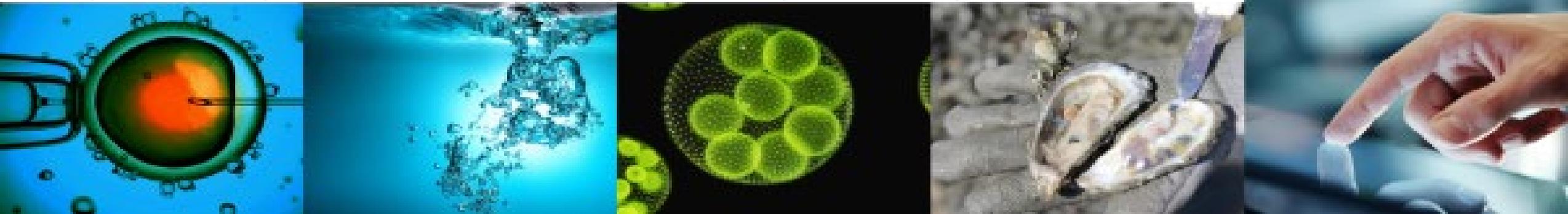


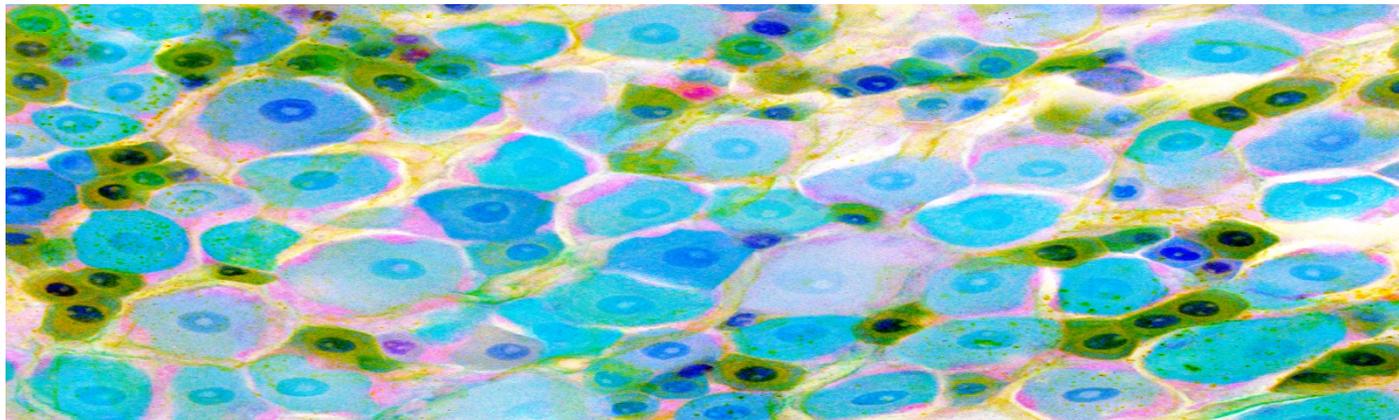
Foreign Influence in Research



Robin L. Cyr, CCEP
Associate Vice Chancellor for Research Compliance
Research Compliance Officer

Foreign Influence

Concerns regarding inappropriate foreign influence in university research



Through a variety of mechanisms, the U.S. government has raised concerns about foreign threats to the integrity of research at national academic and research institutions.

The concerns revolve around three main areas:

1. Diversion of intellectual property to foreign entities
2. Disclosing confidential grant application information by NIH peer reviewers to third parties
3. Failure of researchers to disclose research resources and support provided by other organizations, including foreign entities

This isn't new!

On December 15, **2005**, Director of the FBI, Robert S. Mueller III, created the National Security Higher Education Advisory Board (NSHEAB).

This board was designed to bridge historical gaps between the US Intelligence Community and academe with respect to national security issues. It was comprised of approximately 20 presidents and chancellors who represented higher education and the last chair was Lou Anna K. Simon, president of Michigan State University. The NSHEAB was charged with promoting cooperation and understanding between higher education and several governmental agencies, including the FBI.

The mission of the NSHEAB includes the promotion of the understanding of the unique culture, traditions, and practices of higher education, including the culture of openness and academic freedom and the importance of international collaboration. The NSHEAB also serves as a means to open the doors of understanding and cooperation with leaders in higher education on matters related to national security, terrorism, counterintelligence, cyber threats, and certain criminal matters. A stated goal of the NSHEAB was preventing the theft of sensitive research conducted at American Universities.

The NSHEAB was disbanded in early 2018.

