



Strengthening
University-Industry
Partnerships

Managing Foreign Influence

Jeremy Forsberg

*Assistant VP for Research,
University of Texas at Arlington*

Kevin Gamache

*Chief Research Security Officer,
Texas A & M University System*

Scott P. McGaunn

*Federal Bureau of
Investigation*

Roseann Luongo

Huron Consulting Group

The poster features a background image of a laptop with a glowing orange and red light effect. In the top left corner, the UIOP logo is displayed above the word 'virtual' in a white, lowercase font. Below this, the text '2020' and 'MARCH 23-26' is shown in white. At the bottom, four circular headshots of the speakers are arranged horizontally, connected by a white grid pattern. Below each headshot is the speaker's name and affiliation in white text. At the very bottom, the event title is written in a white, italicized font.

UIOP
virtual
2020
MARCH 23-26

Roseann Luongo
Huron Consulting Group

Jeremy Forsberg
UT Arlington

Scott McGaunn
FBI

Kevin Gamache
Texas A&M University

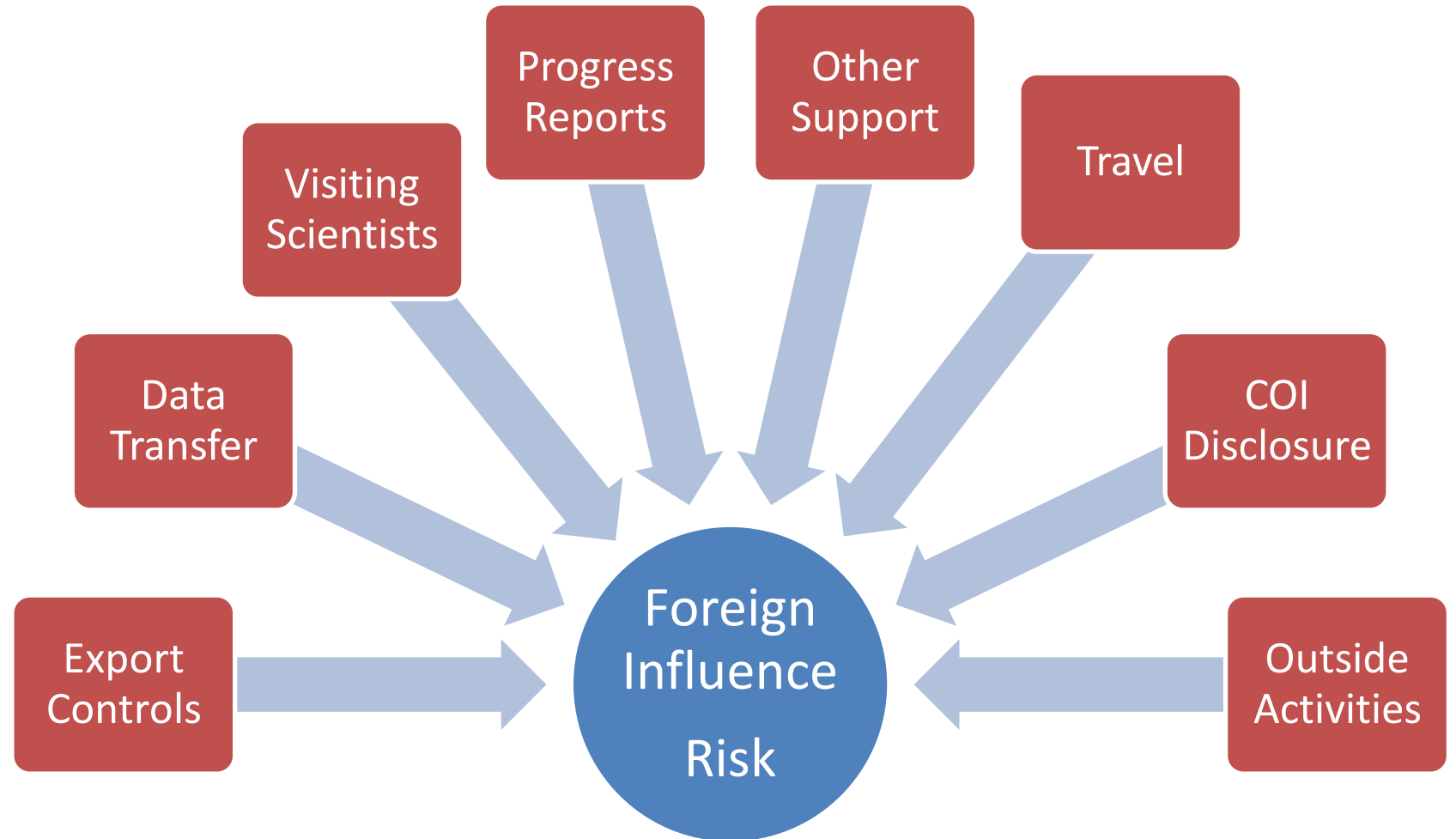
*Compliance, Foreign Influence, and
Emerging Threats Against US-Funded IP*

