



Research Administration Forum

Office of Research Administration

June 21, 2011

Topics

- Research Compliance Officer
- Export Compliance Snapshot and What's Ahead
- Genomic Array Costs
- DoD Cap on Indirect Cost Recovery
- Recovery Act – What's Next
- Fabrications and Proposals

Research Compliance Officer

Grace Fisher-Adams

Research Compliance Officer

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Export Compliance Snapshot and What's Ahead

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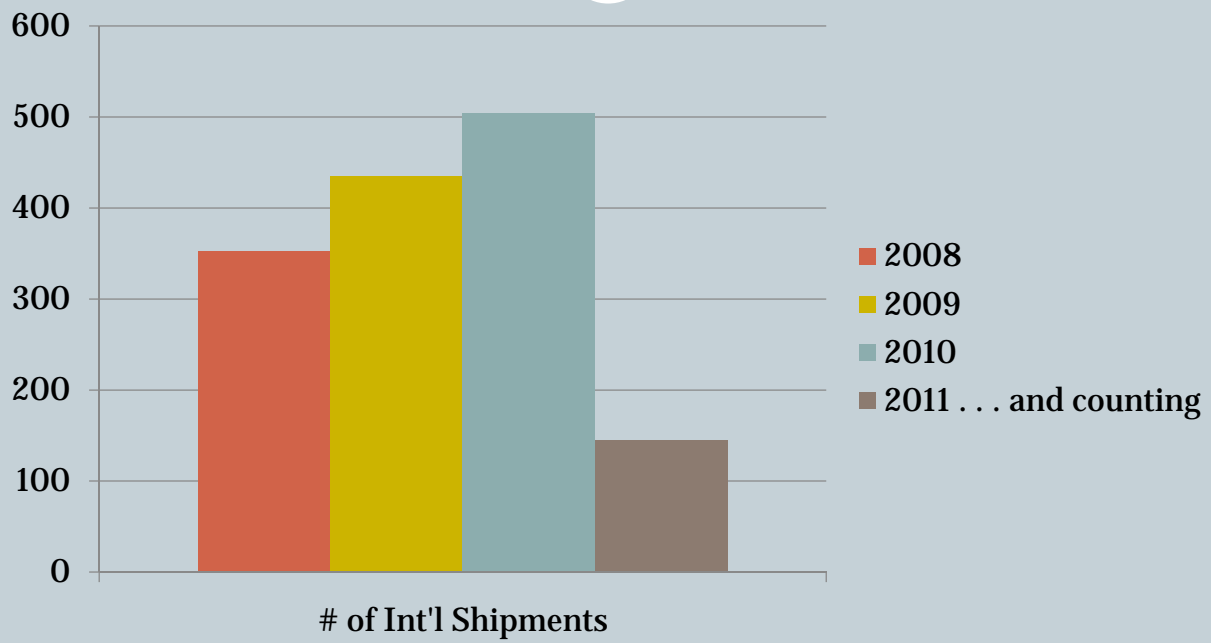
[Adilia's Presentation](#)