Higher Education and National Security:

The Targeting of Sensitive, Proprietary and Classified Information on Campuses of Higher Education

To accomplish one or more of the above goals, duplicitous or opportunistic actors or organizations may use a variety of methods such as:

- Conduct computer intrusions
- Collect sensitive research
- Utilize students or visiting professors to collect information
- Spot and recruit students or professors
- Send unsolicited email or invitations
- Send spies for language and cultural training, and to establish credentials
- Fund or establish programs at a university



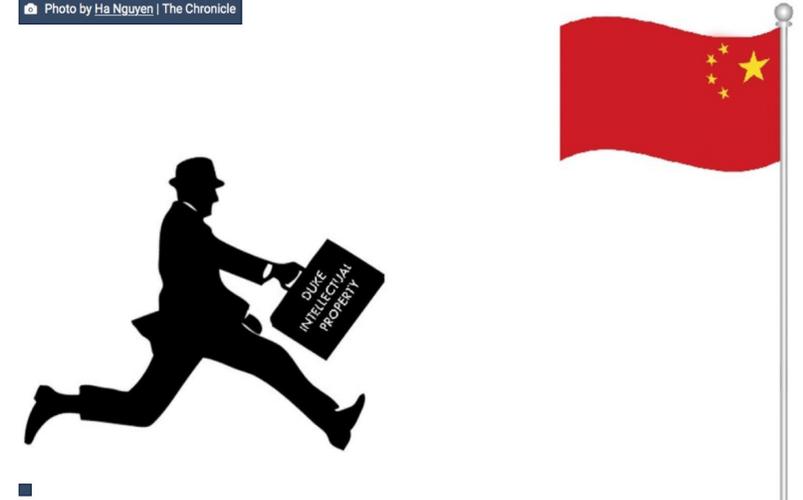
*“Intellectual property”
also includes pre-
publication data and
sensitive information.*

TALENT RECRUITMENT OR “BRAIN GAIN” PROGRAMS

Encourage the transfer of original ideas and intellectual property from U.S. universities. China’s talent recruitment plans, such as the Thousand Talents Program, offer competitive salaries, state-of-the-art research facilities, and honorific titles, luring both Chinese overseas talent and foreign experts alike to bring their knowledge and experience (or that of advisors and colleagues) to China.

Association with talent recruitment plans by itself is not illegal; however, potential participants and their employers should be aware of legal issues that may arise as a result of participation, including violation of export-control laws, economic espionage, or violation of employer conflict-of-interest policies.

Photo by Ha Nguyen | The Chronicle



How one graduate student allegedly stole Duke research to create a billion-dollar Chinese company

New book describes how foreign intelligence can manipulate American universities like Duke



RESEARCH

Sending Unsolicited Email or Invitations

They may send unsolicited invitations to **submit papers or attend conferences**. They may use flattery or seek information that can be further used to target the researcher or someone with better access. **Sometimes the unsolicited email is a request to review someone else's research or technology paper.** In this case, the duplicitous actor is hoping the targeted professor will correct mistakes he/she sees in the provided paper and, in that way, obtain valuable insights and restricted information.

Another possible scenario: A researcher receives an unsolicited invitation to **submit a paper for an international conference**. She submits a paper and it is accepted. At the conference, the hosts ask for a copy of her presentation. The hosts hook a thumb drive to her laptop, and unbeknownst to her, download every file and data source from her computer.

It is easier for a spy to operate in an environment where he is trusted than where he is scrutinized. **An organization may donate money or goods to a university to establish cultural centers, fund academic programs, or facilitate joint research.** The funding agency may place stipulations on how the programs or centers are run—stipulations that ultimately benefit that organization. The funding organization may be able to place their own recruits in positions with little or no oversight from the university. Donations also establish a good will attitude and build a sense of trust between the donating institution and the university.



Research Compliance Program

[Training by Role](#)[Online Tutorials](#)[Institutional Review Board \(IRB\)](#)[Conflict of Interest \(COI\)](#)[Institutional Animal Care & Use Committee \(IACUC\)](#)[Export Controls](#)[Data Stewardship](#)[Environment, Health, and Safety](#)[Clinical Research](#)[Sponsored Research](#)[International](#)[Foreign Influence](#)

Research Compliance Program

The University of North Carolina Research Compliance Program is committed to advancing the highest standards of ethics, integrity and honesty, and to compliance with all applicable laws, regulations and policies governing research, privacy and conflict of interest. The Program strives to promote best practices and ethical behavior and to deter activity contrary to these standards by (a) anticipating risk, and (b) encouraging strong stewardship and management accountability at all levels, in collaboration with institutional colleagues responsible for compliance implementation. Program objectives include:

CONTACT

Research Compliance Program
CB 7006
UNC-Chapel Hill
Chapel Hill, NC 27599

research_compliance@unc.edu

TO REPORT A CONCERN ANONYMOUSLY:

[Contact Ethics Point](#)

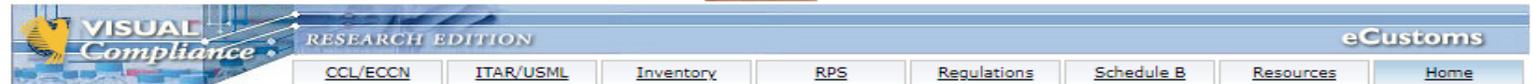
<https://research.unc.edu/compliance/>



Achieving export, trade and OFAC compliance is more than simply screening for denied and restricted parties—it involves an assembly of numerous export-related processes to get the job done and Visual Compliance has a full suite of versatile components that fit seamlessly into those processes.

Visual Compliance Offers:

- Restricted Party Screening
- Audit and Resolution
- Export classification
- Controlled Technology Management
- Export Automation
- Regulations Tips & Tricks



WELCOME **Your Name**
[UNC SYS - UNIVERSITY OF NORTH CAROLINA SYSTEM
(BILLING CO)]

- * [CONTROLLED GOODS \(CCL/ECCN\)](#)
- * [U.S. MUNITIONS LIST \(ITAR/USML\)](#)
- * [CLASSIFICATION INVENTORY](#)
- * [RESTRICTED PARTY SCREENING](#)
- * [ADMINISTRATIVE SCREENING](#)
- * [FEDERAL REGULATIONS, RULES, and NOTICES](#)
- * [RECENT FEDERAL U.S. DOCUMENTS](#)
- * [EXPORT INDUSTRY NEWS HEADLINES](#)
- * [GLOBAL TRADE RESOURCES](#)
- * [TECH DATA AND HARDWARE EXPORTS](#)



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Copyright © 1981-2018 Visual Compliance
Last Update: **AUG 09 2018**

- Online Help
- Decision Tree
- Browser Help
- Change Password
- User Profile
- RPS Manager
- Best Practices
- Training
- Updates Feed
- Download Acrobat Reader

Email exportcontrol@unc.edu and ask to get access to Visual Compliance. This is free to all UNC employees with a valid email address.

Restricted Party Screening

What a Visual Compliance Hit looks like

VISUAL COMPLIANCE Research Edition

CCL/ECCN ITAR/USML Inventory **RPS** Regulations Schedule B Resources Home

RESTRICTED PARTY SCREENING AUTHORITIES CONSULTED SANCTION PROGRAMS

REGISTERED USER: **Your Name** UNC SYS - UNIVERSITY OF NORTH CAROLINA SYSTEM (BILLING CO)

INDIVIDUAL AND COMPANY SCREENING

Name:

Company:

Address:

City: State:

Country:

Comment:

Exact
 Phonetic
 Fuzzy Level

Stemming
 Thesaurus
 Field Specific

Remove business words

ECCN for country controls check:

Export
 Sanctions
 GSA

Police
 PEP/OIG
 International

GSA data is updated in full every business day direct from SAM/EPLS. Business endings is not selectable when already set as your profile default. Fuzzy or phonetic search with thesaurus often produces erratic results.

BLOCKED FOREIGN NATIONALS BY COUNTRY

Display a checklist of blocked foreign nationals in a country:

Many foreign nationals are not identified by country in the official sources. This query searches subscribed RPS lists [except GSA and PEP], including records having alternate country locations in Notes.

BLOCKED ENTITIES AND FUGITIVE LISTS

Display a checklist of entities on the selected government list:

GEOGRAPHIC LOCATION FROM IP ADDRESS

Display geographic location of provided IP address:

May entail a margin of error.

VISUAL COMPLIANCE Research Edition

CCL/ECCN ITAR/USML Inventory **RPS** Regulations Schedule B Resources Home

You searched for any records containing:

Search criteria: Name: Sichuan
Company: n/a
Address: n/a
City: n/a
State: n/a
Country: PR China [CN] *

Search type: for Exact matches, which returned 8 results. Stemming on, Thesaurus on, Field Specific on, Business words removal [Export, Sanctions, GSA, Police, PEP and International data groups.*] GSA data is updated in full every business day direct from SAM/EPLS.

Date of search: Thursday, September 5, 2019

Time of search: 11:10 AM EDT

***Country Notes:** The following conditions apply to the country supplied for this entity. For sanctions, see the [U.S. Sanctions and Embargoes Programs Summary](#) for more information.

