# Contracts and Intellectual Property

<table>
<thead>
<tr>
<th>Name</th>
<th>Institution</th>
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<tbody>
<tr>
<td>Patrick Schlesinger</td>
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<td>Alexandra Albinak</td>
<td>Johns Hopkins University</td>
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<td>Cindy Kiel</td>
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<td>Michael Moore</td>
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<td>Dan Nordquist</td>
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<td>Elizabeth Peloso</td>
<td>University of Pennsylvania</td>
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<td>Jennifer Ponting</td>
<td>Harvard University</td>
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<td>Fred Reinhart</td>
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<td>John Ritter</td>
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<td>Robert Hardy</td>
<td>Director, COGR</td>
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Foreign Influences – Legislative Developments

- Stand alone legislation unlikely to pass

- NDAA FY20
  - Look for sleeper provisions
  - Congress looking for more progress on last year’s bill
  - 3 areas under consideration
    - Requiring more information, more disclosure
    - Action against “bad actors”
    - Methods to increase R&D, more funding

- Securing American Science and Technology Act
  - OSTP interagency group
  - National Academies roundtables
  - Endorsed by the associations
Foreign Influences – Agency Developments

- NIH Investigations
  - 66 open investigations; 16 referrals to OIG
  - High profile cases –
    - MD Anderson, Emory
  - Questions re: searches
  - 2nd phase
    - Going beyond English-language web searches, institutional forms, and PI interview
    - Chinese language searches
    - Email and calendar searchers
    - Talent recruitment program – NIH will want to see contract
      - Commitments re: IP, postdocs/grad students, funding, publishing
    - Cooperation from Chinese partners limited by government/party
Foreign Influences – Agency Developments

- **DOD**
  - Current and pending support
  - Restrictions on use of 6.2 funds for fundamental research
  - NSDD-189

- **DOE**
  - S&T Risk Matrix

- **BIS**
  - Emerging Technologies – ANPRM
    - Categories of technologies – not controls yet but could be useful checklist
Practical Next Steps

- Academic espionage?
- Taking steps against actions that are not illegal?
- Implementation of AAU/APLU Effective Practices
- Practices developed by other universities
  - Meetings with federal law enforcement
  - Town halls with faculty
    - No racial profiling
    - Importance of accurate disclosures (*including updating past disclosures*)
- International activities and international engagement policies
- Use and misuse of MOUs
- Increased vetting of international partners and visitors
- Information protection
  - Export Control review of high-risk areas, data security measures
- Comparison of information submitted to the institution
  - COI, COC, grant applications