Export Compliance

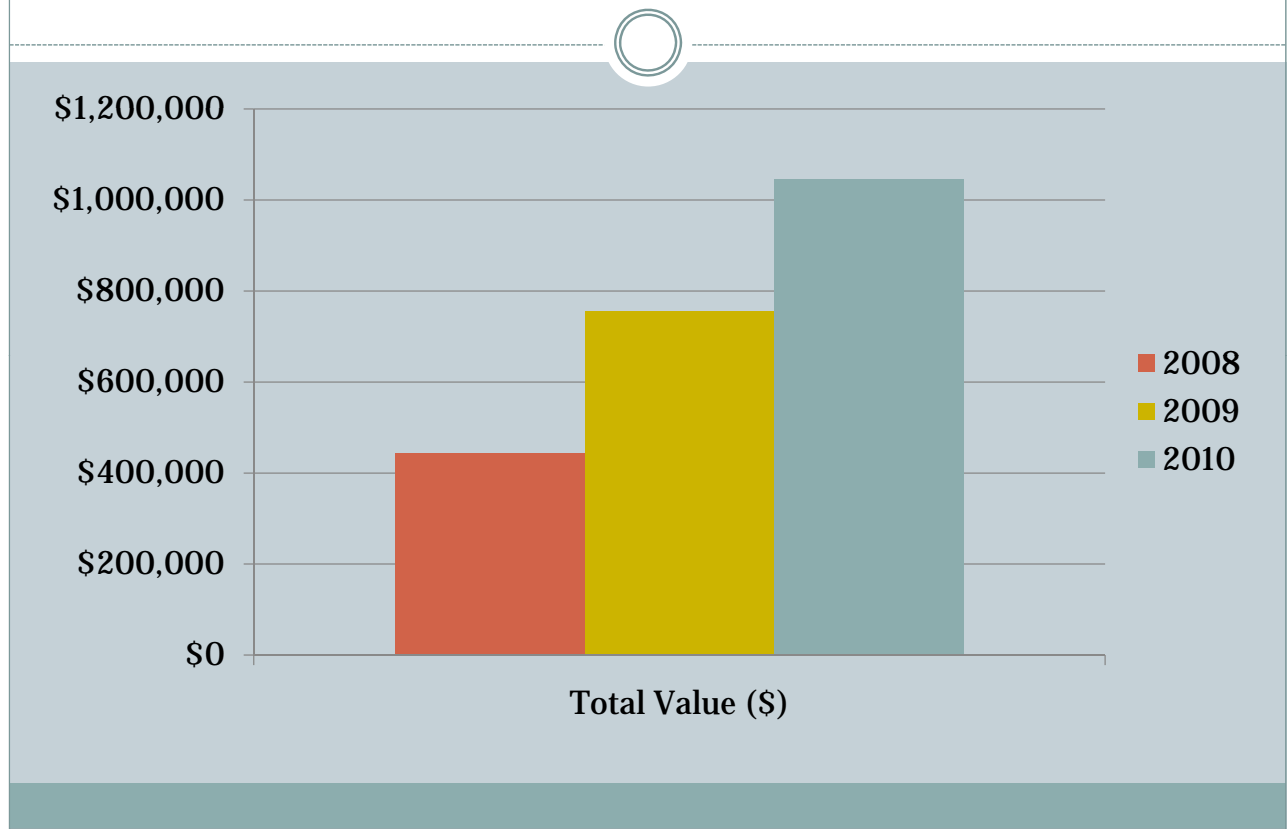


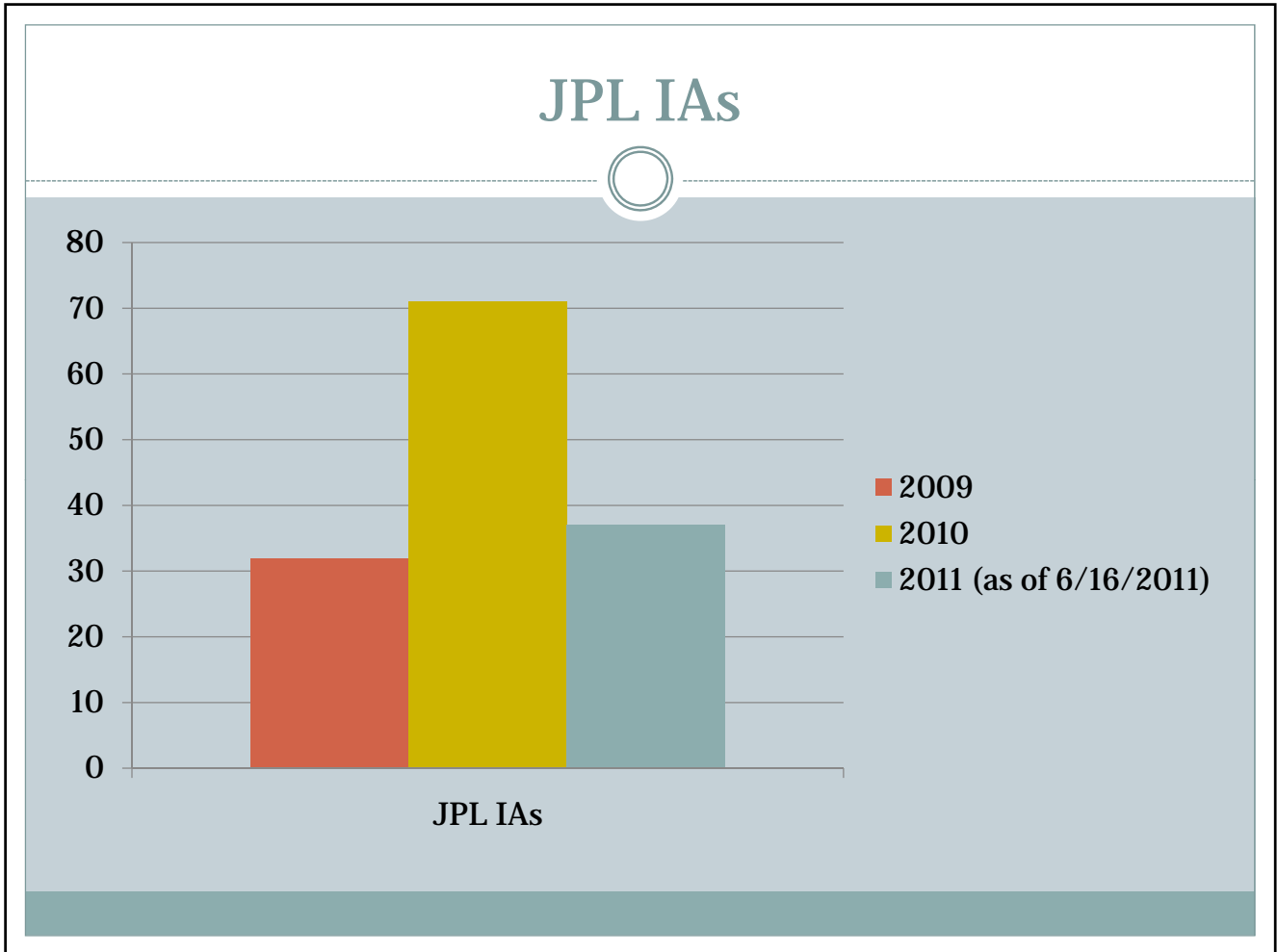
**AN EXPORT COMPLIANCE SNAPSHOT
&
AND WHAT'S AHEAD?**

An export compliance snapshot . . .



Total Value of International Shipments





2011 International Shipments



- **145 shipments . . . counting**
 - All exported without a problem
 - Average process time: 1 day
- **WHAT YOU SHOULD KNOW:**
 - An item could NOT be subject to export controls, but might require an IMPORT PERMIT from Caltech or from the foreign entity.
- **WHAT CAN YOU DO?**
 - Check with the foreign entity to make sure they have all the necessary permits and regulatory documents to allow them to receive and clear the shipment with their local customs officials.
 - Provide us with sufficient information to make a review and to help customs clear your shipment without a review.
- **REVIEWER: Jennifer Wong x2558**

Examples of what works and what doesn't!



- **Example of an incomplete description:**
 - Item Name: Bad crystal
 - Manufacturer: Onyx Optics
 - Website: none
 - Tech specs: none

- **Example of complete description:**
 - Item: FC Input Biased Si Photodetector
 - Model #: DET02AFC/M
 - Reason for export: Item is being donated to another university for research purposes.
 - Manufacturer: Thorlabs
 - Website w/tech specs: www.anycompany.com

I-129s --Export Review Effective 2/1/2011



- # of I-129s reviewed since 2/1/2011: 46
- # of days in Export's review: average of 2 days

- **HOW CAN YOU HELP?**
 - Please answer all the questions – don't skip any
 - Provide complete and detailed answers for the questions
 - Incomplete forms and/or vague answers might delay the process!