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Managing Foreign Influence Institutional Challenge

Institutions are challenged to figure out how to gather information from multiple sources across typically disparate units within an institution to obtain the complete picture of foreign influence risk.



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Managing Foreign Influence

Institutional Approach

Research institutions across the country are considering various mechanisms to address foreign influence.



BACKGROUND CHECKS

- Expanding background checks for visitors and employees who may work on research projects



VISITOR ACCESS

- Reviewing and updating Visiting Scientist agreement templates to capture technology and space access, IP restrictions, disclosure requirements, etc.



FOREIGN GIFTS & PARTNERSHIPS

- Identifying gifts received from foreign entities or individuals and ensure IP protection, as applicable
- Implementing processes for escalated review of foreign agreements and/or agreements with companies subject to US sanctions



SYSTEMS AND SPACE ACCESS

- Ensuring identity management when provisioning access to systems
- Ensuring access to physical space containing sensitive data is restricted
- Monitoring access logs for unusual activity



DATA SECURITY

- Determining strategies to protect against data exfiltration
- Housing sensitive databases using secure data centers and/or on restricted networks
- Prohibiting the use of personal equipment on restricted networks
- Require use of loaner equipment during foreign travel

Managing Foreign Influence

Institutional Commitment

In the midst of heightened scrutiny, research institutions across the country are still committed to foreign collaboration and place a high value on it.

"We ... reaffirm our *commitment to the collaborative environment that serves as a cornerstone in the pursuit of scientific knowledge*. As reinforced in a recent op-ed column from the presidents of the Association of American Universities and the Association of Public and Land-grant Universities, international scholars — including those from China — are critical to our success, and they play a vital role in our educational and research enterprises."
(August 2019)

University
of Kansas



In an open letter distributed across the MIT community condemned students, faculty and others being scrutinized "because of their Chinese ethnicity alone" when, as he put it, "*nothing could be further from – or more corrosive to – our community's collaborative strength and open-hearted ideals.*" (July 2019)

MIT



• "I affirm Yale's steadfast commitment to our international students and scholars; they are vital to the university community...By bringing the most talented and promising students and scholars to campus, we foster new discoveries and advance our mission of improving the world today and for future generations." (May 2019)

Yale



Managing Foreign Influence

Agency Response

National Institutes of Health (NIH)	Investigating scientists at more than 65 institutions for potentially undisclosed or unapproved foreign ties
National Science Foundation (NSF)	NSF personnel barred from participating in foreign talent recruitment programs
Department of Energy (DOE)	Researchers barred from participating in certain foreign talent recruitment programs
Department of Defense (DOD)	IG opened an inquiry into foreign influence in research and development programs
Department of Justice (DOJ/FBI)	FBI investigating and USAOs prosecuting cases
Department of Commerce	Added Huawei and 68 affiliates to the Bureau of Industry and Security Entity List
Department of Education	Launched investigations into foreign funding at major research universities
Department of State	Required members of Chinese diplomatic corps to notify State when visiting educational, research, and other institutions
Customs and Border Protection	Stopped foreign researchers at U.S. airports attempting to export research materials
NASA	Restricting awardees from collaborating with China and Chinese-owned companies at the prime or sub-recipient level
Department of Agriculture	Assisting in investigations involving unauthorized shipments of animal specimens

