animal emergency. I understand that any unanticipated pain or distress must be reported to the veterinarian or his/her designee.
3. I assure that I have consulted a veterinarian in the preparation of this proposal, if it includes procedures that could cause pain and distress to a vertebrate animal.
4. I declare that all experiments involving live animals will be performed under my supervision or that of another qualified biomedical scientist listed on this protocol.
5. I certify that all personnel having direct animal contact, including myself, have been trained in humane and scientifically acceptable procedures in animal handling, administration of anesthetics, analgesics, and euthanasia to be used in this project.
6. I certify that all personnel in this project will complete the mandatory Orientation to Animal Research at UCSD and all other mandatory classes as determined by the Personnel Qualifications Form of each individual.
7. I understand that the use of hazardous or controlled materials in animals may only be initiated after authorization from the applicable [campus Safety Committees](#) and [EH&S](#), and used in the manner/purpose for which they are approved in compliance with Federal, State, local and UC San Diego requirements. I am responsible for complying with all safety related information (section VIII) of the protocol as well as complying with EH&S authorizations such as [Biohazardous Use Authorization \(BUA\)](#), [Controlled Substance Use Authorization \(CSUA\)](#), [Radioactive Use Authorization \(RUA\)](#), [Laser Use Authorization \(LUA\)](#), and documenting the proper use of such hazards or processes in the [Hazard Control Plan\(s\)](#).
8. I certify that all personnel working on this protocol will be given the opportunity to participate in the Medical Monitoring Program at the Center for Occupational and Environmental Medicine. All personnel on this protocol will be made aware of the hazards involving the use of live animals and tissues.
9. I understand that I must submit an amendment for any proposed changes to this protocol and wait for IACUC approval before beginning the work.
10. I understand that should I use the project described in this application as a basis for a proposal for funding (either extramural or intramural), it is my responsibility to ensure that the description of animal use in such funding proposals are identical in principle to that contained in this application.
11. I understand it is the responsibility of the Principal Investigator to ensure the safe and ethical conduct of all research conducted under this protocol, and to assure that all research is carried out following federal, state, local, and UC San Diego policies governing animal research.
12. I certify that I will maintain complete, up-to-date and accessible records of procedures on animals as required by policy and regulation.
13. I declare that the information provided in the accompanying protocol is accurate to the best of my knowledge.
14. I certify that all state, federal and international permits for the use of the animals described in this protocol are in place (or will be in place before studies begin) including those permits mandated by the Department of Commerce, Marine Mammal Protection Act, Bureau of Land Management, National Forest Service, and foreign countries.

“The IACUC website provides a number of resources, including Principal Investigator requirements, responsibilities and information needed to submit an animal use protocol.”

Please keep in mind that the IACUC Office staff is here to assist you. If you have questions or concerns regarding the above PI responsibilities, please contact the IACUC Office at iacuc@ucsd.edu or (858) 534-6069.



Appointment of Camille Nebeker as the Director of the UC San Diego Research Ethics Program

Camille Nebeker, Ed.D., M.S., was recently appointed as the Director of the [UC San Diego Research Ethics Program](#). Dr. Nebeker is an Associate Professor with appointments in the UC San Diego Design Lab and the Herbert Wertheim School of Public Health and Human Longevity Science and brings valuable experience serving as an instructor for the Research Ethics Program. She co-founded and directs the Research Center for Optimal Digital Ethics in Health (ReCODE Health), which examines the ethical and social implications of technology-supported health research, along with providing education and consultation services. Professor Nebeker also serves as a member of the World Health Organization Digital Health Roster of Experts and Chairs the American Association for the Advancement of Science Committee on Scientific Freedom and Responsibility. For the past few years, she has contributed to national and international working groups charged with development of standards for the governance of artificial intelligence systems.

The UC San Diego Research Ethics Program was founded in 1997 by Michael Kalichman, Professor of Pathology at UC San Diego, who continued to lead the program until his retirement in 2021. The program is within the Office of Research Affairs and is affiliated with the Altman Clinical and Translational Research Institute. The Research Ethics Program serves as a campus-wide resource to identify and address ethical challenges intrinsic to academic scholarship, foster learning about research ethics, and meet federal funding requirements for education in research ethics. Through its long history, the program has been instrumental in sustaining UC San Diego's international leadership in fostering integrity in research.