- **Reviewer: Chris Catherasoo x3679**

Examples of what works and what doesn't!



- Q 2. Please describe the work and/or activities to be performed by the beneficiary:
- Example of an **inadequate** description:
 - ✦ The beneficiary will perform experiments, write scientific articles and attend weekly lab meetings.
- Example of good description:
 - ✦ The beneficiary will perform biological experiments to visualize and quantify the sub-cellular mechanisms using fluorescence microscopy, to determine the up-regulation of receptors by the stimulant.

2011 JPL IAs



- **JPL IAs reviewed: 38 and counting . . .**

- **JPL IAs that are export controlled: 5**
 - These are subject to safeguarding requirements and require a Technology Control Plan in place to prevent transfers to unauthorized Foreign Persons
 - Provost's Approval
 - Export implications for PI and researchers
 - Option: Don't bring third party export-controlled items, software or data to campus; access it at their site.

What's new?



- New on-line list of pre-cleared items for export.
- No export control review required.
- For “**Caltech Internal Use Only**”
- Personal Shipments are the responsibility of the Shipper not Caltech

- **WHERE CAN YOU FIND IT?**
 - Caltech website:
<https://researchadministration.caltech.edu/export/international>
 - Hardcopy at all shipping sites
 - Periodically updated

Int'l Shipments "No Review" -- PASS GO!



1	For Assistance: Caltech Export Compliance Office X 2641 or email: exportcompliance@caltech.edu				
2	International Shipments -- No Review (Revised 6-15-2011)				
	<p>Instructions: 1. Please find your item below; 2. Apply the associated federal ECCN number (Export Compliance Control Number); 3) Data should be annotated on your Proforma/Commercial Invoice - CI (Section III of the CI).</p> <p>EXCEPTIONS TO THIS LIST: Items designed, adapted or modified for the military or spaceflight applications require a State Department License. Do not ship if this exception applies to your shipment. Contact Caltech Export Compliance for help: 626-395-2641 or email: exportcompliance@caltech.edu.</p>				
3					
4	Personal shipments will not be reviewed by the Caltech Export Compliance Office.				
5	Category List				
6	<ul style="list-style-type: none"> • Biology Microorganisms & Organisms • Chemistry • Computers, Printers & Associated Equipment • Electronics & Electronic Components • Geology & Planetary Sciences • Lab Instruments & Equipment • Optical Equipment • Materials • Media • Miscellaneous • Printed Materials 				
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17	Name	Description	ECCN	No License Required	Other Government Agency Requirements May Apply Depending on Country of Destination
18	Biology Microorganisms & Organisms				
19	1 Agar	Agar (plain, without sample)	EAR99	NLR	Import Permit may be required. Check with the receiving party, government agency or Custom Broker for guidance.
20	2 Amino Acids	Amino Acids that are not pathogenic, viral or toxic	EAR99	NLR	Import Permit may be required. Check with the receiving party, government agency or Custom Broker for guidance.
21	3 Antibody		EAR99	NLR	Import Permit may be required. Check with the receiving party, government agency or Custom Broker for guidance.
22	4 Bacillus anthracis	See Bacteria - Human			
		Bacteria except for mycoplasma mycoides subspecies mycoides SC (small			Import Permit may be required. Check

https://researchadministration.caltech.edu/documents/450-intl_shipments_no_review_cat_06_16_201 - Windows Internet Explorer

https://researchadministration.caltech.edu/documents/450-intl_shipments_no_review_cat_06_16_2011.pdf

File Edit Go To Favorites Help X Convert Select

https://researchadministration.caltech.edu/document...

1 / 10 86.6% Collaborate Sign Find

No Review Required

For Assistance: Caltech Export Compliance Office X 2641 or email: exportcompliance@caltech.edu

International Shipments -- No Review (Revised 6-16-2011)

Instructions: 1. Please find your item below; 2. Apply the associated federal ECCN number (Export Compliance Control Number); 3) Data should be annotated on your Proforma/Commercial Invoice - CI (Section III of the CI).