Foreign Threats to Academic Research

The China Threat - CCP



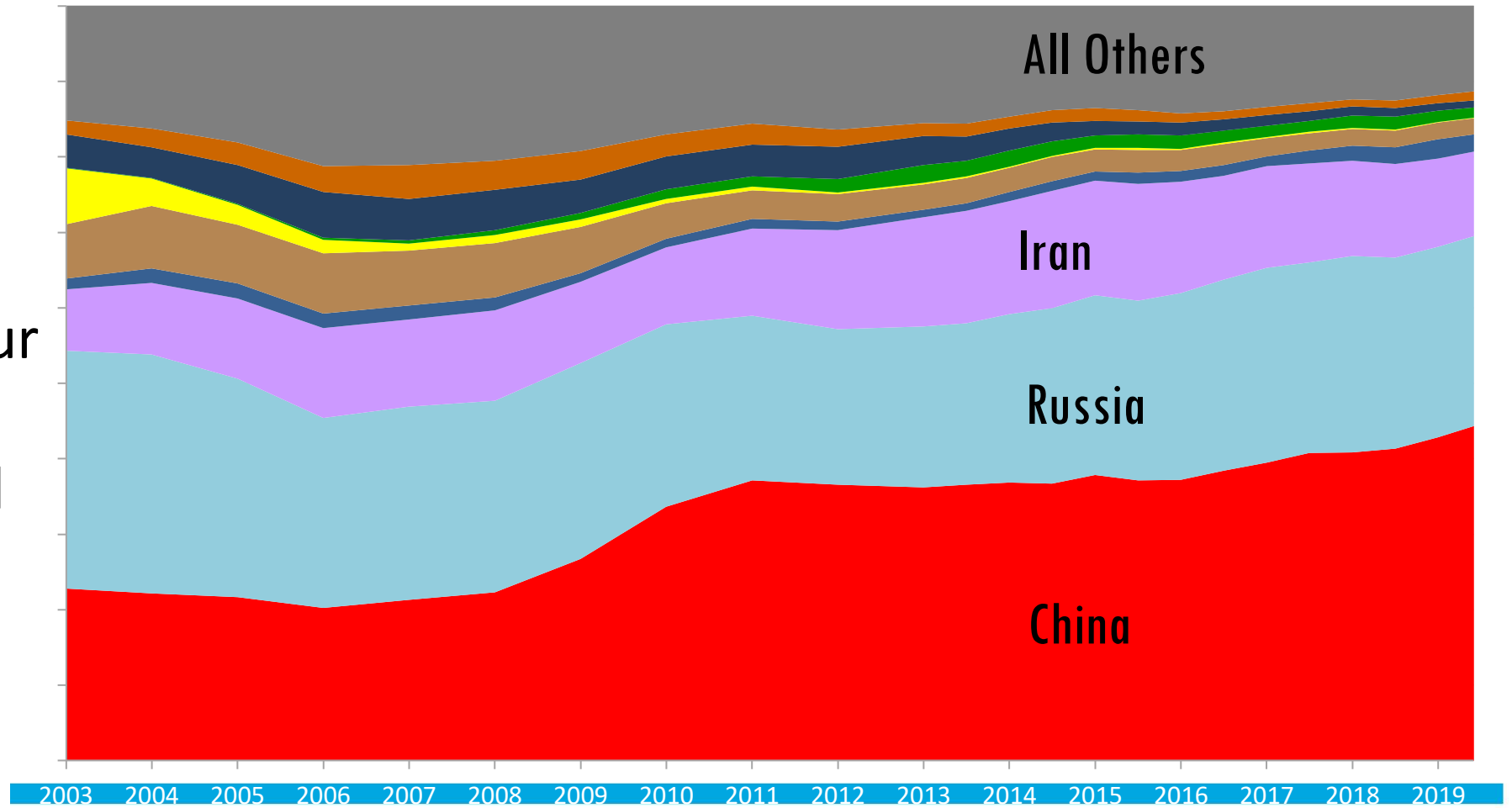
- CCP Goal – become the world superpower by 2049
- 13th - 5 Year Plan
 - obtain American technology and research
 - use legal and illegal means to obtain Intellectual Property (IP)



