

Responsible Global Engagement FAQs

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I. International Travel

I will be attending an international conference and they have an app for the conference. Is it ok to download it?

It depends on a consideration of the following factors:

- Who developed the app
- Which country is hosting the app
- What data you (the faculty member) have on your cell phone
- If the phone is a GT phone or a personal device,
- If you are working on projects involving Technology Control Plans (TCP)- export restrictions and CUI data.

Generally, Georgia Tech recommends faculty refrain from downloading unknown or “throw-away apps” such as the ones used for conferences, to avoid potential data harvesting by the app.

Also consider the use of the WIFI offered by the conference. Here are a couple of relevant articles that discuss these issues in more details:

- https://media.defense.gov/2021/Jul/29/2002815141/-1/-1/0/CSI_SECURING_WIRELESS_DEVICES_IN_PUBLIC.PDF
- <https://us-cert.cisa.gov/ncas/tips/st19-0030>

For cybersecurity questions, email: ask@security.gatech.edu .

For general questions, email the Governance, Risk, and Compliance (GRC) Team at compliance@security.gatech.edu.

I am invited to a conference to be held overseas by an international organization with something paid (registration, plane fare, etc). Should I report? To whom?

Yes. If the travel is related to Georgia Tech work or activity:

- 1) Report by entering information in the ServiceNow Disclosure System (<https://gatech.service-now.com/home/>).
- 2) Submit an International Travel Spend Authorization (Go to: <https://techworks.gatech.edu> . Click on “My Work” (gold button under the GT logo), and select the “My Workday” tile. Type “Create Spend Authorization” in the search field.)
- 3) If you have federally funded research, notify your Office of Sponsored Research (OSP) Contracting Officer.

Note: Pay attention to virtual conferences, which may be hosted by other entities.

I have been invited to present at an international conference in a country that is on the U.S Sanctions List. Can I do this?

It depends. Export controls and sanctions are foreign policy driven. You cannot attend a conference in a comprehensively sanctioned country/region without an Office of Foreign Assets Control (OFAC) export license in place. Please note that it is unlikely that such a license will be granted for Iran, Syria, Crimea or North Korea. However, there is still a General License in place for Cuba. Other OFAC sanctioned countries that are not comprehensively sanctioned are on case-by-case basis. Please email export.gatech.edu for more details.

My trainee or I are traveling internationally. Can we analyze data while we are away? Whom do I ask?

It depends. Complete and submit the International Travel Spend Authorization form (Go to: <https://techworks.gatech.edu>. Click on “My Work” (gold button under the GT logo), and select the “My Workday” tile. Type “Create Spend Authorization” in the search field.)

If you are working on sponsored research during your international travel, obtain prior approval from your Office of Sponsored Research (OSP) Contracting Officer.

If you are traveling with students, have the students register with the International Travel Registry (Go to <https://atlas.gatech.edu/>, select “International Travel Registry – IAP”).

For questions, email export@gatech.edu.

II. International Assignments, Hiring, and Hosting

What is an international assignment?

An international assignment is any instance in which an individual will be working outside the U.S. or collaborating with Georgia Tech from outside the U.S. Note: If you are taking a leave of absence to engage in an opportunity outside the U.S., but will maintain a connection with Georgia Tech, it is considered an international assignment.

If you or your Georgia Tech employee (postdoc, staff, GRA) or even a non-Georgia Tech employee “affiliate” (collaborator) need to work outside the U.S (including for a family emergency), make sure to (1) inform your department chair, and (2) work with your departmental HR representative to submit the International Assignment Assessment or contact Global HR by submitting a request through ServiceNow. (Go to <https://gatech.service-now.com/hr>; select “Human Resources”, and then “Online Request” (red box). In the “Short Description” field, type “International Assignment Assessment”. When describing the issue or question, make sure to include the individual’s GTID).

What is the process for international assignments?

https://gatech.service-now.com/home?id=kb_article_view&sysparm_article=KB0025373

How would I handle a student working abroad?

https://gatech.service-now.com/home/?id=kb_article_view&sysparm_article=KB0025956

I had a foreign national in my lab who graduated and is now abroad. We are revising papers based upon work generated in the U.S. Should I report? To Whom?

