

# Welcome to the Tri-University Research Administration Conference.

Your session will begin shortly. While you wait, please review the following reminders::

## Zoom Troubleshooting

### Issues with Audio

Turn off headset/computer speakers and call in by phone for audio

### General Issues

Log off and log back in using SSO

### Technical Support

Call 480-965-9065 Ext 1.

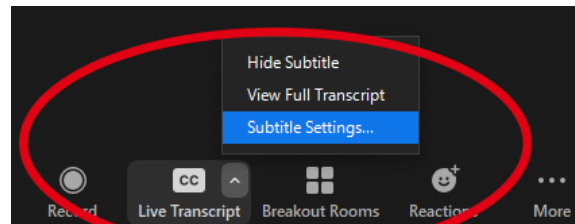
## About this Session

### Recording

Today's session is being recorded and will be made available for later viewing

### Closed Captioning

The Closed Caption/Live Transcript feature has been enabled. You can show/hide the CC via your meetings controls located at the bottom of your screen.



## We'd Love Your Feedback!

To help us plan next year's Tri-University Research Administration Conference, we would love to get your feedback.

If you want to provide feedback for the presenters of today's session, make sure to complete the survey you will receive via email at the end of the day.



# Foreign Influence in Research

## *Supporting Researcher Responsibilities*

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# Agenda

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- Provide context regarding commitment to engagement and academic freedom with U.S. government concerns and risks with international engagement
- Define key terms and responsibilities
- Identify best practices for reporting conflicting interests and relationships
- Share resources regarding regulations and policies
- Q & A

# How We Got Here

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- Federal Government Approach
- Rules and Regulations
- Focus Areas
- Compliance Plan



# Shared Responsibilities

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***Principles of integrity for responsible individuals and institutions:***

- Openness and transparency
- Accountability
- Impartiality and objectivity
- Honesty
- Respect

# Shared Responsibilities

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*Principles of integrity for responsible governments, reflected in U.S. government policy:*

- Openness and transparency
- Accountability
- Freedom of inquiry
- Reciprocity
- Merit-based competition

# Responsibilities as Employees of a Public Institution

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- ASU is a public university and we are public servants.
- Everything we do as part of our job is potentially discoverable, and is certainly something that government agencies and law enforcement can subpoena.
- This includes travel records, emails, financial interactions, texts on a device that you receive ASU support for, or that has ASU encryption (phones, laptops) – any transactions, particularly with an international partner.
- By far the best thing we can do to make sure we are never in any danger of having our actions misinterpreted is to completely disclose **any and all** interactions we have or intend to have with international organizations.



## Context: In the News

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- Professor at a U.S. university received \$50,000 per month and living expenses from Wuhan University of Technology and a contract to work 9 months a year.
- U.S. government employee signed an undisclosed talent program contract with a foreign institution.
- **Researcher** founded a U.S. company and applied for DOE and NSF grants to fund research; some research had already been completed in China, including via researcher's own "Satellite Lab."
- Student was a lieutenant in the People's Liberation Army and sent research documents and information to China.
- Scientist stole 21 vials of biological research and attempted to smuggle to China.
- University of Kansas researcher charged with not disclosing on conflict-of-interest forms work he was doing for China while employed at University. Faces 10 counts of fraud, including seven counts of wire fraud.

# Context: Risks

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## **Risks to the Integrity of the Research Enterprise**

- Violations of responsible and ethical conduct of research
- Actions that undermine peer review and grant award processes

## **Risks to National Security**

- Hidden diversions of research and/or resources that threaten U.S. leadership in emerging science and technology

## **Risks to Economic Security**

- Hidden diversions of research and/or resources that weaken the innovation base and threaten economic competitiveness

## **Individual Risks**

- Current and future relationships with Sponsors
- Law enforcement concerns
- Intellectual Property

# Conflict of Commitment

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- A conflict of commitment is a situation in which an individual accepts or incurs conflicting obligations between or among multiple employers or other entities.
- Many institutional policies define conflicts of commitment as, *“conflicting commitments of time and effort, including obligations to dedicate time in excess of institutional or funding agency policies or commitments.”*
- Other types of conflicting obligations, include improperly share information with or withholding information from an employer or funding agency.
  - This can threaten research security and integrity and is an element of a broader concept of conflicts of commitment.
- ***We work for ASU. Anything that looks or sounds like an appointment or position at another institution, inside or outside the U.S., needs to be disclosed and approved.***

# Conflict of Interest

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- A conflict of interest is a situation in which an individual, or the individual's spouse or dependent children, has a financial interest or financial relationship that could directly and significantly affect the design, conduct, reporting or funding of research.
- All relationships, foreign and domestic, funded and unfunded are to be disclosed.

<https://researchintegrity.asu.edu/coi>

# Understanding Behaviors that Increase Risk

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***Irresponsible conduct that violates funding agency and institutional policies:***

- Failures to disclose:
  - Financial conflicts of interest
  - Conflicts of commitment
  - External employment arrangements
  - Financial support that overlaps with U.S. funding
  - Shadow laboratories or other parallel research activities
  
- Diversion of intellectual property
  
- Peer review violations

***Examples of Behaviors that May Violate Laws:***

- Theft or diversion of materials and intellectual capital
  
- Grant fraud

# Understanding Sponsor Requirements

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- **NIH NOT-OD-18-160:**

*Financial Conflict of Interest: Investigator Disclosures of Foreign Financial Interests*

- “One such area of the FCOI regulation requiring clarity is investigator disclosures with respect to foreign financial interests. The regulation refers to exclusions of institutions of higher education as defined in 20 U.S.C. 1001(a) or a federal, state or local government agency when disclosing financial interests.
- These references refer to a U.S. institution of higher education or a federal, state or local government agency within the U.S. Therefore, investigators, including subrecipient investigators, must disclose all financial interests received from a foreign institution of higher education or the government of another country, which includes local, provincial, or equivalent governments of another country.”

**See full text at: <https://grants.nih.gov/grants/guide/notice-files/NOT-OD-18-160.html>**

# Understanding Sponsor Requirements

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- **Identify Foreign Components**

- **NIH** – “The performance of any significant scientific element or segment of a project outside of the United States, either by the recipient or by a researcher employed by a foreign organization, whether or not grant funds are expended.”

*“Activities that would meet this definition include, but are not limited to, the involvement of human subjects or animals, (2) extensive foreign travel by recipient project staff for the purpose of data collection, surveying, sampling and similar activities, or (3) any activity of the recipient that may have an impact on U.S. foreign policy through involvement in the affairs or environment of a foreign country. Examples of other grant-related activities that may be significant are collaborations with investigators at a foreign site anticipated to result in co-authorship; use of facilities or instrumentation at a foreign site; or receipt of financial support or resources from a foreign entity.”*

- **NSF** – “For each proposal that describes an international activity, PIs should list the primary countries involved on the Cover Sheet. An international activity is defined as research, training, and/or education carried out in cooperation with foreign counterparts, either overseas or in the U.S. using virtual technologies.”

***Review the funding announcement for specific disclosures required by your sponsor***

# Current Best Practices

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- Ensure reporting of ALL external funding relationships to Research Sponsors and the University
- Reporting your interests in COI in ERA
- Routinely update consultant relationships at unit level



# Current Best Practices

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- [International Engagement Resources](#)
  - Best Practices for Foreign Relationship and Activities
  - Frequently Asked Questions
  - Export Wizard
  - Travel Consultations

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Questions?