Foreign Threats to Academic Research

The China Threat - CCP

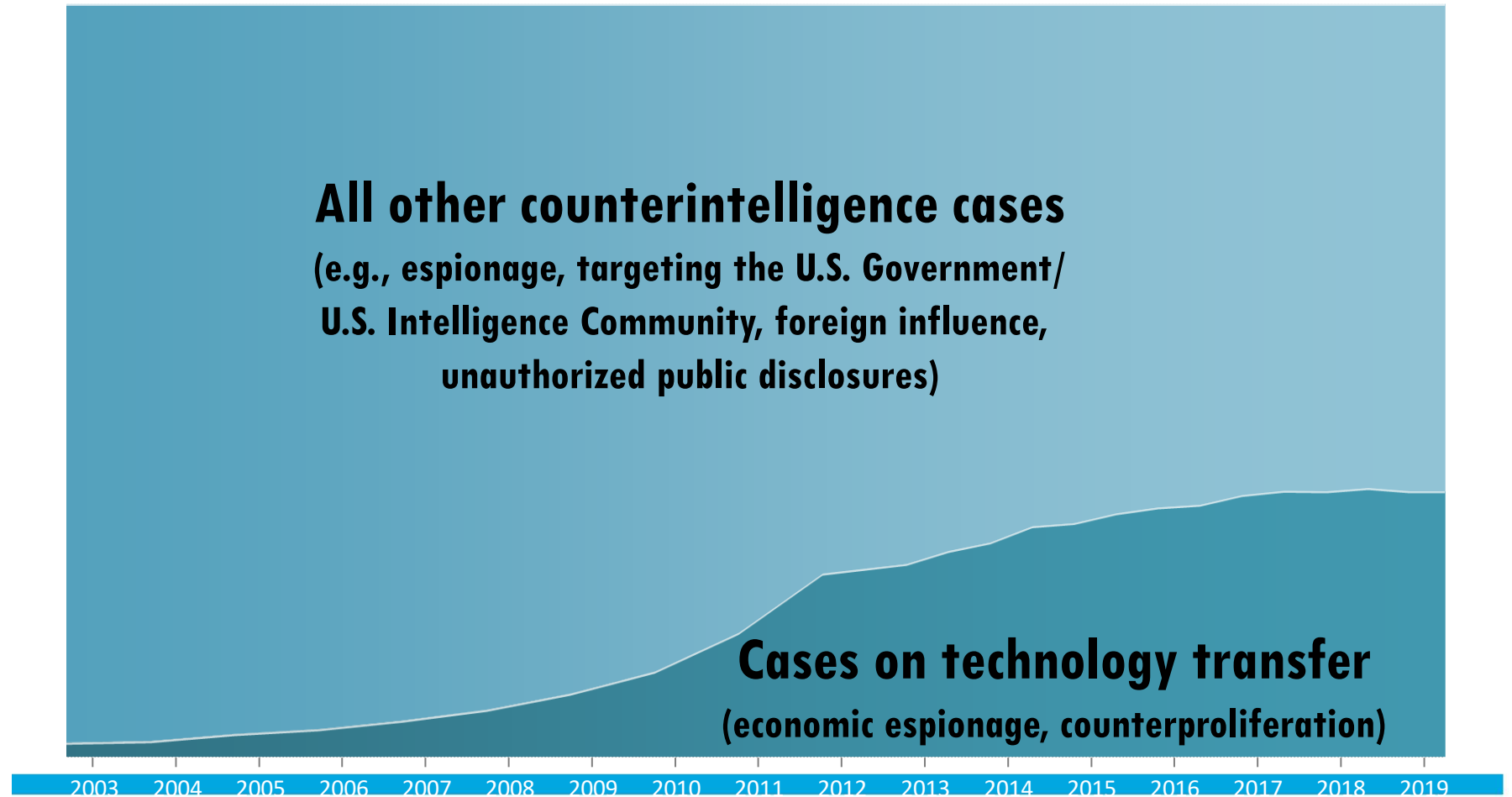
- Not just China...
- The FBI follows the threats
- Ever increasingly, our counterintelligence case load is focused on China and its proxies



Foreign Threats to Academic Research

The China Threat - CCP

- Our caseload keeps evolving...
- More of our counterintelligence caseload involves protecting U.S. technology and other trade secrets.