To contact Dr. Nebeker, please email cnebeker@ucsd.edu.
To contact the Research Ethics Program, email ethics@ucsd.edu.

The History and Importance of Women's History Month

BY MADELEINE PALEY

Women's History Month began as "Women's History Week" in 1981 and was first celebrated beginning March 7, 1982. In 1987, after a petition by the National Women's History Project, Congress passed a bill that designated the month of March as Women's History Month. Since 1995, presidents have issued a series of proclamations designating March as Women's History Month to celebrate the contributions women have made to the United States and to recognize the important achievements of women over the course of American history. Visit the Women's History Month government [website](#) for videos, art exhibits and collections, and more.

International Women's Day occurs within Women's History Month, falling on March 8th annually. International Women's Day is a global day celebrating the achievements of women, and serves as a call to action to accelerate women's equality. International Women's Day started in 1911 as a result of labor movements across the world. To learn more about International Women's Day, and the 2022 theme, #BreakTheBias, visit the International Women's Day [website](#).



For more information about events occurring at UC San Diego, visit the [Women's Center](#). For questions or additional information, please contact the Research Affairs Equity, Diversity and Inclusion Committee at y-cr-edi@ucsd.edu.

THE HIGH COST OF AWARD MISMANAGEMENT

BY BEC BEUTLER

In the most recent semiannual report to congress, the National Science Foundation (NSF) Office of Inspector General (OIG) summarized cases in which repayment was made to NSF following investigations that do not fit under the definition of research misconduct. These cases can involve misdeeds such as non-disclosure of conflict of interests, noncompliance in human subjects or animal research regulations, mismanagement of grant funds, and other employee misconduct that does not include falsification, fabrication, or plagiarism. In the span of April 1, 2021 to September 30, 2021, NSF collected over \$2.5 million from these misdeeds.

In response to a Principal Investigator's (PI) misconduct, a university paid the NSF \$370,000, an estimation of the costs following an investigation of noncompliance in human subjects research. After an investigation by the university's Institutional Review Board, it was determined that there was lack of proper informed consent and properly collected biospecimen samples, collected from both humans and animals from a foreign country. Following the investigation, the university destroyed the PI's research data and samples and implemented an oversight on the PI's research after it was determined that this was a result of unintentional errors. The cost of collection and analysis of the destroyed samples was estimated to be \$370,000.

Seven other cases were described in OIG's semiannual report, all with varying circumstances leading to the return of funds to NSF. At one university, it was found that an associate professor did not disclose conflict of interests with a company and mismanaged four NSF awards by not separating university and company activities. The university returned \$650,000 to NSF, and OIG recommended the debarment of the associate professor. In a case of salary mischarges, \$230,000 was returned to NSF after an OIG investigation found that a university professor was charging his salary to an NSF award, when in reality he

was working for a foreign university at that time. The OIG recommended debarment of that professor. A university paid NSF \$225,000 in repayment of mismanaged awards related to membership payments for Industry-University Cooperative Research Centers (I/UCRC). In addition to the payment, the university stated that they revised the policies and controls for I/UCRC to prevent any repeat mismanagements. At another university, \$130,000 was returned to NSF as corrective action for expenses directed to and develop websites for the university's NSF-funded center and a professor's wife's company. Though charges against the professor of felony embezzlement were dismissed, the university agreed to take corrective action. OIG recommended debarment of the professor and company. In another case with little shared details, a university professor was banned by publisher from serving in any review, editorial, or program committee position for 15 years, and \$630,000 of terminated awards was reallocated by NSF. OIG states that an investigation is still ongoing.

Even though the OIG's semiannual report does not provide personal identifiers for these cases, many have been detailed in public news sources. In March, \$550,000 was returned to NSF by a firm, Bio-Adhesive Alliance Inc., after they pled guilty to making false statements regarding ineligible individuals in a trial. In August of 2021, a Georgia Tech professor pled guilty to two felony counts of false statements. \$100,000 was returned to NSF by Georgia Tech and the professor personally paid restitution of \$40,000. Additionally, she was placed on home detention and 10 months' probation.

For more information, read the [Semiannual Report to Congress](#). For questions or additional information, please visit the [RCI Research Integrity website](#) for more information, or contact the RCI Office at rci@ucsd.edu or (858) 822-4939.

