



USC University of Southern California

TO: All Faculty, SBO's, Staff

CC: Paula Cannon, President of the Faculty
Michael Quick, Provost and Senior Vice President for Academic Affairs
Todd Dickey, Senior Vice President for Administration

FROM: Anthony Bailey, Vice President for Strategic and Global Initiatives **AS**
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SUBJECT: International Collaborations and Export Controls Policy

USC's is an institution committed to broad and global engagement in all of our programs, as well as inclusion of international students in our research, regardless of their nationality and religious beliefs.

Toward that end, we are happy to let you know that USC has issued a new policy on International Collaborations and Export Controls. Consistent with university principles and our Strategic Vision, this new policy was developed with broad input from the university community, in cooperation with the Academic Senate, the Senate/Provost University Research Committee, and a special task force of faculty and staff.

The new policy was written to help faculty, staff, and students understand how federal regulations may apply to USC-related research, instruction, healthcare, student outreach, and other partnerships and affiliations. (<https://policy.usc.edu/international-collaborations-and-export-controls/>). It also sets policies to promote broad student participation in research and the right to publish our research. Some of the key features include:

- Creation of a standing faculty committee to review and advise on research projects that may present restrictions on the dissemination of research results and/or participation of foreign nationals (faculty, staff, students);
- Approval process from the Office of the Vice President for Strategic and Global Initiatives before establishing an overseas presence or international partnership with any overseas university, institution, or governmental entity; and
- Guidance on doing business with foreign governmental officials in accordance with the Foreign Corrupt Practices Act (FCPA).

Further detail is provided below.

International Collaborations and Export Controls Policy Highlights

Faculty Review of Export-Controlled Research:

USC aims to perform all research without restrictions on dissemination or on participation on the basis of nationality. Sponsor demands to restrict dissemination (beyond short delays on dissemination to protect intellectual property rights or ensure that privileged or proprietary has not been inadvertently included in a publication) and/or participation will only be considered on an exception basis.

To request an exception, the Principal Investigator must submit a request in writing to the Vice President of Research (see <https://research.usc.edu/international-research/>). When publication and/or personnel limitations are set forth in a proposal solicitation, exceptions must be requested thirty (30) days in advance of proposal submission, providing sufficient time for the review process in advance of the proposal deadline. When limitations are not known until the time of award negotiation, exceptions must be requested and reviewed prior to award execution, allowing at least thirty (30) days for the review process.

The decision on whether to accept the project is made by the VP of Research upon recommendation of a standing committee appointed by the Provost. If the work will be conducted in its entirety at ISI or ICT, the Vice President of Research is authorized to grant an expedited approval. The following faculty have agreed to serve on the international research committee for 2017: Steve Crago (Viterbi), Sofia Gruskin (Gould and Keck), Geoffrey Joyce (Pharmacy and Price), David Kang (Dornsife), Mahta Moghaddam (Viterbi), William Swartout (ICT and Viterbi), Detlof von Winterfeldt (Price and Viterbi). Additional details on this process, and international research in general, can be found at: <https://research.usc.edu/international-research/>

Doing Business with International Partners:

Under the Foreign Corrupt Practices Act, or FCPA, USC employees and subcontractors are prohibited from directly or indirectly giving or receiving improper payments or other benefits to a foreign official to gain a commercial or other advantage. Prohibited payments include anything of value, such as cash, gifts and entertainment, or any other exchange of value offered in exchange for a favor or advantage.

USC faculty, staff, and student employees are expected to conduct reasonable due diligence to ensure they are conducting business with reputable and qualified business collaborators. This should include an assessment of the collaborator's qualifications, determining whether the collaborator has personal or professional ties to a foreign government or government official, and evaluating the collaborator's reputation, such as with the local US embassy.

The Office of the Vice President for Strategic and Global Initiatives must approve all initiatives that involve establishment of an overseas physical presence or international partnership with any overseas university, institution, or governmental entity.

Economic Sanctions:

There are economic and trade sanctions imposed against certain countries (North Korea, Syria, Iran, Cuba, Sudan, and the Crimea region of the Ukraine as well as entities and nationals based there) that are administered by the Office of Foreign Assets Controls (OFAC). Travel to an OFAC-sanctioned country is restricted and licensing requirements may apply to professional and research-related activities in those countries. The OFAC website provides the definitive current list of countries subject to sanction under OFAC regulation. (See <https://www.treasury.gov/resource-center/sanctions/Programs/Pages/Programs.aspx>).

International Travel:

University faculty, staff, and student employees traveling overseas must comply with all applicable export control and sanction regulations. This includes taking items abroad, which may require obtaining a license under export control regulations before doing so, travel to countries that are restricted under OFAC regulations, and adhering to FCPA requirements in all foreign business transactions.

In addition, the policy recommends certain practices to secure sensitive information when traveling abroad, such as not taking sensitive data with you, not storing sensitive data on external local media, not using USB drives provided to you by others, changing wi-fi and Bluetooth settings so they are non-discoverable, and avoiding the transmission of sensitive data via use of a wireless device.

Violations:

Violations of export control regulations are not just against USC policy. Under federal law, failure to comply with export regulations can result in severe fines and even imprisonment, and can be directed at both the individual and the university. Violations of federal law can bring civil penalties of up to \$500,000 per violation and criminal penalties of up to \$1 million per violation and up to 20 years in prison. In addition, under university policy, failure to comply with export control regulations may also be cause for disciplinary action up to and including termination.

If you have questions regarding your obligations under the new policy, please consult with the Office of Compliance at (213) 740-8258 or complian@usc.edu.