

# Foreign Influence Protecting UIC and UIC Investigators on Sponsored Projects

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**Research  
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# What Can YOU Do to Protect the University & Investigators?

- Disclosures and transparency - Identify conflicts of commitment and interest
- Export Control - Protect and Conduct restricted party screenings
- Intellectual Property - Disclose inventions to the Office of Technology Management



# What Can YOU Do to Protect the University & Investigators?

- Other Support – Update support documentation including NIH and NSF current and pending support
- Biosketches – Update to meet agency guidelines
- Foreign Components – Know what to include and when prior approval is needed



# What Can YOU Do to Protect the University & Investigators?



- Security of Materials, Data and Confidential Information – Ensure Material Transfer, Non-Disclosure and Data Use agreements are in place prior to transfers
- Visitors – Screen and monitor visiting scientists, visiting collaborators and meeting attendees
- Gifts Donations – Disclose gifts from foreign individuals or organizations including foundations, universities and corporations

# Examples - Undue Foreign Influence



Cancer Letters April 26, 2019 : <https://cancerletter.com/articles/20190426/>

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## Case 1: Unauthorized sharing of confidential material and failure to disclose affiliations in China

Weber's investigation found that one MD Anderson scientist had violated NIH peer review and confidentiality rules by sharing material made available to her by NIH for the purposes of peer review.

The materials were shared with five individuals who were not cleared to see them.

On top of that, Weber wrote that he believes that the researcher also held a compensated position—paying \$44,300 a year—as a “scholar and chaired professor” at Cancer Hospital of the Chinese Academy of Medical Sciences.

None of this was reported on the researcher's RO1 application. Though the researcher was a PI on an NIH grant, her grant application didn't disclose her presumed international co-authors, whose names appeared on her published works, the report states.

## Case 3: “Keep this confidential.”

This MD Anderson researcher was alleged to have “emailed an NIH grant application to a scientist based in the People's Republic of China.”

According to Weber's report, the researcher “also may have sent at least two NIH grant applications to U.S.-based scientists who were not designated by the NIH to review the material.”

In another instance, the accompanying note read, “Here is bone and meet [sic] you need.”

Like others, this researcher hadn't disclosed relationships with institutions in China. For example, the researcher “denied having any active National Natural Science Foundation grants, though he admitted his name may be on grant applications,” Weber wrote. “When I showed him an email in which he stated that he had two active NSCF grants, [the researcher] explained that [redacted] lied in the email and that there were, in fact, no active grants. I do not find [the researcher's] explanation to be credible.”



<https://www.c-span.org/video/?c4793797/user-clip-foreign-involvement>

# Examples - Undue Foreign Influence

## DOE bars its researchers from participating in rival nations' talent programs

The policy is one of several federal government efforts to stem exploitation of US research.

William Thomas

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Department of Energy headquarters in Washington, DC. Credit: Carol M. Highsmith Archive, Library of Congress

The US Department of Energy has implemented a directive that prohibits its personnel from participating in talent recruitment programs operated by certain foreign countries. Though the [7 June document](#) does not list specific countries, DOE officials have said the policy is currently limited to four: China, Iran, North Korea, and Russia. The new policy is one of several actions federal agencies are taking in response to alleged exploitation of the US research environment by foreign governments, particularly China.

<https://physicstoday.scitation.org/doi/10.1063/PT.6.2.20190620a/full/>  
<https://news.aamc.org/research/article/combating-undue-foreign-influence-us-research/>

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Office of the Vice Chancellor for Research

AAMCNEWS

Topics

RESEARCH



Tuesday, May 28, 2019 | by Ken Budd, special to AAMCNews

## Combating undue foreign influence at U.S. research institutions

Academic research labs across the country are taking steps to protect their intellectual property after the NIH warned of data breaches and shadow labs. Here's what you need to know.