Risk Status	Jurisdiction	Notes
Risk	US	Subject to military end-user and/or end-use based control policy for specified ECCN dual-use items under EAR Part 744 or related policy, or policy of denial for CCL items that contribute to military capabilities.
Risk	EU	Subject to European Union Arms Embargoes or E.U. restrictive measures related to the export of arms based on political commitment
Risk	US	Restricted as an export destination under EAR Part 736 General Prohibition Three (Foreign-produced direct product re-exports) for ECCN 0A919 and 9x515 or "600 series" items in the Commerce Control List.
Risk	US	Prohibited as an export destination for defense articles and defense services under the ITAR (126.1), including denial policy and U.S. Arms Embargo countries.
Risk	US	Restricted as an export destination under Department of State U.S. Arms Embargoes.
Risk	US	Restricted as an export destination under EAR Part 736 General Prohibition Three (Foreign-produced direct product re-exports).

PDF PRN EXCEL

Reference	Name	FRC [Click for PDF]	Alert
ELT058207	SICHUAN UNIVERSITY No. 24 South Section 1, Yihuan Road Chengdu	77 FR 58006	
NCI000646	SINOPEC SICHUAN PETROLEUM CO.		

How to Protect our Institution



Implement

Implement a continuous evaluation program to persistently screen and onboard employees.



Ensure

Ensure retired, separated, or dismissed employees turn in all university-issued property. What about when faculty go on leave? What about their system access?



Evaluate

Evaluate sufficiency of existing nondisclosure agreement requirements and policies restricting the removal of university property.

UNC National Security Working Group

**Chair – AVCR /Research Compliance
Officer**

Co-Chair – Director of Federal Affairs

- Professor and Chair of Biochemistry and Biophysics
- Senior Associate Dean for Research and Innovation, Professor of Physics and Astronomy
- Chief Audit Officer
- Director of Business Development, Industry Relations (Development Office)
- AVC for Campus Safety and Risk Management
- Executive Director of EH&S and Risk Management and the Biosafety Officer
- Executive Director of the Office of Sponsored Research
- Conflict of Interest Officer (Research Division) and the Assistant Provost for Academic Personnel (Provost's Office)
- Interim Director of the International Student and Scholar Services
- International Liaison Officer and the Director of Global Relations (UNC Global)
- AVC for Human Resources
- Internal Controls Reporter, Enterprise Financial Accounting and University Controller
- CFO, Executive Director of Payroll and Materials Management
- Chief Audit and Compliance Officer for UNC Health Care System
- AVC for Institutional Privacy and Chief Information Security Officer
- Director of University Relations – Office of University Communications
- Director of Licensing and Innovation Support (Office of Technology Commercialization)
- AVC for Student Affairs and Senior Operating Officer
- Associate University Counsel

National Security Working Group Charge



While the number of people involved in inappropriate activities is small, less than 1%, the ramifications and costs are significant and therefore the risk must be addressed. This pan university working group will conduct a gap analysis and have a deep review of existing business practices as they relate to this serious issue. The challenge will be to find ways to continue and expand our international activities and educational opportunities, while ensuring compliance with applicable US laws and regulations.

We must also be mindful of proceeding in a manner that is thoughtful and respectful of established international relationships & collaborations, as well as our visiting scientist/scholars and students.

Issues We are Addressing:



1. Training of faculty and students

Institutions have incorporated modules on export-controlled research, protection of intellectual property, preservation of scientific integrity, ethical behavior in conducting federally-funded research, agency reporting and disclosure requirements, and processes for reporting suspicious behavior into RCR training for students and faculty.

