Research Security

Office of the Vice President for Research

November 2021

The University of Texas at Austin
Office of Internal Audits
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OFFICE OF INTERNAL AUDITS

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November 23, 2021

President Jay C. Hartzell
The University of Texas at Austin
Office of the President
P.O. Box T
Austin, Texas 78713

Dear President Hartzell,

We have completed our audit of Research Security as part of our Fiscal Year 2021 Audit Plan. The objective of the audit was to determine whether internal controls over international visiting scholar appointments and separations are operating effectively and ensure compliance with federal and University requirements. The report is attached for your review.

Overall, The University of Texas at Austin complies with federal requirements surrounding international visiting scholars. However, there are opportunities to enhance controls to ensure compliance with university requirements and mitigate research security risks.

Please let me know if you have questions or comments regarding this audit.

Sincerely,

Sandy Jansen, CIA, CCSA, CRMA
Chief Audit Executive

cc: Mr. Cameron Beasley, Chief Information Security Officer
Dr. Sonia Feigenbaum, Sr. Vice Provost for Global Engagement and Chief International Officer
Ms. Monica Horvat, Director of Administration for the President
Dr. Daniel Jaffe, Vice President for Research
Ms. Margaret Y. Luévano, Director of International Student and Scholar Services, Texas Global
Dr. Catherine Stacy, Chief of Staff, Office of the Executive VP & Provost
Dr. Michelle Stickler, Associate Vice President for Research Support and Compliance
Dr. Sharon L. Wood, Executive Vice President and Provost

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Executive Summary

Research Security
Office of the Vice President for Research
Project Number: 21.011

Audit Objective
The objective of this audit was to determine whether internal controls over international visiting scholar appointments and separations are operating effectively and ensure compliance with federal and University requirements.

Conclusion
Overall, The University of Texas at Austin complies with federal requirements surrounding international visiting scholars. However, there are opportunities to enhance controls to ensure compliance with university requirements and mitigate research security risks.

Audit Observations[1]

Recommendation	Risk Level	Estimated Implementation Date
Visiting Scholar Data	High	March 2022
Visiting Scholar Appointment Minimum Standards	High	March 2022

Engagement Team
Mr. Myles Johnson, Internal Auditor I
Mr. Patrick McKinney, CIA, Assistant Director
Ms. Kiersten Mercado, Internal Auditor III

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[1] Each observation has been ranked according to The University of Texas System Administration (UT System) Audit Risk Ranking guidelines. Please see the last page of the report for ranking definitions.

Audit Results

Overall, The University of Texas at Austin (UT Austin) complies with federal requirements surrounding international visiting scholars. However, there are opportunities to enhance controls to ensure compliance with University requirements and mitigate research security risks.

Because UT Austin does not have a central approval process for visiting scholar appointments, inconsistent scholar titles are used and incomplete data is maintained, including background check documentation. Additionally, manual processes and limited internal controls do not ensure visiting scholars' physical and network access is terminated when their appointment ends.

Observation #1 Visiting Scholar Data

UT Austin does not have complete and reliable records of international visiting scholars on campus. Departments are responsible for entering scholar personal and appointment information into Workday, but citizenship and country of origin is not tracked in the system. Texas Global manages and monitors international visitors' immigration information through the myIO[2] system. These systems are not integrated, and their respective owners and users do not have an option to create a single listing of international visitors.

Texas Global processes foreign national visitors' J-1 visas when UT Austin sponsors the visa. However, Texas Global may not be notified of campus visitors who were sponsored by another entity or university, or entered the country with a different visa status, prior to arriving on campus. Lack of notification can prevent Texas Global from communicating with these visitors and confirming they have the appropriate immigration status. As an example, a visiting scholar, who entered the country on a B-2 visa[3], was performing research at UT Austin. Because B-2 visas are not sponsored by UT Austin, Texas Global was not notified that this scholar was on campus and had no related records. In addition, the sponsoring department was unaware that a different visa was necessary to conduct research.

UT Austin does not consistently use visiting scholar/researcher titles. Departments use different research affiliate titles (e.g., visiting scholar, research fellow) interchangeably and/or may not be aware of documentation and qualification requirements for each affiliate type. Accurate titles are necessary to help adhere to allowable appointment lengths and restrict principal investigator (PI) status. Inaccurate visas and inconsistencies in job profile assignments can further impact the reliability of visiting scholar data and the University's ability to comply with background checks and export control requirements.

Recommendation: The Office of the Vice President for Research (OVPR) should work with Texas Global to develop a process to identify all international visiting scholars meeting

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[2] myIO is a portal for departments and individuals to manage immigration-related data and documents.
[3] The US Department of State provides B-2 visa for pleasure, tourism, or medical treatment. This visa is not an appropriate visa for a visiting researcher.

established criteria (e.g., length of visitation, visitation purpose), no matter the entity sponsoring the visa.

Management's Corrective Action Plan: The Office of Research Support and Compliance (ORSC) will implement a central approval process for all non-employee Research Affiliate positions, both foreign and domestic. The approval request form will include:

- Purpose of the visit
- Length of appointment (2-year maximum with opportunity for renewal)
- Requirement to document Texas Global approval for any non-US citizens
- Justification for the Research Affiliate position type

Updated process requirements will be documented in HOP 7-1020, on the OVPR website, and in askUS. The OVPR will also send email notification of the updates to PIs, Department Chairs, and Deans.