At the University of Texas MD Anderson Cancer Center in Houston, Texas, the USB ports on researchers' computers have been disabled. Flash drives? They're gone, too. MD Anderson is at the forefront of efforts to prevent the theft of U.S. research, and the steps have ranged from data security to dismissals. In April 2019, the institution **ousted three scientists** who violated U.S. National Institutes of Health (NIH) rules regarding peer review confidentiality and were dishonest about their links to foreign organizations. Last week, *Science* magazine **reported** that Emory University had also severed ties with two Chinese-American researchers. Additional investigations are occurring at more than 55 institutions, NIH Director Francis Collins, MD, PhD, **told the Senate Appropriations Committee** on April 11, 2019, fueled by concerns that the Chinese government is recruiting NIH-funded researchers, stealing intellectual property and grant information, and funding shadow labs that may perform research on the same themes the NIH has funded but without informing the NIH.



# Examples - Undue Foreign Influence

Crime & Courts

## Ohio medical researcher arrested at Anchorage airport was trying to transfer U.S.-funded research to China, prosecutors say

Author: Julie Carr Smyth, Associated Press Updated: July 10 Published July 10



The screenshot shows the top portion of a news article from the U.S. Department of Justice. At the top left is the Department of Justice seal, followed by the text 'THE UNITED STATES DEPARTMENT of JUSTICE'. Below this is a navigation menu with links for 'ABOUT', 'OUR AGENCY', 'PRIORITIES', 'NEWS', 'RESOURCES', and 'CAREERS'. The article's breadcrumb trail reads 'Home » Office of Public Affairs » News'. A black banner with the text 'JUSTICE NEWS' is present. Below the banner, the text reads 'Department of Justice Office of Public Affairs'. The article is dated 'Thursday, July 9, 2020' and is marked 'FOR IMMEDIATE RELEASE'. The headline is 'Researcher Charged with Illegally Using U.S. Grant Funds to Develop Scientific Expertise for China'. The lead paragraph states: 'A rheumatology professor and researcher with strong ties to China has been ordered held without bond to face a charge of grant fraud for not disclosing that he was engaged in a sophisticated scheme to use approximately \$4.1 million in grants from the National Institutes of Health (NIH) to develop China's expertise in the areas of rheumatology and immunology. He is also charged with making false statements about maintaining employment in China at the same time he was employed at universities in the United States, including The Ohio State University.' The second paragraph begins: 'Song Guo Zheng, 57, was arrested Friday, May 22, 2020, after he arrived in Anchorage, Alaska, aboard a charter flight and as he prepared to board another charter flight to China. When he was arrested, he was carrying three large bags, one small suitcase and a briefcase containing two laptops, three cellular telephones, several USB drives, several silver bars, expired Chinese passports for his family, deeds for property in China and other items.'

<https://www.justice.gov/opa/pr/researcher-charged-illegally-using-us-grant-funds-develop-scientific-expertise-china><https://www.adn.com/alaska-news/crime-courts/2020/07/10/ohio-scientist-arrested-at-anchorage-airport-was-trying-to-transfer-us-funded-research-to-china-prosecutors-say/>



# Examples - Undue Foreign Influence

## **Exclusive: US National Science Foundation reveals first details on foreign-influence investigations**



The funding agency has taken action in 16–20 cases in which foreign ties were not properly reported.

<https://www.nature.com/articles/d41586-020-02051-8>



# OVCR, Office for Research Integrity (ORI) and OSP

Improving coordination of OVCR functions  
for research integrity and compliance

- Research Misconduct
- Conflict of Commitment and Interest
- Export Control

**Foreign Influence**

# University Policy on Conflict of Commitment and Interest



Escalating oversight by most federal research sponsors and national concerns articulated by the [Office of Sciences and Technology Policy \(OSTP\)](#) in the [Executive Office of the President](#) compel the University to clarify disclosure guidance to comply with the [University Policy on Conflict of Commitment and Interest \(COCI\)](#).

<http://research.uic.edu/sites/default/files/OSTPLetter.pdf>

<https://research.uic.edu/compliance/coi/policies-regulations/>

<https://go.uic.edu/coiRNUAGuidance>

# Foreign Influence on UIC Research and Scholarship

UIC faculty, staff and students should understand the current regulatory landscape and be aware of responsibilities to:

- safeguard university resources and intellectual property;
- fully disclose external financial interests, activities; and,
- follow export regulations



<https://research.uic.edu/compliance/foreign-influence-on-uic-research-and-scholarship/>