Yes, report it in the electronic Conflict of Interest (eCOI) website (<https://ecoi.research.gatech.edu/researcher/welcome>), and follow the process for international assignment (https://gatech.service-now.com/home?id=kb_article_view&sysparm_article=KB0025373).

What is a foreign component?

National Institutes of Health (NIH) definition: “A foreign component is the performance of a significant scientific element of the NIH-supported project outside of the United States. Once a recipient determines that a portion of the project will be conducted outside of the U.S., the recipient then will need to determine if the activities are considered significant. If both criteria are met, then there is a foreign component.”

Do all federal agencies have defined foreign components?

National Institutes of Health (NIH) uses this terminology but other agencies have similar requirements for understanding the involvement of foreign entities. National Science Foundation (NSF), for example, asks about International Cooperative Activities.

Does work being conducted in the United States ever count as a foreign component?

Response from National Institutes of Health (NIH): “Generally, no. The first step in determining if an element or segment of an NIH-funded project constitutes a foreign component is to evaluate whether the work is being conducted in a foreign country. If not, then it is considered other support and must be reported. In all cases, recipients are encouraged to discuss specifics, in advance, with your Grants Management Officer regarding proper classification of Other Support and Foreign Components.”

III. International Consulting, Research, and Collaborations

What are the specific concerns regarding “foreign influence” in an academic setting?

Foreign influence in an academic setting involves “knowing your customer,” so before engaging in a relationship with a foreign entity, consider the following:

- Who are your collaborators and their institution(s)?
- Who are your international vendors? And visiting scholars?
- What is the ultimate end use of the research?
- Who is ultimately to gain?
- Is this research that will be ordinarily published (fundamental research)?
- Are you (the GT Faculty/researcher) being paid by an outside entity?
- Is the entity(ies)/individual(s) on Restricted Party Screening (RPS) (denied lists)?

Foreign influence, particularly concerns related to export & trade compliance, involve U.S. foreign policy and national security concerns.

Foreign influence applies outside of sponsored research. It can involve hosting and hiring individuals, collaborations, international shipping/imports etc.

Federal Government & funding issues:

- These issues have received much attention in relation to National Institutes of Health (NIH) funding but they are relevant to all federal

sponsors including Department of Defense (DOD), National Science Foundation (NSF) and Department of Energy (DOE).

- The federal government is currently working on further guidance to all federal funding agencies.
- Until then, the best way for research institutions to stay compliant is to “know your customer”, follow Institute and agency disclosure requirements, and when in doubt, disclose to your federal sponsor through your OSP Contracting Officer.
- An important way NIH, NSF and other federal agencies are attempting to identify issues is through required disclosures, such as “Current and Pending Support and Other Support.” Their stated goals are to avoid Conflict of Interest and Conflict of Commitment and to ensure Transparency. At the same time, they are using this information to ensure they are not surprised to find out after the fact that one of their funded researchers was doing something with a questionable entity (for example on the excluded entities list).

Note: The best way for research institutions to stay compliant is to follow Institute and agency disclosure requirements, and when in doubt, disclose to your federal sponsors through your Office of Sponsored Research (OSP) Contracting Officer.

I have many international collaborators, how do I know if I should report a collaboration?

First, it is important to identify the type of collaboration:

- Is the collaboration with an individual or an entity?
- Is it an industry or academic collaboration?

If it is federally-funded research, report the collaboration to your Office of Sponsored Research (OSP) Contracting Officer, even if it is a summer collaboration for a 9-month academic year faculty member.

Note: International collaborations can also include staff, postdocs, GRAs, employees, and affiliates working outside the United States on international assignment.

I am investing in an international start-up. What steps do I need to take to ensure I am in compliance at Georgia Tech?

