



Michael V. Drake, MD
President

August 28, 2023

Office of the President
1111 Franklin St.
Oakland, CA 94607

CHANCELLORS
LAWRENCE BERKELEY NATIONAL LABORATORY DIRECTOR

universityofcalifornia.edu

Dear Colleagues:

CAMPUSES

- Berkeley
- Davis
- Irvine
- UCLA
- Merced
- Riverside
- San Diego
- San Francisco
- Santa Barbara
- Santa Cruz

In an era defined by rapid technological advancements and an increasingly interconnected world, the landscape of research security has undergone a profound transformation and continues to evolve. The federal government has prioritized protecting the U.S. research enterprise, issuing new legislation, policies, and regulationsⁱ.

Over the last several years, we have met these challenges by designing robust research security practices that aim to educate our employees, staff, and faculty on the risks as well as identifying areas for UC's continual improvement in these important areas. We have routinely performed assessments, audits, and other compliance efforts to continuously improve our practices. We have also worked closely with our federal partners to share best practices related to research security to our colleagues at other institutions across the country.

MEDICAL CENTERS

- Davis
- Irvine
- UCLA
- San Diego
- San Francisco

With changing security policies and concerns, the University must continue to be proactive to protect our intellectual property, strengthen our collaborations, and preserve the reputation of our research enterprise. To address these concerns, I am introducing a comprehensive framework that focuses on three core requirements for any UC international affiliations and agreementsⁱⁱ involving emerging technologyⁱⁱⁱ and countries of concern^{iv}.

NATIONAL LABORATORIES

- Lawrence Berkeley
- Lawrence Livermore
- Los Alamos

This new framework draws inspiration from successful initiatives and collaborations within the UC system. In the spirit of continuous improvement, I believe that these measures will enhance the integrity of our research efforts while ensuring our contributions remain uncompromised by external threats. I am requiring the following actions to immediately occur:

DIVISION OF AGRICULTURE AND
NATURAL RESOURCES

- 1. Enhanced Review and Approval Process:** All affiliations and agreements with international affiliations and engagements related to emerging technology and involving countries of concern will be thoroughly vetted by the campuses, then directed to my office. This process will apply to new proposals involving international affiliations and agreements concerning emerging technology and countries of concern. Each Chancellor and the Lawrence Berkeley National Laboratory (LBNL) Director shall submit these proposals to the President's Executive Office (PEO), which will be subjected to a thorough review by UC Legal, the Office of Ethics, Compliance, and Audit Services (ECAS), and the Research Policy Analysis and Coordination (RPAC). The cumulative recommendations of these groups will be presented to me for evaluation and endorsement, establishing a mandatory step for the advancement and approval of these collaborations.

2. **Inventory of International Collaborations:** Each Chancellor and the LBNL Director shall furnish ECAS with a comprehensive inventory detailing all active or currently pending international affiliations and agreements involving foreign countries of concern. This inventory should describe campus's involvement in these affiliations and include an evaluation of associated risks and strategies for how those risks were mitigated. ECAS will collaborate with UC Legal and RPAC to review the submissions and subsequently provide me with a risk assessment of these affiliations.

ECAS will provide more comprehensive guidance to your campuses regarding these inventories, along with the associated deadlines for their production.

3. **Routine Compliance Reporting:** Each Chancellor and the LBNL Director will ensure that Export Control Officers (ECOs) will routinely brief their respective campus' Chief Ethics and Compliance Officers (CECOs) on all active or proposed international affiliations involving emerging technology. This consistent dialogue will establish a mechanism through which ECOs and CECOs can openly share their observations, concerns, and insights regarding international engagements involving emerging technologies and sensitive research areas, leading to a more seamless and coordinated approach to addressing research security and export control on campuses.

I appreciate your prompt attention to these matters. I have directed Senior Vice President and Chief Compliance and Audit Officer, Alexander Bustamante to oversee the implementation of the above measures. If you have questions regarding these directives, please contact him directly (Alexander.Bustamante@ucop.edu).

Sincerely,



Michael V. Drake, MD
President

cc: Division Leaders
Vice President Maldonado
Managing Counsel Sze
Chief of Staff Levintov

ⁱ See National Security Presidential Memorandum 33 (NSPM-33), the CHIPS and Science Act of 2022, National Defense Authorization Acts of 2019/2021 (NDAAs), and updates to export control regulations.

ⁱⁱ Engagements, affiliations, and agreements including but not limited to sponsored research agreements, proposals, gifts, international agreements, degree granting programs, and memoranda of understanding.

ⁱⁱⁱ Emerging technologies as listed by the Department of Commerce, Bureau of Industry and Security in [83 FR 58201](#), including but not limited to Artificial Intelligence (AI) and Machine Learning, Quantum Information/Sensing, Semiconductor and Microelectronics, Biotechnology, and other areas that can be identified by your Export Control Officer (ECO) based on evolving federal government classification of emerging technology important to national security.

^{iv} “Countries of concern” include Qatar, Saudi Arabia, United Arab Emirates, the People's Republic of China (including Hong Kong and Macau), the Democratic People's Republic of Korea (North Korea), the Russian Federation, and the Islamic Republic of Iran. See e.g., Section 19221 of the [CHIPS and Science Act of 2022](#) [42 U.S. Code § 19221]; [Section 117 of the U.S Higher Education Act of 1965](#); and <https://www2.ed.gov/policy/highered/leg/institutional-compliance-section-117.pdf>