FOREIGN INFLUENCE: MITIGATING RISK THROUGH STRONG POLICIES

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TIMELINE

- Feb 2018: FBI Director Presents to Congressional Hearing on Universities and the threat we face from China
- Dec 2018: NIH ACD Working Group for Foreign Influences on Research Integrity
- Jul 2019: Dept of Ed issues letters to Cornell, Georgetown, Texas A&M & Rutgers concerning Section 117 reporting
- Aug 2018: NIH Director’s letter on Foreign Influence in the Peer Review Process
- Mar 2019: NIH issues letters to dozens of universities concerning researchers with suspected unreported foreign ties
- Jan 2020: Arrest of Dr. Charles Lieber, Harvard University Charge: making false statements related to Chinese affiliations
- May 2020: Arrest of Simon Saw-Teong Ang, University of Arkansas Charge: Wire Fraud related to close ties to Chinese Government and companies
Timeline:

2008
- Talent Programs begin

2015
- Oct 2015: NIH Director's letter on Foreign Influence in the Peer Review Process

2018
- Feb 2018: FBI Director Presents to Congressional Hearing on Universities and there threat we face from China
- Dec 2018: NIH ACD Working Group for Foreign Influences on Research Integrity
- Jul 2018: NIH Director's letter on Foreign Influence in the Peer Review Process

2019
- Mar 2019: NIH issues letters to dozens of universities concerning researchers with suspected unreported foreign ties
- Jul 2019: Dept of Ed issues letters to Cornell, Georgetown, Texas A&M & Rutgers concerning Section 117 reporting*
- May 2020: Arrest of Simon Saw-Teong Ang, University of Arkansas
  Charge: Wire Fraud related to close ties to Chinese Government and companies

2020
- Jan 2020: Arrest of Dr. Charles Lieber, Harvard University
  Charge: making false statements related to Chinese affiliations

- Made in China 2025

Yuan Talks "Made in China 2025" Strategy Is What Really Worries the US, March 29, 2018
Congressional Hearings & Roundtables

- **April 2018** - “Scholars or Spies: Foreign Plots to Targeting America’s Research & Development,” House Science Subcommittee on Oversight and Subcommittee on Research and Technology
- **Sept 2018** - House Science Committee Roundtable with higher education leadership, federal science agencies, FBI
- **May 2019** - House Armed Services Roundtable with higher education leadership
- **June 2019** - “Foreign Threats to Taxpayer – Funded Research: Oversight Opportunities and Policy Solutions,” Senate Finance Committee

Specific Concerns

- Huawei and other university funding relationships
- Talent recruitment programs
- Faculty relationships and failure to disclose foreign funding sources/affiliations
- Shadow laboratories
- Breaches in peer-review
- Foreign investment/CFIUS
- Confucius Institutes
- Student groups
- Sharing of Genetic Information
Historic Context

The China Threat

- Economic challenger (Japan - late '70s, early '80s)
- Adversarial nation (Cold war USSR)
- Lack of adherence to global norms/laws

Opportunistic Threat

Legal and illicit methods

Broad/Cross discipline impact

Lab-based approach to compliance

The Challenge
Simple Summary of Legislative Proposals & Federal Action

- **HEA Section 117 reporting** - Increased institutional reporting of funding received from foreign gifts and contracts
- **Restrictions on participation in foreign talent programs**
  - Department of Energy (DOE) Order No. 486.1 - applies to DOE employees, contractors and subcontractors
- **Creation of new categories of “critical technologies” or “sensitive research”** which limit access to foreign students & scholars to certain labs and research projects
  - Emerging Technologies list – Dept of Commerce (ANPRM – Nov 2018)
- **Focus on clarifying and enforcing agency disclosure requirements**
  - NIH, NSF, DOD and DOE have all issued guidance
- **Better interagency coordination and forums for dialogue** between federal agencies and the university/scientific community (H.R. 3038, SASTA)
- **OSTP/NSTC Joint Committee on the Research Environment (JCORE)**

JCORE Summit – November 2019

**Thematic Sessions**

- **Transparency**: Transparency and openness underpin the success of the U.S. research enterprise. Sharing of research data and methodology is critical to reproducibility and replicability. Transparency in the grant making process is necessary to ensure effective allocation of Federal funds and accountability to the American taxpayer. Openness around institutional processes for disclosure of harassment can lead to safer research environments.

- **Integrity**: The strength of the research enterprise depends on researchers adhering to foundational principles of ethical conduct, including integrity, honesty, transparency, openness, and mutual respect. The strength also rests on nations upholding principles of meritocracy and reciprocity. Failure to adhere to these principles imperils the research enterprise and the many benefits that flow from it.

- **Workload**: Administrative requirements for research include existing and potential data submission, collection, assessment, and reporting, including those intended to address security, harassment, and reproducibility concerns. These requirements must be balanced with their demonstrated value and an understanding of their impact on research.

- **Coordination**: Effective coordination across the research enterprise is essential to address critical challenges.
GUIDING PRINCIPLES

- Strong Culture of Research Integrity
- Strong Regulatory and Security Framework
- Openness and Inclusion
- Protection of Critical and Sensitive Technologies
- Management of International Engagements

Purdue’s Approach

Step 1
Reviewed university policies against applicable federal agency requirements*

Step 2
Adjusted policies to address gaps

Step 3
Updated disclosure tool to facilitate disclosure and oversight

Step 4
Continue to raise awareness of the threat

Principle: Culture of Integrity, Strong Regulatory Framework
**Step 1 - Review Policies**

- Conflicts of Commitment and Reportable Outside Activities
- Financial Conflicts of Interest (including research and gifts)
- Intellectual Property
- Travel
- Sabbatical and other leave policies
- Effort Reporting

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### Step 1 Review university policies against applicable federal agency requirements