# Be Informed



- Review your research portfolio
  - Identify potential foreign influence issues
- Know agency requirements for foreign influence
  - DOD, DOE, NIH, NSF
- Coordinate detailed training for your investigators and staff with the Office for Research Integrity

# Reminder of NIH Policies on Other Support FCOI and Foreign Components

## Other Support

List all positions and scientific appointments and resources both domestic and foreign held by senior/key personnel

## FCOI

Investigators are required to disclose to their institution financial interests received from a foreign institution of higher education or the government of another country

*GET Pre Approved*

## Foreign Component

Significant scientific element of the NIH-supported project outside of the US

<https://grants.nih.gov/grants/guide/notice-files/NOT-OD-19-114.html>

# NSF PAPPG Updates

## Appointments

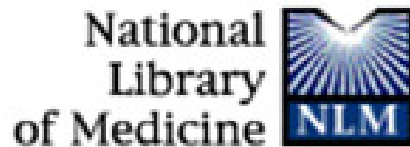
- Senior personnel must identify all current and domestic or foreign professional appointments outside of the individual's academic, professional, or institutional appointments at the proposing organization

## Current and Pending Support

- includes all resources made available to an individual in support of and/or related to all of his/her research efforts, regardless of whether or not they have monetary value
- An item or service given with the expectation of an associated time commitment is not a gift and is instead an in-kind contribution and must be reported to NSF

# Review Publications

- Review publications listed on the investigator's biosketch
- Review publications listed on the RPPR
- Search publication databases
  - Pubmed
  - PLOS
- UIC Library can assist with publication searches



- What affiliations are listed for the investigators?
- What funding sources and grants numbers are cited in the publications?

# Review Publications

## CROHN'S DISEASE INFLAMMATION

Jingwan Zhang <sup>1</sup>, Emily C Hoedt <sup>2</sup>, Qin Liu <sup>1</sup>, Erwin Berendsen <sup>3</sup>, Jing Jie Teh <sup>3</sup>, Amy Hamilton <sup>4</sup>, Amy Wilson O'Brien <sup>4</sup>, Jessica Ching <sup>1</sup>, Hong Wei <sup>5</sup>, Keli Yang <sup>1</sup>, Zhilu Xu <sup>1</sup>, Sunny H Wong <sup>6</sup>, Joyce Wy Mak <sup>1</sup>, Joseph Jy Sung <sup>1</sup>, Mark Morrison <sup>7</sup>, Jun Yu <sup>8</sup>, Michael A Kamm <sup>9</sup>, Siew C Ng <sup>10</sup>

Affiliations [— collapse](#)

### Affiliations

- 1 Department of Medicine and Therapeutics, Institute of Digestive Disease, State Key Laboratory of Digestive Diseases, LKS Institute of Health Science, The Chinese University of Hong Kong, Hong Kong, China.
- 2 The University of Queensland Diamantina Institute, Faculty of Medicine, Translational Research Institute, Brisbane, Australia; APC Microbiome Ireland, University College Cork, Cork, Ireland.
- 3 The University of Queensland Diamantina Institute, Faculty of Medicine, Translational Research Institute, Brisbane, Australia.
- 4 Department of Gastroenterology, St Vincent's Hospital, Melbourne, Australia; Department of Medicine, The University of Melbourne, Melbourne, Australia.
- 5 Department of Laboratory Animal Science at the Third Military Medical University in Chongqing, China.
- 6 Department of Medicine and Therapeutics, Institute of Digestive Disease, State Key Laboratory of Digestive Diseases, LKS Institute of Health Science, The Chinese University of Hong Kong, Hong Kong, China; Center for Gut Microbiota Research, Department of Medicine and Therapeutics, The Chinese University of Hong Kong, Hong Kong, China.
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- 9 Department of Gastroenterology, St Vincent's Hospital, Melbourne, Australia; Department of Medicine, The University of Melbourne, Melbourne, Australia. Electronic address: mkamm@unimelb.edu.au.
- 10 Department of Medicine and Therapeutics, Institute of Digestive Disease, State Key Laboratory

EXAMPLE  
Affiliations



# Review Publications

## Conflict of Interest

Dr. Iwaya received grant/research support from Nippon Kayaku, Chugai Pharmaceutical, and Daiichi Sankyo. Dr. Nishizuka received grant/research support from Array Jet, Taiho Pharmaceuticals, Boehringer-Ingelheim, Chugai Pharmaceutical, and Geninus. Dr. Nishizuka is an advisor/board member of CLEA Japan. Drs. Iwaya and Nishizuka hold a patent that might benefit from this publication (JP6544783). Dr. Suzuki (listed in collaborators) received grant support from The Uehara Memorial Foundation and Takeda Science Foundation.