Responsible Person: Associate Vice President for Research & Director, Office of Research Support and Compliance

Planned Implementation Date: March 1, 2022

Observation #2 Visiting Scholar Appointment Minimum Standards

Departments utilize varied processes to manage and oversee visiting scholar positions. While this practice may be appropriate given differing departmental needs and risks, UT Austin has not established minimum standards to ensure consistent onboarding and offboarding of visitors and retention of required documentation. For example, departments do not consistently retain Visual Compliance[4] or background check results. As a result, UT Austin is not able to demonstrate that background checks and Visual Compliance requirements were performed[5]. These checks are key controls for vetting visitors and mitigating the risk of UT Austin conducting business with restricted parties.

Additionally, departments do not have formalized and consistent procedures to terminate visiting scholars' network and building access permissions when their appointments end. Network access is deleted when an employee's online account (EID) is deactivated, and building access is managed through the return of keys, changing door codes, and disabling electronic access, where applicable. However, departments do not always process terminations timely in Workday. For example, a review of visiting scholar separations showed EIDs were cancelled approximately two weeks after the scholars' appointment ending dates[6]. Additionally, one visiting scholar continued to access a laboratory for two weeks after his appointment ended. The sponsoring PI was unsure of the specific reason the visitor continued to use the lab. This access occurred during the winter break, increasing the likelihood the visiting scholar was unaccompanied. Per Provost

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[4] Visual Compliance is a web-based restricted party screening tool.
[5] Departments were unable to provide Visual Compliance results and/or background check confirmations for 10 of the 26 visiting scholars tested (36 percent).
[6] In a review of 16 visiting scholars, the average time from separation to EID termination was 15 days, ranging from one day to 36 days.

guidelines, visitors are not permitted to work in a laboratory alone and should always be provided appropriate supervision.

Visiting scholars who maintain active network or building access permissions after their program has ended present a risk to research security, as they can continue accessing secure or protected data or may enter UT Austin laboratories unaccompanied.

Recommendation: The OVPR should establish minimum standards for visiting scholar onboarding and offboarding procedures and should consider a centralized monitoring or approval process to ensure standards are met. This process should consider reasonable time periods for visitors to retain physical and network access after their appointments have ended to help ensure completed research and manageable transitions for researchers.

Management's Corrective Action Plan: The ORSC will implement a central approval process for all non-employee Research Affiliate positions. The approval process will include a requirement to document Visual Compliance verification, and the OVPR will verify submission.

The updated process will include enhanced instructions for onboarding and offboarding non-employee Research Affiliates, including reference to terminating physical and digital access at appointment expiration.

ORSC, in collaboration with the Information Security Officer, will periodically monitor access privileges of departed non-employee Research Affiliate positions. Outreach will occur with the relevant department if monitoring determines privileges were not terminated timely.

Responsible Person: Associate Vice President for Research & Director, Office of Research Support and Compliance

Planned Implementation Date: March 1, 2022

Additional Risk Considerations

Electronic Laboratory Access
Many UT Austin research laboratories do not require electronic badge access. Instead, individuals enter the labs using a key code or physical key. Electronic access technology would provide the ability to restrict lab access to authorized individuals during permitted times. Given the financial cost of this technology, management could consider a risk-based approach to implement electronic access for certain labs with high-risk protected data or restricted research.

Conflict of Interest
The visiting scholar role is an unpaid appointment. Thus, financial interest disclosures or conflict of interest disclosures are not required. Lack of disclosures can create additional risks if UT Austin is unable to determine whether an international visiting scholar is associated with, or funded by, a restricted entity. The Office of Research Support and Compliance has proposed a plan to require financial interest disclosures for visiting scholars. Per the proposed policy,

"regardless of the duration of the visit, all visiting scholars who will be responsible for University research during the visit must submit a financial interest disclosure for review by the Conflict of Interest program." We encourage implementation of this policy.

Background

To encourage collaboration and enhance research outcomes, UT Austin provides international scholars an opportunity to perform research on campus and work with University faculty. While this collaboration helps to advance research, it may also expose the University to foreign influence security risks if robust controls and processes are not in place.

Scope, Objectives, and Methodology

This audit was conducted in conformance with The Institute of Internal Auditors' *International Standards for the Professional Practice of Internal Auditing*. Additionally, we conducted the audit in accordance with Generally Accepted Government Auditing Standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions on our audit objectives.

The scope of this review included international visiting scholars entering or departing from UT Austin between September 1, 2019 – May 31, 2021, as well as current processes. The audit objective was to determine whether internal controls over international visiting scholar appointments and separations are operating effectively and ensure compliance with federal and University requirements.

The following procedures were conducted:

- Met with a judgmental selection of departments that host visiting researchers to identify current processes and internal controls over international visiting scholar appointments and separations
- Obtained a population of international visiting scholars
- Tested a sample of visiting scholars for compliance with University and federal immigration requirements
- Tested a sample of visiting scholars for unusual building and system access activity, and for building and system access termination

Observation Risk Ranking

Audit observations are ranked according to the following definitions, consistent with UT System Audit Office guidance.

Risk Level	Definition
Priority	If not addressed immediately, has a high probability to directly impact achievement of a strategic or important operational objective of The University of Texas at Austin (UT Austin) or the UT System as a whole.
High	Considered to have a medium to high probability of adverse effects to UT Austin either as a whole or to a significant college/school/unit level.
Medium	Considered to have a low to medium probability of adverse effects to UT Austin either as a whole or to a college/school/unit level.
Low	Considered to have minimal probability of adverse effects to UT Austin either as a whole or to a college/school/unit level.

In accordance with directives from UT System Board of Regents, Internal Audits will perform follow-up procedures to confirm that audit recommendations have been implemented.

Report Distribution

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      Mr. James Davis, Vice President for Legal Affairs
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