EXCEPTIONS TO THIS LIST: Items designed, adapted or modified for the military or spaceflight applications require a State Department License. Do not ship if this exception applies to your shipment. Contact Caltech Export Compliance for help: 626-395-2641 or email: exportcompliance@caltech.edu.

Personal shipments will not be reviewed by the Caltech Export Compliance Office.

Category List

- 1 Biology Microorganisms & Organisms
- 2 Chemistry
- 3 Computers, Printers & Associated Equipment
- 4 Electronics & Electronic Components
- 5 Geology & Planetary Sciences
- 6 Lab Instruments & Equipment
- 7 Optical Equipment
- 8 Materials
- 9 Media
- 10 Miscellaneous
- 11 Personal Shipments
- 12 Printed Materials

Name	Description	ECCN	No License Required	Other Government Agency Requirements May Apply Depending on Country of Destination	
1. Biology Microorganisms & Organisms					
1	Agar	Agar (plain, without sample)	EAR99	NLR	Import Permit may be required. Check with the receiving party, government agency or Custom Broker for guidance.
2	Amino Acids	Amino Acids that are not pathogenic, viral or toxic	EAR99	NLR	Import Permit may be required. Check with the receiving party, government agency or Custom Broker for guidance.
3	Antibody		EAR99	NLR	Import Permit may be required. Check with the receiving party, government agency or Custom Broker for guidance.
4	Bacteria - Animal	Bacteria except for mycoplasma mycoides subspecies mycoides SC (small colony (a.k.a. contagious bovine pleuropneumonia); Mycoplasma capricolum subspecies caprineumoniae ("strain F38")	EAR99	NLR	Import Permit may be required. Check with the receiving party, government agency or Custom Broker for guidance.

For Caltech Use Only 1 of 10 Version: 2011/06/16

Unknown Zone

“No Review” Shipments: Recordkeeping



- **WHAT YOU NEED TO DO:**
 - You can add the designated ECCN on the proforma invoice in the column labeled ECCN in Section III and license determination: “NLR”
 - Conduct a Restricted Party Screening on the US Gov’t Consolidated Screening List at: http://www.export.gov/ecr/eg_main_023148.asp
 - Send us a copy of the signed proforma invoice with the ECCN for our files & to help track the shipment in case of a problem
- **WHEN SHOULD YOU CONTACT CEC?:**
 - If you get an RPS hit. Don’t ship the package if you think you have a potential “hit”!
 - We will help you verify the potential hit and clear it. 9-10 – not a hit.

What's ahead?



- **On-line training modules for Staff**
 - Overview
 - How to complete an I-129?
 - How to complete an Int'l Shipping Form?
- **On-line training for Faculty**
 - Overview
 - Sanctioned Countries
 - Travel Briefing
- **On-line Focused Training modules based on roles and responsibilities**
 - Shipping & Mailing
 - Procurement
 - OSR
 - OTT
 - Gifts

On-line Training Modules



Web Site Gallery

te Online: Content List

Page Safety

ARTICULATEONLINE

jennifer.wong@caltech.edu | Support | Log Out

Home Content Reports People Settings

CONTENT LIST

Tags

Showing all 15 content items

Sort by: Title | Date | Views

Content Item	View	Manage	Views
Campuswide - Exporter & Importer Responsibilities June 14, 2011			3 views
Campuswide - Int'l Shipments - How-to-Steps & Documentation June 14, 2011			17 views
Campuswide - JPL Interdivisional Authorizations June 14, 2011			6 views
Campuswide - Restricted Party Screening June 14, 2011			3 views
Campuswide - Sanctions & Embargo - IRAN June 14, 2011			1 views
Faculty_Researchers - Export Compliance Awareness (no audio) June 14, 2011			2 views
Faculty_Researchers - Export Compliance Awareness (with audio) June 14, 2011			29 views
Faculty_Researchers - Travel Briefing June 14, 2011			6 views
Int'l Scholar Services - Focused Export Compliance Awareness June 14, 2011			1 views