RESEARCH COMPLIANCE HOT TOPICS AND TRAINING PROGRAM

The UC San Diego Research Compliance and Integrity (RCI) Office is pleased to offer the Research Compliance Hot Topics and Training Program (Program) to all UC San Diego faculty, staff and students. The Program will offer training through a variety of forums, including workshops, videos, newsletters and other activities, and is designed to serve as an educational resource to assist the UC San Diego research community with the complexities of conducting research. The following training program session has been scheduled:

- ▶ **Cybersecurity Certification for Research: Achieving Cyber-Resilience in your Research Program**
March 23, 2022, 11:00 a.m. – 12:30 p.m.
via Zoom (to register, click on this [link](#))



Do you have research compliance questions? Join RCI Office Hours every Tuesday from 11:00 a.m. - 12:00 p.m. Sign up at calendly.com/ucsdrcioffice.

For questions, please contact rci@ucsd.edu.

Q & A

Ask the Questions . . .

I am conducting research that involves animals. My grant application asks for UC San Diego's AAALAC accreditation date and Public Health Service (PHS) Assurance number. Where can I find these?

For animal research, all current assurance and accreditation numbers and dates can be found on the [IACUC website](#). UC San Diego is USDA registered, PHS assured and AAALAC accredited.

For assistance or additional questions, please contact the IACUC Office at iacuc@ucsd.edu or (858) 534-6069.

A university located in a foreign country indicates they cannot comply with United States (U.S.) export control laws or regulations. What do I do?

It depends upon the following four factors: (1) What is the country? (2) What is being exported? (items, software, technology or know-how)? (3) Who is the recipient? (4) What will the recipient do with the exported item, software, technology or know-how?

If everything being exported is already within the public domain, or otherwise not proprietary, and intended to be fully published, then it may still qualify under the "fundamental research exclusion." However, if the export

is proprietary, or contains non-public technology, then U.S. export controls may apply. It is important to remember that the "fundamental research exclusion" cannot apply to exports of physical items such as equipment or materials. If the recipient is a foreign military, denied entity, or will use or is likely to use the exported item or technology for a prohibited end-use then prior U.S. Government approval may be required.

Check with the Export Control Office at export@ucsd.edu to find out if export controls apply.

Is a financial interest automatically a conflict of interest?

Having an outside financial interest is not automatically a conflict of interest. It is also important to remember that some financial interests are of such low value and/or limited duration that they do not meet the definition or threshold of disclosable financial interests. In addition, some financial interests are so small or inconsequential, that the research support from the sponsor can be accepted with no further action. The Conflict of Interest Office will work with the discloser to determine if the disclosed financial interests and resulting conflicts of interest may be reduced, eliminated, or managed so that the research

"Education is the most powerful weapon which you can use to change the world." — Nelson Mandela

project can be accepted and funded by the proposed sponsor.

For assistance or more information, please contact the COI Office at info-coi@ucsd.edu.

For ongoing National Institutes of Health (NIH) grants, do recipient institutions need to provide copies of translated foreign contracts for any current foreign appointments and/or employment with a foreign institution?

Yes, effective January 25, 2022, the NIH requires institutions to provide foreign contracts, grants or any other agreements relevant to Other Support information. In the Research Performance Progress Report (RPPR) for ongoing grants, recipients must provide copies of foreign contracts, grants or any other agreements specific to senior/key-personnel foreign appointments and/or employment with a foreign institution for all foreign activities and resources that are reported in Other Support. The foreign contracts and grants must be translated into English.

For more information, please visit the [National Institutes of Health notice](#) and the UC San Diego [Research Compliance and Integrity Office website](#).

RESEARCH COMPLIANCE AND INTEGRITY

Office of the Vice Chancellor for Research
Angela Fornataro McMahon,
Assistant Vice Chancellor
Phone: (858) 822-4939
Web: rci.ucsd.edu
Email: rci@ucsd.edu

Contributors:

Kristen Anderson-Vicino
Rebecca Beutler
Jennifer J. Ford
Diana D. Kim
Michael J. Miller
Madeleine Paley
Allorah Pradenas

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CONFIDENTIAL
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(877) 319-0265**

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