2. Review of foreign gifts, grants, contracts and collaborations

3. Review of faculty foreign financial interests and affiliations

4. Protections of data and cybersecurity

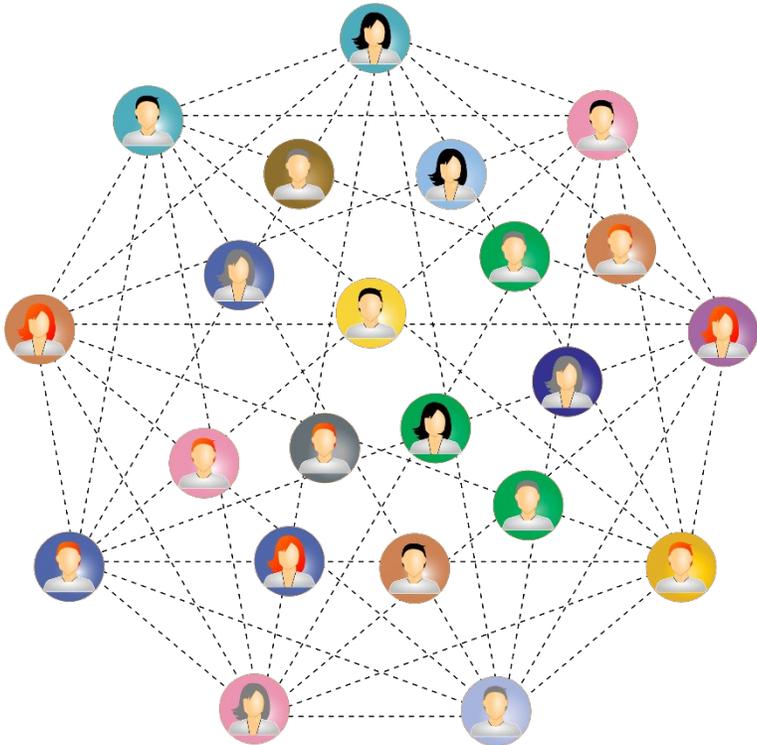
5. Protection of intellectual property and use of technology control plans

6. Foreign travel safeguards and protections

7. International visitors to campus- visiting scholars and students.

National Security Working Group

Breakout Groups



 Faculty & Employees

 Vendors

 Travel and Ambassadorship

 Grants & Gifts

 Students

 Physical Security

 Materials

 Disclosures COI & EPAP

 Cyber Security

 Campus Communications



Safe Travel

1. Take a cell phone that doesn't have your contacts, if you can.
2. Take a wiped laptop that doesn't have data or software that facilitates remote access to your home entity (VPN).
3. If you have encryption software on your laptop, make sure it doesn't require an export license.
 - Contact exportcontrol@unc.edu with questions
4. Do not let your devices out of your control.
5. Do not let anyone use a thumb drive or other storage device to get access to your presentation.
6. Register with the UNC Global Travel Registry at UNC Global webpage on Travel Info <http://global.unc.edu/travel-info/>
 - Email andrew.hunt@unc.edu with questions
7. Enroll in a Travel Insurance program- <https://global.unc.edu/travel-info/travel-insurance-and-risk-management/>
 - Email janet_hoernke@unc.edu with questions
8. Visit Safe Computing at UNC website for more details- <https://safecomputing.unc.edu/>

Travel for the Business Professional
Social Networking
Travel for the Student
Intellectual Property Protection

<https://www.fbi.gov/file-repository/business-travel-brochure.pdf/view>
<https://www.fbi.gov/file-repository/internet-social-networking-risks-1.pdf/view>
<https://www.fbi.gov/file-repository/student-travel-brochure-pdf.pdf/view>
<https://www.fbi.gov/file-repository/intellectual-property-protection-brochure.pdf/view>

Recent Changes

Disclose any planned collaborations- **official or unofficial-** with foreign or domestic organizations in your proposals, including **exchanges of personnel, materials, data, or confidential information.**

Disclose all external professional activities and relationships, un/compensated, including but not limited to appointments held at other institutions (e.g., visiting scientist, professor, adjunct)

NIH Guide Notice

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



Remember,
not everyone
is a
“bad actor”

They represent < 1% of the population, but that equates to a loss of \$600 billion a year in lost intellectual property.



RESEARCH

A message I received recently from a UNC student:

“Thank you for your talk about research under foreign influence today. I am a student sitting among the audience. I want to appreciate you and want you to know that we've got your back, as well. You work for the University and the US government, and also work for your heart wanting to serve the people, without discriminating nationalities. Those two used to be the same. But now, there seems to be conflicts, it seem that some problems exist. And your role turns into a mediator, it is hard. But you serve an important role, you are at a position that might be able to understand and make important impact to solving the problem. I, as well as many, want to understand the problem. We also want to help. The University has made me grow, as well as the US. I grew up being educated to be a global citizen. But there could be problems in between nations -- it is natural. Sometimes, we are not exposed with what the problems are, but just told to cooperate and follow, for some reasonable reasons. During these times, we need trust, mutually. It is okay, but don't forget, we would also like to help and support you. Thank you so much for what you have done, sincerely. If there is a problem, if there is trust between the many entities and among people, if we have faith in God, if we have confidence in ourselves, if we have hope in our heart -- be brave, we can face it and solve it in the right way. Rules are unclear because things are changing, which also brings value to individual persons to solve the problems following the righteous heart, to contribute with wisdom. When there is a problem, it is not someone else's problem, we'd like to contribute and shoulder it together. And I believe this is deep inside every researcher's heart that motivates our work/position, deep down your heart, and in everyone's heart. Thanks again. Hope things will go well.”

Contact Information

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&
Research Compliance Officer

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