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STREAMLYNE RESEARCH – SRAI 2019 COFFEE TALK:

FOREIGN INFLUENCE IN RESEARCH

Good morning. I am Randy Ozden, CEO of Streamlyne. We have a complete suite of software solutions for research administration automation. The Streamlyne Research software modules include, pre-award, post-award, IRB, IACUC, COI as well as reports and dashboards. We are a gold sponsor of SRAI.

I am joined by Sara Bible. Sara is the Assoc. Vice Provost for Research at Stanford University. She is also the chair of COGR. Sara also serves on the executive committee of FDP.

Sara, thank you for joining me on this very important topic. The FBI has indicated that bad actors represent only a very small percentage of the problematic research related to wrong doing. However, they estimated the cost to be around \$6 billion per year.

Q. What are the main issues that the federal government is concerned about?

A. The main issues are:

- Diversion of intellectual property to other countries
- NIH peer reviewers sharing confidential information with foreign institutions
- Failure of researchers to disclose substantial resources from other organizations including foreign governments

Q. When it comes to internal communications, our understanding is that institutions have been having briefings. At the last FDP meeting in September, Harvard University talked about having had 90 briefings with faculty. What has been your experience with this and have you conducted briefings at Stanford?



A. Briefings have been provided at every Stanford school for the Department Chairs. I haven't counted the briefings. However, we are trying to keep the issue in the forefront.

Q. After the letter from Francis Collins, the Director of NIH, some institutions started having briefings and meetings with the FBI. Do you recommend engaging the FBI?

A. Yes. It makes sense to understand the expectations from the FBI and from each of the federal agencies. In some cases, you may not have a choice in having a meeting with FBI. I attended an Export Controls conference last spring where a panel of FBI agents reviewed the risks.

Q. In terms of what to post on an institution's website, what are your recommendations since foreign influence is a touchy subject?

A. I recommend that institutions provide the various communications from the federal agencies. For example:

- NIH, NSF, DoD and OSTP "Dear Colleague" letters.
- NIH FAQs on Other Support, Foreign Component and other topics: July 10, 2019
- NSF Current and Pending Support: Feb 25, 2019
- Presentation from the NIH Advisory Committee to the Director (ACD)
- Information from AAU and APLU on "Actions Taken by Universities to Address Growing Concerns about Security Threats and Undue Foreign Influence on Campus"

In addition, messages from University leadership are important to include on their websites because faculty and administrators need to know what the expectations are at their institution. Often these messages stress that institutions need to balance the federal government's concerns about national security with:

- Openness in Research
- Rigor and Reproducibility
- Public access to federally funded research data and results
- ClinicalTrials.gov



Q. Do you use Visual Compliance or a similar tool at Stanford for restricted party screening and other features?

A. Yes. *I don't know details about how or when this is used. So, I won't be able to provide details.*

Q. Also, at the last FDP meeting, the University of North Carolina indicated that they have a working group. In that working group, they have many members from different departments, from policy to legal counsel. They seem to be going with the automation route for many of the requirements. What is the position of COGR and its members on working groups and their scope?

A. Each institution has its own approach. However, many institutions have standing committees to examine these important issues. Stanford has two broad working groups that are addressing the following topics:

- Conflict of Interest
- Conflict of Commitment
- Export Controls

I also benchmarked practices at similar universities (i.e. large R1 private universities). My conclusion was that not many universities had changed policies as of a few months ago. Changes may be starting to happen in the near term.

Q. There are reports about how institutions give up funding opportunities due to concerns. Northwestern University reported that they had to give up a \$400,000 DARPA grant due to foreign influence concerns. What are your recommendations on how to assess risk on certain grants?

A. Institutions need to consider the delicate balance of openness in research and foreign influence. These decisions generally need to be made at a very senior level.



Q. One area of concern is visitors from other countries into research labs. What are your recommendations on how to vet visitors? What are the recommendations from AAU and APLU on this topic?

A. I think this is one area where institutions need to cover in their briefings and communications with researchers. Researchers by nature are open to collaboration and visitors to their labs in the US from other countries at times. The bottom line is that visitors need to be properly vetted because this happens to be one of the possible openings when it comes to potentially problematic scenarios with foreign researchers. One challenge is that universities and independent research institutions are not even equipped to determine or validate the true identity of these visitors.

Q. What should universities do to prepare or become compliant?

A. The following are recommendations for moving compliance forward:

Identify guidelines from oversight and regulatory agencies, relevant legislation, and applicability to university functions, personnel and infrastructure

- Develop standard operating procedures connected to well defined requirements and creating awareness and education around less well-defined ones
- Assess balance of oversight related to foreign influence to academic freedom, open science, and global engagement
- Assess quality of existing programs around export controls related to hiring, material transfers, travel, international collaborations, visiting scholars and students' programs, and managing the disclosure and conflicts associated with financial relationships with sponsors and outside interests.



- Conduct risk analyses on the areas of most importance in a given institutional context in order to align resources to address those specific concerns
- Establish best practices for foreign relationships and associated activities
- Develop improved guidelines: faculty disclosure of international activities, research, and financial support
- Improve oversight processes: conflict of interest disclosure and management
- Develop workflows: international travel, sponsored research, and visitors to campus to review explicitly for adherence to legal requirements and regulatory guidance
- Coordinate communications: legal requirements and regulatory guidance
- Identify centralized points of contact for key workflows: escalation of high-risk issues, adoption of changes to workflow as new legislation or regulations are promulgated, and manage external partner relationships
- Consult with external partners: law enforcement, federal funding agencies and university organizations to be informed of the most current information and assessment of impacts to higher education
- Create centralized communication portals: transparently sharing information about foreign influence and institution-specific responses and contacts to resolve support researchers



Q. Finally, one important topic for research institutions is updating annual COI disclosures. Has Stanford added new fields to the annual COI disclosures and if so, what do those new fields address?

A. Stanford reviewed their COI questions to see if anything needed to be added. They determined that nothing needed to be added beyond the original topics and questions that address NIH's requirements from their 2012 expectations.