FOREIGN INFLUENCE ON RESEARCH: HANDLING CROSS CUTTING ISSUES

How Units within Research Institutes are Working Together to Collect, Share & Use Information: A Case Study
Presenters

Panelists:

• Cindy Kiel
  • Executive Associate Vice Chancellor for Research Administration, University of California, Davis

• Jennifer A. Ponting
  • Executive Director of Sponsored Programs, University of Chicago

• Nate Martinez-Wayman
  • Senior Director, Office of Post Award Administration, Duke University

• David Norton
  • Vice President for Research, University of Florida

• **Moderator: Naomi Schrag**
  • Vice President for Research Compliance Training & Policy, Columbia University
Presentation Overview

- Regulatory Landscape & Government Concerns
- Challenges Institutions Face in Responding
- Institutional Overviews
- Case Study
- Question and Answer Period
Regulatory Landscape

• Presidential *Proclamation on the Suspension of Entry as Nonimmigrants of Certain Students and Researchers from the People’s Republic of China, May 29, 2020*

• NIH NOT-OD-19-114 *Reminders of NIH Policies on Other Support and on Policies Related to Financial Conflicts of Interest and Foreign Components*

• NIH *Grants Policy Statement*

• NSF PAPPG
  • Effective Date: June 1, 2020 II.C.2.f & h. (Current & Pending Support and Biosketches)

• OSTP JCORE activities

• Dept. of Energy Order 486.1 & Technology Risk Matrix
New COGR Resource

• Science & Security Resources webpage! June 2020
  • https://www.cogr.edu/science-and-security
Areas of Governmental Focus

- Reporting failures:
  Non-disclosure of other support or appointments

- Intellectual Property (IP) theft

- Export control violations
INSTITUTIONAL OVERVIEWS

Institution’s responses to governmental concerns.
UF RESEARCH

Response to Emerging Threats from Foreign Collaborations

- Engage in Efforts Led by National Organizations (AAU, APLU, COGR, ASCE) Addressing Issue
- Cooperate with Federal Authorities
- Reiterate Commitment to Support our International Community and Collaborations
- Emphasize Requirements to Fully Disclose Foreign Agreements
- Create Web-based Resource on Foreign Activity Disclosure
- Implement New Web-based Outside Activity Disclosure System with Centralized Review and Approval
- Create New International Risk Assessment Process for all UF Outside Activity Agreements with Foreign Entities
Important aspects of UF system

- New UF Office for Conflict of Interest (https://coi.ufl.edu/)
  - Reports to UF Provost
  - Led by Assistant Vice President for COI
- New online outside activity submission and approval system (UFOLIO)
  - Replaced outdated paper forms and routing processes
  - Intuitive platform for disclosures of outside activities
  - Required at least annually for all UF employees
- Approval required for any proposed outside activity within professional area of individual
- Review and approval of outside activities are done centrally
- Ancillary reviews of UF agreements and faculty outside activity requests that involve international entity
UF International Risk Assessment Process

- UF agreements and faculty outside activity requests that involve an international entity undergo an International Risk Assessment Process
UFOLIO Disclosure Program

- Key components to current UF outside activity policy and practice
  - Defines expectations for full time professional employees
    - Secondary professional employment/contracting outside activities that conflicts with UF commitment and responsibilities likely denied
  - Alignment of outside activity policy with university and state ethics regulations.
  - Robust internal partnership between Office of Research, General Counsel, Office of Conflict of Interest, and Chief Compliance Office
  - Proactive outreach and partnership with external stakeholders within federal and state agencies
FOREIGN INFLUENCE IN CONTEXT
University of California at Davis

- Significant global activities
- $850M in research awards
- Over 4,500 international students
- International Faculty
- Research Collaborations
- Faculty and Student Exchange
- Foreign visitors
- Shipping
- Travel (pre-covid19)
- Confucius Institute
- 8 professional schools/colleges
- 3,900+ annual COI disclosures
International Relationships and Activities

The following guidance has been prepared by the Office of Research to ensure that research and educational activities at UC Davis are compliant with federal regulation, state law, university policy, and research sponsor requirements – specifically relating to disclosing foreign relationships and activities. It is intended to supplement guidance from the University of California Office of the President (UCOP).

- UCOP Resources Regarding Foreign Influence

Background on Increased Federal Scrutiny

UC Davis remains committed to continuing and building important and successful relationships and collaborations with our foreign colleagues and Institutions. However, recently, the U.S. government has identified threats to our national security in the form of intellectual property diversion by foreign actors. Specifically, the academic freedom and open exchange of ideas that is essential to the mission of the university also creates a unique set of risks. To that end, it is important that all UC Davis personnel protect the integrity of our resources through consistent disclosure and reporting of international research, scholarly, and outside activities through all appropriate channels.
Education, Communication and Mitigation Efforts

- Research Expo Workshops
- Faculty senate list-serve emails
- One-on-one conversations
- FBI information sessions
- Monthly townhalls
- Newsletters
- Modified proposal routing certifications
- Coordination with Academic Affairs for conflict of commitment and conflict of interest reporting knowledge (Changes to sabbatical leave forms)
- Escalation procedure with campus counsel and chief compliance office (and UC System)
- COI reporting post-submission monitoring
Foreign Influence Team Members and Stakeholders

- Sponsored Programs
- Faculty and Research Teams
- Research Compliance
- Legal Counsel
- Chief Compliance & UCOP
- Department Heads and Deans
- Academic Affairs
- Public Relations
- Government Affairs
- Federal Sponsors
- Technology Transfer
- State Government Leadership
COMMUNICATION & INTEGRATION

- Trainings, town hall presentations and memos to faculty & research administrators
- Revised conflict of interest (COI) form to incorporate conflict of commitment (COC)
- New foreign activities questionnaire to faculty to help establish baseline
- Pilot system to track visiting scholars
- *New questions in electronic proposal system to provide details on foreign activities*
- *New system to combine data sources for Other Support, Current & Pending Support*
Foreign Justification

Foreign Activities Detail

**Does Project Involve:**

* Use of human subjects at a foreign site?
* Use of vertebrate animals at a foreign site?
* Foreign travel for the purpose of data collection, surveying, sampling or similar activities?
* Use of facilities or instrumentation at a foreign site?
* Receipt of any financial support or resources from a foreign entity specific to this project?
* Any activities that may have an impact on U.S. foreign policy, either through involvement in the affairs of or the environment of a foreign country?
* Collaborations with investigators at a foreign site that are anticipated to result in co-authorship?
* Does any of the work leading up to co-authorship take place outside of the U.S.?
University of Chicago

- Institutional-wide Coordination
- Policy Clarifications
- Operational Changes
- Training and Communication
University of Chicago

- Conflict of Interest Policy Updates
- Added FTE to the COI Team
- RPPR/JIT/COI coordinated Review
- New Faculty Leave Approval Process
- International Collaboration Web content
- Faculty Forums & Seminars
- Research Administration Training