Disclose the investment and your role in the start-up on the ServiceNow Disclosure System (<https://gatech.service-now.com/home/>). The COI review compares your sponsored research project topics with the subject matter of the

international start-up, to see if they are related. For example, if your research is in Artificial Intelligence (AI) and the start-up works in AI, there might be a conflict of interest. The review will also look at whether your financial interest in the start-up might influence your research objectivity. Restricted Party Screening will be done to make sure the start-up is not on the Denied Entity List or another restricted list.

I am representing my department in a collaboration with x university to develop international programming for GT students. Who should review my agreement drafts?

Contact the Office of International Education at info@oie.gatech.edu.

Under what circumstances must I report to my sponsor my external consulting activity, and when?

It depends on the sponsor's requirements and the nature of the consulting. Please contact your Office of Sponsored Research (OSP) Contracting Officer for more information.

For example: NIH current FAQ's state: "Consulting activities that involve research and fall outside of an individual's appointment, separate from institution's agreement, must be disclosed as Other Support."

Can an affiliate collaborate with GT outside of the United States? If so, how?

https://gatech.service-now.com/home?id=kb_article_view&sysparm_article=KB0027466

What is the difference between conflict of interest and conflict of commitment?

Conflict of Interest:

- It reasonably appears that a significant financial interest could affect the design, conduct, or reporting of activities funded or proposed for funding by a sponsor; or
- The personal interest of an Employee or his or her Family may prevent or appear to prevent the Employee from making an unbiased decision with respect to the Employee's employment with the Institute.
- For example: I have an investment in a company that does AI research and my research is also in AI.

Conflict of Commitment:

- It occurs when an employee undertakes external commitments which burden or interfere with the employee's primary obligations to the Institute.
- Conflicts of Commitment may arise out of consulting arrangements or with an entrepreneurial interest when a faculty member is involved in a startup company.
- Whose interests are protected when a researcher works at GT 40 hours a week but is also supposed to consult for a company 30 hours a week?
- In this case, the employee's commitment of time and effort are inconsistent with the employee's commitment to the institution and its interests. Conflict of Commitment may also be related to scientific and/or funding overlap.

I have an affiliation at an international institution. Do I need to disclose?

Yes.

- 1) Contact your Office of Sponsored Research (OSP) Contracting Officer if you have federally funded research. The Contracting Officer will let you know if you need to report the international affiliation to your federal sponsor.
- 2) Disclose via the ServiceNow Disclosure System (<https://gatech.service-now.com/home/>). The COI team will review for any disclosure requirements and make sure there is no Conflict of Commitment.
- 3) Review Policy 5.6.5 Consulting (<https://policylibrary.gatech.edu/faculty-handbook/5.6.5-consulting>).

What if I author a publication that acknowledges federal (e.g., NIH, NSF, DOD, etc.) support for the work, and the publication has a foreign co-author and/or acknowledges support from a foreign entity? Is that an international collaboration I should disclose?

Both a co-author outside of Georgia Tech and support from another entity are indications that there may be research support or financial interests that should be disclosed.

Note: Federal investigations into lack of disclosure have included reviewing publications for "[f]unding sources that were not disclosed to the funding agency; undisclosed affiliations with institutions other than the awardee; and co-authors affiliated with/funded by non-U.S. institutions." (Council on Governmental Relations, Federal Focus on Inappropriate Foreign Influence on Research:

Practical Considerations in Developing an Institutional Response, August 18, 2021).

I am a 9 month academic year faculty member. Do I need to disclose activities I engage in during the summer months outside of that appointment?

Yes, you need disclose it via the ServiceNow Disclosure System (<https://gatech.service-now.com/home/>). Also, if the activities relate to your research and you have federal funding, you will need to discuss them with your Contracting Officer.

IV. Export Control

What do the export control regulations restrict and how do I know when they apply?

Export controls and trade regulations are foreign policy driven. Examples of areas with export control regulations: National Security, Crime Control, Missile Technology, Chemical and Biological Weapons, and items on the U.S. Munitions List.

Export controls restrict the transfer (including showing someone or giving someone) of U.S. information, technology, and software to a foreign person both in the U.S. (this is called a “deemed export”) and in a foreign country, that is NOT in the public domain and will NOT be ordinarily published as part of fundamental research (due to restrictions on publication or access restrictions to foreign persons).