<table>
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<tr>
<th>Policy Area</th>
<th>Policy Name</th>
<th>Policy Description</th>
<th>Policy Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Financial, Outside Employment</td>
<td>Outside Employment</td>
<td>Policies and procedures for managing outside employment</td>
<td>[Policy Link 2]</td>
</tr>
<tr>
<td>Financial, Grants &amp; Contracts</td>
<td>Grants &amp; Contracts</td>
<td>Policies and procedures for managing grants &amp; contracts</td>
<td>[Policy Link 3]</td>
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<tr>
<td>Financial, Conflict of Interest</td>
<td>Conflict of Interest</td>
<td>Policies and procedures for managing conflict of interest</td>
<td>[Policy Link 5]</td>
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Step 2 – Revise Policy to provide clarification

Conflicts of Commitment and Reportable Outside Activities (III.B.1)

Reportable Outside Activity and Reportable Outside Activities do not include:

- Service without compensation, or with honoraria less than $1,000 annually, 1) on U.S. federal or state government agencies and boards, 2) on U.S. federal or state granting agency peer-group review panels, 3) on advisory groups for other U.S. universities or 4) in similar capacities primarily for the purpose of providing a public or University service within the United States.

REPORTABLE OUTSIDE ACTIVITY APPROVAL PROCESS

Required prior to initial activity and annually thereafter

- Employee submits Outside Activity report
- Department Head reviews and provides recommendation to Dean
- Dean approves, denies or elevates to ROA Officer

Seek more details

Seek more details
### Step 3 - Update Report Tool - Currently Engaging in This Process

<table>
<thead>
<tr>
<th>Detail</th>
<th>Existing Tool</th>
<th>Expanded Tool</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of business/organization</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Position held</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Frequency of activity</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Total # days across academic year</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Explanation of how the days will be distributed across the academic year</td>
<td>No</td>
<td>Yes</td>
</tr>
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</table>

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<tr>
<th>Detail</th>
<th>Existing Tool</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Whether compensated (Yes/No)</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Whether reimbursed or compensated for travel or travel expenses paid on their behalf</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Anticipated or planned research activity</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Anticipated scholarly output in connection with activity</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>As part of this activity, will US Government agency funds or resources purchased with US Govt funds be used (e.g. computers)</td>
<td>No</td>
<td>Yes</td>
</tr>
</tbody>
</table>
**STEP 4 - RAISE AWARENESS**

- November 8, 2018 – Joint Letter from Executive Vice President for Research and Partnerships and Provost
- January 1, 2019 – Policy revision
- Continued efforts – Faculty and college leadership meetings; Global Advisory Council Meetings, Security seminar for campus personnel
- Future activities:
  - Updated letter from EVPRP and Provost
  - Communication plan for revised Reporting Tool

**GUIDING PRINCIPLES**

- Strong Culture of Research Integrity
- Strong Regulatory and Security Framework
- Openness and Inclusion
- Protection of Critical and Sensitive Technologies
- Management of International Engagements

- Expectation of accountability
- Visibility of conflicts of interest
- Equally applied to all employees and all outside activities
- Clear policy communicated
- Allows for the evaluation of individual engagements against risk to institution
**Charles Lieber**

Chair of Chemistry and Chemical Biology Department, Harvard University  
University lab received over $15M in grant funding from DOD and NIH  
Described as a pioneer in nanoscience & nanotechnology

Arrested – January 2020 – Accused of failing to disclose to NIH and DOD (and Harvard)  
• Significant foreign financial conflicts of interest  
• 2011 – appointed a Strategic Scientist at Wuhan University of Technology (WUT) and Paid Lieber $50K per month  
• 2012 to 2017 Participated and received funding from China’s Thousand Talents Program  
  Awarded him over $1.5M to establish a research lab at WUT  
  Required him to work for WUT for not less than 9 months a year  

Lieber’s false statements to Harvard, caused Harvard to falsely tell NIH that Lieber “had no formal association with WUT”. And that Lieber “is not and has never been a participant in” the Thousand Talents Program

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**Simon Saw-Teong Ang**

Director of the High Density Electronics Center, Department of Electrical Engineering, University of Arkansas  
• Focus on Microelectronics and Power Electronic Packaging and Nanotechnology  
• Received more than $5 million in Federal funding  
• NASA funding (restriction on bilateral activity with China (Public Law 112-55))

Arrested – May 2020 – Charged with Wire Fraud  
• Close ties with the Chinese government and Chinese companies  
• Failure to disclose those ties when required to do so in order to receive grant money from NASA “in violation of UA policy”  
• Did not disclose this outside income to UA
**Dr. Qing Wang**

Cleveland Clinic
- Received more than $3.6 million in grants from NIH
- Research focused on molecular medicine and the genetics of cardiovascular and neurological diseases

Arrested – May 2020 – Charged with False Claims and Wire Fraud
- Conducting and collecting money for the same research from NIH and the Chinese Government
- Served as Dean of the College of Life Sciences and Technology at the Huazhong University of Science and Technology
- “Not just a case of simple omission” – Statement from FBI Special Agent in Charge, Eric Smith.

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**Xiao-Jiang Li**

Former Professor at Emory University
- Participant in the Thousand Talents program from 2012-2018
- Had appointments at the Chinese Academy of Sciences and Jinan University

Plead guilty – May 8, 2020 – filing a false tax return
- Failed to report foreign income on tax return
- Allegation of conducting the same research in China that was funded in the US by NIH
Common Details

• Respected researchers in emerging technology fields (consider China 2025 list of technologies)
• Chinese Thousand Talents Program participants
• Significant Commitments to Chinese entities
• Significant foreign financial support
• Lack of disclosure of those commitments
• Attempts to hide or provide false information about commitments

QUESTIONS?