Internet 100%

Questions & Contacts



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International Shipments

Export Compliance Office

ExportCompliance@caltech.edu

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Website:

<http://researchadministration.caltech.edu/export>

Genomic Array Costs

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[Urmila's Presentation](#)

Genomic Array Costs

Presented By: Urmila Bajaj

Background

NIH Notice: NOT-OD-10-097, released May 13, 2010

- Separates highly specialized supplies from routine supplies
- Addresses application of cost principles and reimbursement policy for “high-throughput biomedical research” requiring purchasing of supply “Genomic Arrays”
- Microarrays or bead arrays have relatively high unit cost when procured from commercial sources and are often utilized in large numbers
- F&A recovered on high volumes of purchases of genomic arrays are often disproportionate to the actual administrative burden
- NIH based this policy on regulatory terminology cited in 2 CFR 220 - OMB Circular A-21
- <http://grants.nih.gov/grants/guide/notice-files/NOT-OD-10-097.html>

Changes in NIH proposal budgets

Proposal Budgets-Old Way

Genomic arrays considered as lab supplies



GA supplies included in the "supplies" category



F&A budgeted for all supplies

Proposal Budgets-New Way

Genomic arrays to be considered as exceptional lab supplies



GA supplies for first \$50K in the "supplies" category with full F&A



GA supplies over \$50K included in the consortium/contractual cost budget category with F&A on first \$25K



Changes in actual costs

Old Way

Purchase orders set up for the entire amount under M&S

F&A assessed based on the PTA burden schedule

New Way

When total purchases for GA exceed \$50K per year in any year of the project

Purchase Order for:

*first \$75K assesses F&A

*over \$75K exempt from F&A

Budgeting and reimbursement of GA costs at Caltech

New
*Expenditure
Category*

- Genom Array Costs

New
*Expenditure
Types*

- Geno Array-1st \$75K
- Geno Array-Over \$75K

DoD Cap on Indirect Cost Recovery

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DoD Cap on Indirect Cost Recovery

- FY2008 DoD appropriation included cap on recovery of F&A for basic research
- Applied to new and renewal awards, and continuations of those awards
- Capped at 35% TC (53.8% TDC)
- Included in FY2009 and FY2010
- **NOT** included in FY2011 appropriation – will not apply to new awards or continuations of ongoing awards issued in FY2011

Recovery Act – Where Are We And What's Next?

Recovery Act

- Enacted in February 2009
- Last awards issued September 2010
- Caltech received 106 awards totaling \$44.8M
- Requires quarterly reporting separate from technical and financial reports
- ARRA reporting is managed by OSR, including submission each quarter.

Recovery Act (cont.)

- Quarterly reports require input of PI:
 - Project Status (% completed)
 - Quarterly Activities Statement – originally NSF, now all sponsors require it.
- Report cannot be submitted without Quarterly Activities Statement

Recovery Act (cont.)

- Caltech must submit quarterly reports for each award until:
 - PI marks “completed” within CART; and
 - Final FSR is submitted (may occur 1 or more quarters after PI marks “complete”).
 - PI input not required after marking “complete”
- This quarter CART data must be entered by Sunday, June 26th – Oracle down June 27th
- Will send out multiple reminders this week, but only to PIs for whom data is missing

Fabrications and Proposals

Fabrications and Proposals

- Although not required, OSR recommends obtaining Property Services review of fabrications before inclusion in a proposal
- If PI disagrees with Property Services assessment, Property Services will forward to VP-Research for evaluation

Fabrications and Proposals

- In anticipation of resolution, PI can submit proposal, but OSR recommends *including* F&A – budget can always be revised downward later on.
- If PI does not include F&A and VP-Research does not approve, then PI will have to come up F&A from discretionary funds or request waiver from Provost

Questions?