Information, technology, and software are excluded from U.S. export control regulations if it is:

- In the public domain,
- Developed under fundamental research (no restrictions on dissemination-publication or foreign national restrictions), and/or
- Educational course materials published in course catalogues.

All physical exports require an export review. Please contact export@gatech.edu.

Note: Spring 2022, Georgia Tech is implementing a platform that will centralize all shipping (including international and imports) and will flag export, trade and Environmental Health & Safety (EH&S) compliance. Be on the lookout to leverage this platform.

Procurement of items from U.S. vendors imported from outside the U.S. and those from international vendors/manufacturers require a trade compliance review.

Foreign sponsored research is reviewed for export when Office of Sponsored Research (OSP) Contracting Officer requests an export review in e-Routing.

Export review and trade compliance issues on campus can arise in:

- Sponsored research
- International sponsor/collaborator/travel
- International Traffic in Arms Regulations (ITAR) controlled/U.S. Citizen only/Publication Restrictions which require a Technology Control Plan (TCP)
- Hiring & hosting foreign nationals & international assignments
- International collaborations
- International shipping & procurement of goods from international vendor (import)
- Sharing proprietary information with international person/entity ((Non-Disclosure Agreements, MTA (Exchange Agreements), intellectual property (Office of Technology Licensing))

Email export@gatech.edu with specific questions and for an export review. Export reviews are fact specific. Please allow at least 30 days for all export reviews.

What is "Visual Compliance" and who do you contact for support with that?

Visual Compliance is a screening tool Georgia Tech uses to determine if international persons and institutions are on restricted lists. Restricted party lists (also called denied party lists) are lists of organizations, companies or individuals that various U.S. agencies—and other foreign governments—have identified as parties that one can't do business with.

Please email export@gatech.edu.

How do I transfer equipment out of the United States?

Shipping equipment outside the U.S. is considered an export.

Go to <https://ethicsfirst.gatech.edu/exportandtrade/forms>, scroll down and complete the international shipping export certification and return it to export@gatech.edu.

If you have any questions, please email export@gatech.edu.

Note: Spring 2022, Georgia Tech is implementing a platform that will centralize all shipping (including international and imports) and will flag export, trade and Environmental Health & Safety (EH&S) compliance. Be on the lookout to leverage this platform.

Are there restrictions on what I take with me when I travel internationally/on international assignment/Partial Paid leave of absence?

It depends. For example, you cannot take items on the International Traffic in Arms Regulations (ITAR)/US Munitions list outside of the U.S. (without an authorization). Before you take proprietary or export controlled information, software, technology that is not published in the public domain or any type of equipment outside the U.S., email export@gatech.edu for an export review to classify the item for export and determine if an export license is required to the international destination.

Electronic Export Information (EEI) filing:

- If you are taking a Georgia Tech laptop or other equipment outside the U.S. for more than one year, an EEI filing with the U.S. Census Bureau is required if the value is over \$2,500.00 and/or if an export license is required.
- Failure to timely file the EEI prior to export can lead to penalties up to \$10,000.00 and can also alert U.S. Customs and Border Protection (CBP) to review our exports and imports (CBP is the 2nd highest revenue producing U.S. federal agency next to the IRS).
- Please email export@gatech.edu with the make and model (Manufacturer) of the laptop/equipment and the value.

If you are taking equipment including a laptop outside the U.S for Georgia Tech-related activity (e.g., a meeting), please indicate this on your International Travel Spend Authorization form (Go to: <https://techworks.gatech.edu>, click on “My Work” (gold button under the GT logo), and select the “My Workday” tile. Type “Create Spend Authorization” in the search field.) Note: The best option is to take a clean laptop; contact your OIT CSR for a clean laptop.

Resources:

<https://security.gatech.edu/traveltips>

(Go to <https://ethicsfirst.gatech.edu/exportandtrade> and select “International Travel & Collaborations”.)

