Federal Agency Directives on Foreign Interactions
What Faculty Members Need to Know

Office of Research and Sponsored Programs

September 6, 2019
The University of Toledo

- Is not a company
- Is not a federal laboratory
- Is not a research institute
- Is a university where openness and exchange of ideas are fundamental
- Welcomes international collaboration to advance discovery and education
Federal Government Activities Requiring University Attention

• Bipartisan Congressional Concerns
• FBI Meetings with University Presidents and Leaders
• Federal Agency Actions and Directives for Funded Projects
Bipartisan Congressional Concerns

- Theft of Intellectual Property
- Espionage
- Concern Over Confucius Institutes
  - Lack of Transparency
  - Lack of Reciprocity

Influential senator asks NSF for data on threat from foreign influences

By Jeffrey Mervis | Apr. 15, 2019, 5:15 PM

The National Science Foundation (NSF) has joined the list of federal agencies that Senator Chuck Grassley (R–IA) has asked for explanations of how they are preventing foreign scientists from ripping off U.S. taxpayers.
Agency Directives and Communications
August 2018 Francis Collins Letter

Areas of Concern*

• Failure to disclose resources from foreign entities
• Diversion of IP in grant applications or NIH supported research
• Sharing of confidential information on grant applications

Action

• All applicants and awardees must disclose all forms of support and financial interests
• All relevant affiliations must be disclosed (e.g., 1000 Talents Program)

* Concerns are shared across funding agencies (e.g., NSF, DOE)
Professor Indicted For Failure To Disclose on Grant

• University of Kansas professor (August 2019)
  • Charged with failure to disclose a full-time employment contract held with a Chinese university while conducting research at U Kansas funded by federal research contracts
  • Charged with one count of wire fraud and three counts of program fraud

Areas of Concern: Disclosures

• Faculty with affiliations with entities in foreign countries (e.g., 1000 Talents Program)

• Failure to disclose financial contributions, effort, and non-financial support of research

• Failure to disclose collaborations or contacts with others outside the U.S. or with an international organization
Your Disclosure Responsibilities

Required reporting for federal grants and contracts

• List all appointments in biosketches
• Report other support for all senior personnel/PIs/CoIs
  • Include domestic or foreign consulting, resources, and financial or non-financial support of your research endeavors
  • Update “Other support” for all senior personnel in reports, and disclose all participants with institution, country of origin
• Report time commitments on other projects/contracts
• Effort reporting on funded grants and projects
• “Outside Professional Service Report” from Office of the Provost
Areas of Concern: Travel and Data

• Travel to selected countries regardless of source of funding
  • Possible diversion of unpublished research results or IP
• Vulnerable devices/data taken to selected countries
• Access to home university data/files while on international travel – theft of data, exposure to malware
Your Travel Responsibilities

• Individuals traveling overseas for university purposes or university related business must complete the Travel Registry (https://www.utoledo.edu/cisp/travel-registry/)

• Consult with Office of Research and Sponsored Programs about the Travel Kit for foreign travel
Travel Kit Overview

Users in scope:
  • Researchers with UT IP and/or research data who are visiting a sensitive country

Kit includes:
  • Loaner laptop provided with Microsoft Office
  • Access to a secure Virtual Machine provided for primary computer needs and access to email

Users have limited account access during travel. Access to the following resources will be restricted:
  • Z: Drive shares, Office 365 excluding Outlook, SharePoint, UT servers

Full access restored upon return.
Travel Kit Procedures

• Request Travel Kit by submitting an IT Helpdesk request including your date of departure

• IT will contact you to schedule pickup and provide training to access the secure virtual lab

• Laptop will be erased upon return to IT
Areas of Concern: Foreign Visitors

• Foreign delegations visiting UT laboratories
  • Contact Office of Research as soon as you become aware of the potential for visitors
    • Provide country of origin
    • RSP will assess possible export control restrictions based on the individual labs to be visited and research conducted
    • Once persons are identified, provide names to RSP for screening
  • Extended visits from foreign visitors
    • Notify the Provost’s Office
Higher Ed Organization Advice

• AAU/APLU April 22, 2019 Memo
  • Awareness Building and Communications
  • Coordination (Task Forces)
  • Training of Faculty and Students
  • Review of Foreign Gifts, Grants, Contracts and Collaborations
  • Review of Faculty Foreign Financial Interests and Affiliations
  • Protection of Data and Cybersecurity
  • Protection of IP
  • Foreign Travel Safeguards (Clean Laptops, etc.)
  • International Visitors
  • Export Control
  • Interaction with Federal Security Agencies (e.g., FBI)

• The Hague Center for Strategic Studies

• ACE May 10th Letter from Ted Mitchell
THANK YOU

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