## Funding

This work was supported by Keiryokai Collaborative Research Grant [#131, #136] and a Grant-in-Aid for Scientific Research KAKENHI [JP16H01578, JP16K19951, JP16K19952, JP17K10605, 19K09224, and JP16H06279].

## Preprint information

This study has previously uploaded to medRxiv,

doi: <https://doi.org/10.1101/2020.05.01.20087106>

[View Abstract](#)

**EXAMPLE  
Conflict of Interest and  
Funding Source**

# Fundamental Research

No restrictions on publications other than a limited review with the purpose of ensuring the protection of proprietary information, on the free and open publications of the research results in journals or other technical literature (regardless of whether there is any actual publication)

No sponsor restrictions (e.g., an agency of the U.S. Government) on the nationality of personnel who can be involved in the research

# Fundamental Research Restrictions

Examples of restrictions which may nullify the fundamental research exclusion include:

- Researchers accept restrictions or approvals for publication or the use of foreign nationals
- Pre-publication review with the right to withhold portions of the research results from publication
- Approval required from sponsor to use foreign nationals on a project

# UIC Policy on Classified and Restricted Research

- Be familiar with the [UIC Policy on Classified and Restricted Research](#)
  - What can and cannot be done under the policy
  - When can you use exceptions
- Creating and Implementing [Technology Control Plans](#) (TCPs)



<https://policies.uic.edu/uic-policy-library/research-2/policy-classified-restricted-research/>  
<https://research.uic.edu/compliance/export-controls/>

# Material Transfer Agreements



- UIC owns the research materials, data and equipment
- Faculty members and departmental administrators **do not** have the authority to enter into MTAs on behalf of the University, whether UIC is the recipient or provider of the material
- All MTAs are handled by OSP
- Some materials, software or data may require an export license if shipped abroad
- Some items cannot be shipped to a restricted or banned party, or located in an embargoed country

# Material Transfer Agreements

- plasmids
- antibodies
- cultures
- animal models
- cell line and cell stocks
- chemical compounds
- software
- prototypes
- equipment
- reagents
- vectors
- mice
- drugs



# Monitor Travel

## Ethics Office

- Education materials and missions

## Export Controls

- What to know if you travel overseas



## COI Disclosures

- RNUA
  - Travel paid by entities that are not exempted
- Sponsor Specific
  - Must disclose sponsored and reimbursed travel if \$5,000 or more

<https://go.uic.edu/coiRNUAGuidance>

<https://www.vpaa.uillinois.edu/cms/One.aspx?portalId=420456&pageId=984574#examplesnot>

<https://www.ethics.uillinois.edu/cms/one.aspx?portalId=1216&pageId=212007>

<https://research.uic.edu/compliance/export-controls/>

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Office of the Vice Chancellor for Research

# International Travel – Best Practices



- Register the trip with the [UIC Travel Roster](#)
- Take only a password-protected laptop and mobile devices swept clean of everything but typical software and minimal data
- Avoid taking any data with you and, if possible, remotely access your data securely over the network (i.e. VPN). All original data should be housed at UIC or on a UIC-supported service
- Don't bring any research material, samples, etc., unless authorized by UIC through an MTA or research agreement

<https://oge.uic.edu/international-travel-safety-enrollment/>  
<https://policies.uic.edu/uic-policy-library/global/international-travel-safety-policy>