Beware that there are restrictions on where you can travel and what you can do in some countries. (Office of Foreign Assets Control (OFAC) comprehensively sanctioned countries: Cuba, Iran, North Korea, Syria, & Crimea Region). It is best to contact your contracting officer in OSP to see if there are restrictions working on projects outside the U.S.

International assignment export reviews are automatic when you contact Global HR by submitting a request through ServiceNow and inform your chair. (Go to <https://gatech.service-now.com/hr>; select "Human Resources", and then "Online Request" (red box). In the "Short Description" field, type "International Assignment Assessment". When describing the issue or question, make sure to include the individual's GTID).

Travel for Georgia Tech, see [Faculty Guide to Managing Foreign Influence](#) and submit international travel spend authorization.

International assignment, see [Faculty Guide to Managing Foreign Influence](#) for how to request an international assignment.
<https://generalcounsel.gatech.edu/foreign-influence>

What steps do I take if one of my collaborators is listed on the U.S. Department of Commerce Entity List?

Contact export@gatech.edu and sheila.cranman@legal.gatech.edu. See Guidelines for Permissible activities with Tianjin University:
<https://generalcounsel.gatech.edu/foreign-influence>

I am sending samples to an international collaborator for analysis. Should I report? To whom?

Sending samples outside the U.S. is an export. Here are the steps to take:

- Please complete the international shipping export certification and email it to export@gatech.edu. The OGC's export & trade compliance team will:
 - Check Restricted Party Screening to make sure the international collaborator and entity are not on the denied lists.
 - Classify the sample for export and determine if an export license or license exception is required; and
 - If any other export issues are involved.
 - Is a Material Transfer Agreement (MTA) required? To determine, please see the 5 MTA questions here: <https://mta.gatech.edu/>
 - Does Environment Health & Safety (EH&S) need to send the shipment?

- Find out at: <https://www.ehs.gatech.edu/home> or by emailing shipping@ehs.gatech.edu

V. Sponsored Awards, Gifts, and International Funding

I received an honorary membership at an international academy. Do I have to disclose it?

Yes, the honorary membership needs to be disclosed via the ServiceNow Disclosure System (<https://gatech.service-now.com/home/>) to manage potential research security concerns. Foreign influence and export controls are driven by U.S. national security concerns and foreign policy, so it is not only important to find out if the recipient is going to be paid, but also, to know the name and location of the international academy of science, and whether it is on the restricted party screening denied list.

I am reviewing grants for another country with something funded (plane fare, honorarium, etc). Should I report? To whom?

Whether the foreign entity funds the faculty or not, it is important to disclose the activity. If you (a faculty member) have federally-funded research, you must contact your Office of Sponsored Research (OSP) Contracting Officer and enter information in the electronic Conflict of Interest (eCOI) website (<https://ecoi.research.gatech.edu/researcher/welcome>). This also applies to faculty who will receive funds (including plane fare, honorarium, etc.) to be on the thesis committee of an international student.

I have an affiliation (paid or unpaid) with an international institution. How should I disclose it?

- 1) Disclose the affiliation via the ServiceNow Disclosure System (<https://gatech.service-now.com/home/>), and inform your contracting officer. The COI Team will:
 - a. Review for federally funded sponsored research projects to see if the subject matter is the same as the outside activity;
 - b. Check the employee's time commitment to Georgia Tech and to the international institute to make sure there is no Conflict of Commitment. Review Policy 5.6.5 Consulting (<https://policylibrary.gatech.edu/faculty-handbook/5.6.5-consulting>).
- 2) Disclose the affiliation to your Office of Sponsored Research (OSP) Contracting Officer (CO).
 - a. The CO may need to report the affiliation to any federal sponsor(s) you have.

- b. The CO will determine if the affiliation should be reported to the sponsor.

I received a sponsored award from an international collaborator. What is the reporting process to ensure I am in compliance?

A sponsored award from an international sponsor should be accepted through Industry Contracting. It should be included as part of your current and pending support in your proposals for federal funding. If it was not included, work with your Contracting Officer to determine if it should be included in your next federal progress reports or reported to your federal sponsors another way.