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Foreign Threats to Research Talent Programs



- The Thousand Talents Program, a.k.a. the “Recruitment Program of Global Experts”
- Focuses on identifying key organizations and associated personnel
- Goal is to recruit experts from Western universities and research centers
 - To boost China’s national capabilities in the science and technology (S&T) fields
- Typically target an expert or scholar with full professorship in a prestigious foreign university or research and development institute
- Approach typically starts with a speaking invitation, a first-class trip to China, a white paper, a collaboration effort, a request for assistance....all fully funded!

Foreign Threats to Academic Research

Talent Program Case

- Dr. Charles M. Lieber
- Pioneer in nanoscience and nanotechnology
- Published over 400 papers
- Principal inventor on over 50 issued U.S. patents and applications
- Involved in China's Thousand Talents Program
- On January 28, 2020, Lieber was arrested by the FBI
- Charged with making false statements



Talent Programs Case – Lieber Arrest

Affidavit

3. Based on the evidence gathered to date, LIEBER was a “Strategic Scientist” at WUT and a contractual participant in China’s Thousand Talent Plan for significant periods between at least 2012 and 2017. The terms of LIEBER’s Thousand Talents contract called for LIEBER to be paid up to **\$50,000 per month** in salary and approximately **\$150,000 per year for living and personal expenses** by WUT. LIEBER was also awarded **more than \$1.5 million** by WUT and the Chinese government to establish a research lab and **conduct research at WUT.**



Foreign Threats to Academic Research

Academic Espionage Case

- Yanqing Ye, a student at Boston University's Department of Physics, Chemistry & Biomedical Engineering
- A lieutenant in the People's Liberation Army (PLA)
 - Tasked by PLA officers
- Studied at the National University of Defense Technology (NUDT), a top military academy directed by the CCP in China
- On January 28, 2020, a federal arrest warrant was issued for Ye after she was charged with acting as an agent of a foreign government, visa fraud, making false statements, and conspiracy



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Foreign Threats to Academic Research

Intellectual Property Theft Case

- Zaosong Zheng, 29, a medical student from China
- Tried to smuggle biological material taken from Beth Israel Deaconess Medical Center out of the country back to China
- Some vials contained a colleague's work he had replicated without the authorization or knowledge of the lab
- Arrested by FBI on Dec. 10 at Logan Airport
- Zheng had tried to smuggle vials of research specimens in a sock in his suitcase bound for China



Foreign Threats to Academic Research

U.S. Government Concerns

- USG concerned about foreign actors obtaining intellectual property at American universities which is funded by the U.S. Government
- Problems for researchers arise from:
 - Failure to Disclose Resources (Foreign Funding and Positions)
 - Diversion and Theft of NIH/DOD/DOE/NSF Funded Intellectual Property
 - Improper Sharing of Confidential Information by Peer Reviewers



Foreign Threats to Academic Research

Texas A&M System Actions Taken to Address the Threat

Deep Vetting of Visiting Scholars

- Open source internet searches
- Vetting of institutions and individuals through databases
- Crosschecking publications and coauthors
- Engage DCSA/FBI as needed

Computer Incident Response Team/Cyber Monitoring

- Developed comprehensive indicators for talent program connections
- Endpoint protection
- Enhanced threat-based cyber monitoring

Foreign Talent Recruitment Analysis

- Contracted third-party analytical support
- Trend analysis—down to individual faculty/labs

A&M System Research Security Office

- Oversight of classified, unclassified, export-controlled research
- Single point of contact for engagement with DSS, FBI, HSI, and IC
- Consolidated awareness & threat training for 11 universities and 7 state agencies