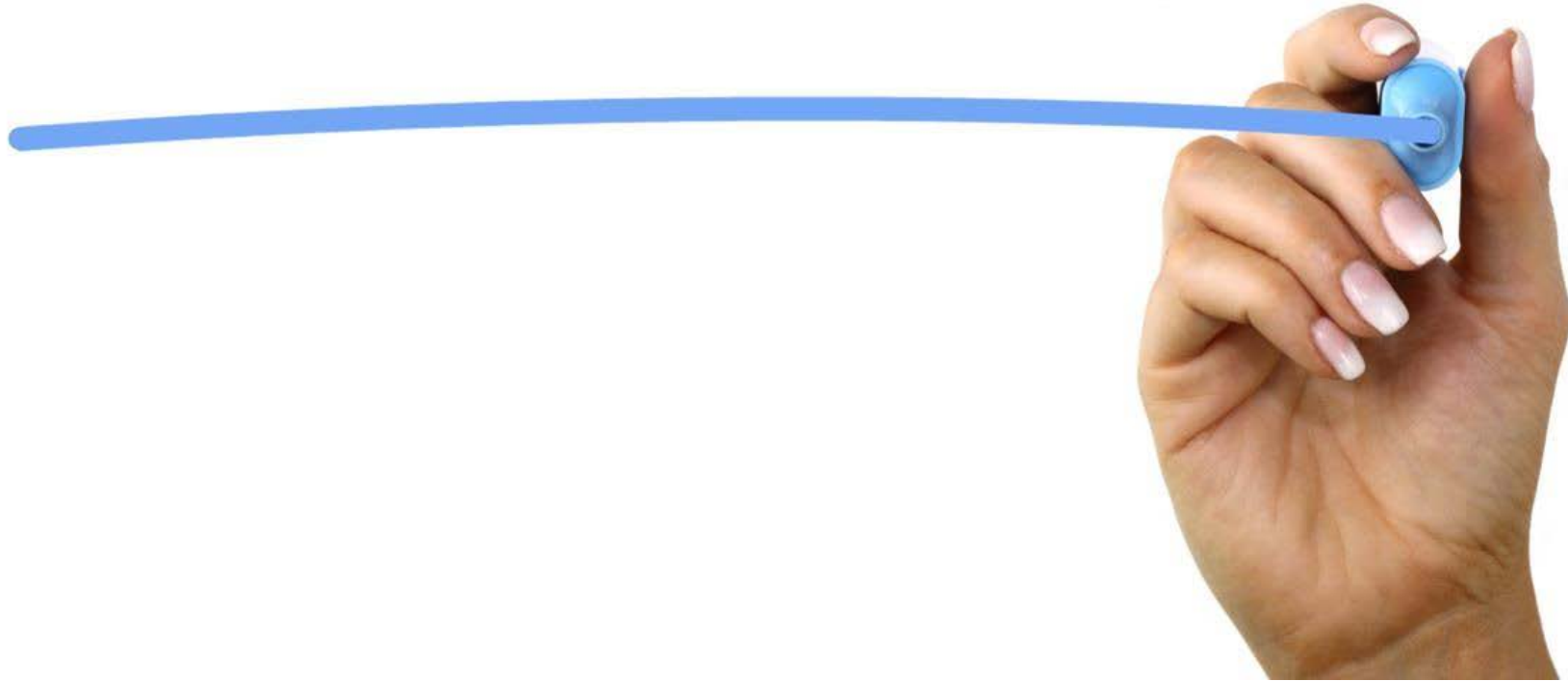


# International Travel – Best Practices

- Back up your original data regularly
- What if your laptop, mobile device or information were lost, stolen or destroyed?  
Don't take information you don't need, including sensitive contact information
- Don't use USB flash drives given to you, and if you absolutely have to use your USB flash drive in a foreign computer, do not use that USB flash drive again
- Contact the Export Controls Compliance Officer or OSP for help



# QUESTIONS



# Resources

- NSF - [Current and Pending Support](#)
- NSF - [Synergistic Activities](#)
- NSF - [Collaborators and Other Affiliations Information](#)
- NIH - [Other Support](#)
- NIH - [Biosketch Format Pages, Instructions and Samples](#)
- NIH - [Statement on Protecting the Integrity of U.S. Biomedical Res](#)
- NIH - [Grant Policy Statement – Prior Approval - Foreign Component](#)
- NIH - [Grant Policy Statement – Definitions - Foreign Component](#)
- NIH - [Letter from NIH Director Francis Collins](#)
- NIH - [Protecting U.S. Biomedical Intellectual Innovation](#)



# Contacts

- Office for Research Integrity
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