What is the difference between a gift and a sponsored award and how they are reported? Is there a differentiation between intended recipients: Principal Investigator/Program/Institution? Gifts to Georgia Tech or to a faculty member individually?

As indicated in GT's policy library, contributions to GT must be distinguished from private support, which creates a contractual obligation on the part of the Institute. This is also true for international contributions. Generally, funds received for the benefit of the Institute may be classified as "Gifts," "Grants and Sponsored Agreements," or "Contracts."

Gifts do not create any contractual obligations on the part of the Institute. A gift specifically for the support of your research program should be disclosed as current or other support to current and potential federal sponsors. A gift of a more general nature, such as to support the college, typically will not need to be reported but, work with your Contracting Officer to ensure all required disclosures are made. Additionally, always report through OSP if you have federal funds.

Gifts represent contributions made for which the provider receives no direct benefit and requires nothing in exchange beyond a general assurance that the intent of the contribution be honored. Contributions which are considered "Gifts" should be made to Georgia Tech Foundation, Inc. and accepted and processed.

Grants and Sponsored Agreements represent awards that have a defined activity to be undertaken with the support provided, with an outcome that either directly benefits the provider or a public purpose.

Please review GT's [policy library](#) resources about gifts and sponsored awards to review examples of each and to determine if the GT Foundation or your OSP Contracting Officer should be involved and the appropriate disclosures associated with each.

Faculty cannot personally accept funds on behalf of a project or program on behalf of Georgia Tech.

For gifts from a foreign entity:

The Georgia Tech Foundation ensures Visual Compliance Restricted Party Screening is completed to confirm the international entity is not on any restricted list & Georgia Tech can accept the gift.

If you have federally funding, always report the gift to your Office of Sponsored Programs (OSP) Contracting Officer.

VI. Government Relations

What is the federal government doing to address concerns about foreign talent recruitment programs? Following the administration change in Washington, are the risks different? What has changed that we need to know about?

Some federal funding agency programs will not provide funding to support Principal Investigators (PIs) and other personnel engaged in foreign talent recruitment programs. More broadly, several federal funding agencies require reporting of foreign affiliations and most are expected to more specifically require disclosure of any type of affiliation or support, in an effort to identify potential conflicts of interest and commitment. The change in administration has not reduced the federal government's focus on international "talent programs" and the potential for improper influence on research. The risks have not changed. There is continued emphasis on Conflicts of Interest and Commitment.

VII. Hosting International Visitors

What are the processes for hosting & hiring international scholars, visitors and employees?

First, work with your School's HR Partner to submit the request in iStart to Global HR/OIE ASAP (ideally 6 months in advance) and no later than 45 days in advance of the start date (this process is the Hiring & Hosting Eligibility Determination and only applies to people that will be in the U.S.). Then, discuss the various visa types, emphasizing that J1 is the largest population.

As a faculty hosting a foreign visitor, what do I need to know about J1 visa host responsibilities?

Hiring or hosting foreign nationals requires the institute to comply with federal regulations specific to the foreign national's immigration status in the U.S. Also, when hosting a J-1 Exchange Visitor as part of the BridgeUSA program, faculty host supervisors should be familiar with the following BridgeUSA program requirements: <https://isss.oie.gatech.edu/isss/host-department-responsibilities>

I have a visiting scholar in my lab, working on U.S. funded research. They are paid by their home institution, which is located in another country. They are not key personnel in my grants. Should I report? To whom? What if they are paid by an international fellowship?

Proceed through the normal process and report all of these scenarios to your Office of Sponsored Programs (OSP) contracting officer(s) for your federally funded sponsored research projects.

How can I learn more about faculty hosting responsibilities for the J-1 Visitor Program?

Go to <https://isss.oie.gatech.edu/isss/hiring-international-students-scholars-or-student-interns> and scroll down the section on the "J Exchange Visitor Program Overview"

I plan to host a webinar/web conference on my research to be shared internationally. What do I need to know?

- Make sure you only share/discuss information that is already published in the public domain.
- If you have questions, please contact export@gatech.edu.