Secure Computing Enclave

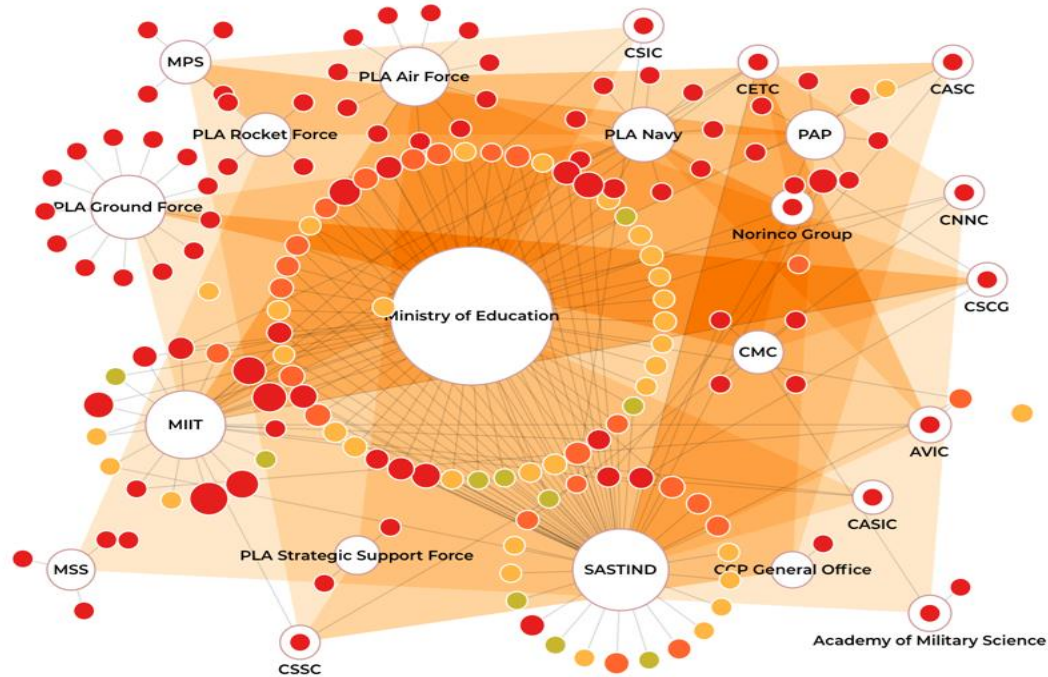
- Fully NIST SP 800-171 Compliant
- Does not touch the larger Texas A&M University Network
- Unique secure virtual environment established for each research project in the enclave
- Goal is to house most U.S. government research in this Secure Computing Enclave



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Foreign Threats to Academic Research

Texas A&M System Tools Used to Address the Threat



Defence research institutions grouped by supervising agency.

Search universities by keyword, category or risk...



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Foreign Threats to Academic Research

Communicate, Collaborate, Cooperate

Get to know your local FBI Agents



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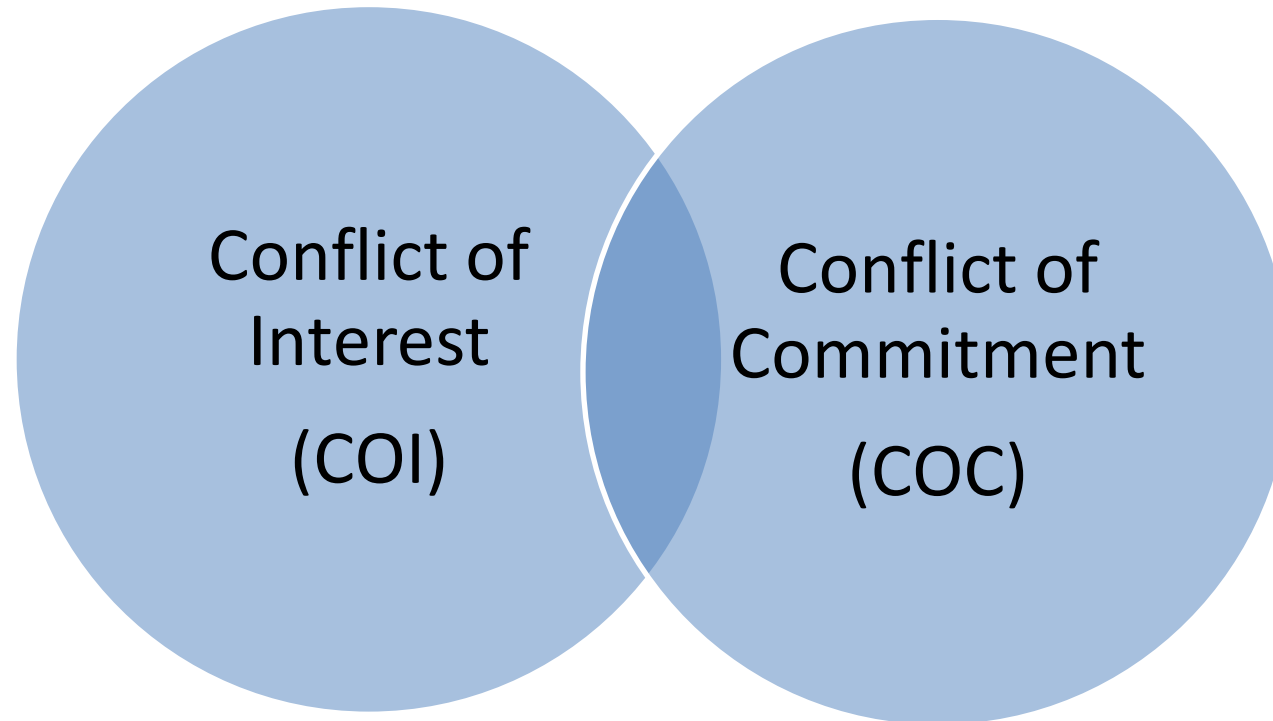
<https://asce.tamus.edu>



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COI and COC Disclosure



Conflicts of Interest are not reported to NIH unless the institution determines a conflict exists.



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Background Conflict of Commitment

Protecting taxpayer investment; grant and research integrity.

DOJ

*“Any potential conflicts of commitment by a researcher **must be disclosed as required by law and university policies**. The Department will continue to pursue any unlawful failure to do so.”*

ORI

*“Although researchers will frequently work on several projects at the same time, in the final analysis primary work obligations must be met. In addition, the **time devoted to one project ordinarily cannot be billed to another.**”*

Managing Foreign Influence

COI and COC Examples

- Other activities outside of institutional appointment that meet policy threshold
- All appointments whether or not remuneration is made, including all foreign appointments
- Compensated or uncompensated activity such as speaking engagements, scientific advisory board member, consultant, advisor, etc. in an outside entity related to institutional responsibilities

Conflict of Commitment

- Travel to a foreign country sponsored by a for-profit or non-profit organization or a foreign higher education institution or research center (“reimbursed or sponsored travel”)
- Significant financial interest received from a foreign entity or foreign government
- Intellectual property rights held within foreign entities

Conflict of Interest

Conflicts of Interest are not reported to sponsor unless the institution determines a conflict exists.

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Internal Steps to Consider



Questions?

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Source: Site sources using this style of text.



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THANK YOU!

THE
TEXAS A&M
UNIVERSITY
SYSTEM



Jeremy Forsberg

Assistant VP for Research, University of Texas at Arlington

[*j.forsberg@uta.edu*](mailto:j.forsberg@uta.edu)

Kevin Gamache

Chief Research Security Officer, Texas A & M University System

[*krgamache@tamu.edu*](mailto:krgamache@tamu.edu)

Scott P. McGaunn

Federal Bureau of Investigation

[*spmccaunn@fbi.gov*](mailto:spmccaunn@fbi.gov)

Roseann Luongo

Huron Consulting Group

[*rluongo@huronconsultinggroup.com*](mailto:rluongo@huronconsultinggroup.com)



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Strengthening
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Member
Webinar

WEDNESDAY,

APRIL 8, 2020

12 to 1 p.m. EDT



Jim Bray
Northwestern
University
Moderator



How Companies Approach Academic Research Engagement in these Disruptive Times

[Join us](#) to learn how our industry members, in diverse sectors, are evaluating and reframing their current approaches to academic collaborations.

Panelists



Gaylene Anderson
Boehringer Ingelheim
Pharmaceuticals, Inc



Kent Foster
Microsoft



Austin Kozman
PepsiCo