

Research Administrators Forum

**Research Integrity & Ethics
And Sponsored Projects Accounting
December 2018**

Topics

- **International Partnerships – disclosing and reporting requirements**
- **NSF Audit Findings**

U.S. Attorney General Letter

- **Department of Defense (DoD) to work with academic institutions to limit the undue influence of foreign talent programs and support protection of intellectual property**
- **Develop “enforcement strategy concerning non-traditional collectors (e.g. researchers in labs, universities) that are being coopted into transferring technology contrary to US interests”**

Senator Grassley letter

- *“Seeks Transparency from NIH on Foreign Threats to the Research Grant Process”*
- How NIH is addressing?
- What enforcement mechanisms are in place?
- Who is NIH’s investigating?
- Data on any violations that occurred in the last 5 years

NIH Letter

- *“Foreign Influence Letter to Grantees”*
- Issued by NIH Director, Francis Collins on 8/20/18
- Inappropriate influence by foreign entities
- Taking advantage of NIH’s long tradition of trust and fairness

Areas of Concern from NIH

- **Diversion of intellectual property to foreign entities**
- **Disclosing confidential grant application information by NIH Peer Reviewer to third parties**
- **Failure of researchers to disclose research resources and support provided by other organizations, including foreign governments**

Reminder from Dr. Collins

- “disclose all forms of other support and financial interests, including support coming from foreign governments or other foreign entities...in accordance with the NIH Grants Policy Statement, [on] **all applications and progress reports**”
- NIH will be providing additional info in the future

Required Disclosures

- **Disclose to federal funding agencies *all* research projects you devote effort to and/or actively participate in – ongoing or proposed – that include any foreign sources of funding in the Current and Pending Support/Other Support of your proposal application or at Just-in-Time.**
- **Includes any support of your research activities even if not officially through Washington University.**

Required Disclosures, cont.

- **Disclose any foreign support of the relevant research and/or collaborations as well as personal financial interests related to your research in all public sharing of research results including journal articles, presentations, and other publications.**

Potential Scenarios

- Faculty member receives funding from the Chinese government via a grant to **another (e.g., foreign) institution.**
- Faculty member receives funding from **Chinese government** via a grant to the home (U.S.) institution
- Faculty member receives funding from **Chinese company** via a grant to the home (U.S.) institution

Required Financial Disclosures

- **Disclose to the University via the financial disclosure statement all personal remunerations/financial interests, and**
- **Travel* paid for or reimbursed by a foreign entity (e.g. governments and institutions) in accordance with the university's [disclosure requirements](#).**

* applicable only to PHS funded investigators

Potential Scenarios

- **Receiving remuneration such as wages, compensation, stipends and living allowances from any foreign entity (e.g. foreign universities/institutions of higher learning, foreign non-profit organization/association, or any level of foreign government)**
- **Travel* costs are covered or reimbursed by a foreign entity**

* applicable only to PHS funded investigators only

Applicable requirements

- **Export Control regulations cover sharing technology or information with foreign countries, foreign entities, and to foreign nationals within the U.S.**
 - **What**
 - **Who**
 - **Where**
 - **Intended End**

Refer to the [export control website](#), “how to’s”

Potential Scenarios

- **Participating in international collaborations**
 - Transfer of technology, information or materials to foreign collaborators may require an export license
 - Emailing = Exporting!
- **Shipping or hand carrying materials internationally**
 - May require an export license
 - The person or entity may be a restricted party
- **International Travel (e.g. attend international meetings/conferences)**
 - May present information security and export risks

Potential Scenarios

- **Bringing electronic devices when traveling internationally**
 - Assume electronic networks are not secure! Never leave electronic devices unattended. Bring a clean laptop.
- **Working with international staff and students or hosting international visitors**
 - Foreign individuals and institutions may be on government restricted lists, limiting allowable interactions or prohibiting access to controlled equipment
- **Entering into an agreement with a foreign entity outside of the normal contracts process**
 - Entity may be restricted
 - Risk creating obligations that abrogate ability to comply with university policies

Additional Requirements and Guidance

- Follow the requirements of the university's [global travel policy](#).
- Review WUSTL [International Travel Resources](#) website
- Register your trip on the WUSTL [MyTrips Travel Registry](#).

Applicable Requirements and Guidance

- Promptly disclose intellectual property to the Office of Technology Management and remind your group members to do the same.
- Review [FBI guidelines](#) for business and academic travelers

NSF Audit Findings (Tufts)

Travel was not *necessary, reasonable or prudent* for the award:

- **Award on second no cost extension & travel not specifically noted in NCE**
- **Traveler did not directly present research related to the project at the conference**
- **Airfare and registration purchased four days prior to conference**

NSF Meal Costs (Tufts)

Advisory Board Dinner (\$1,300)

- 10 attendees including one spouse
- Obligated/contracted to pay for 12 people
- Per person cost was \$102.45

Meal costs charged were excessive and the amount deemed reasonable was GSA per diem rate (\$36)

NSF Travel (MIT)

Employees combined personal travel with business-related travel but did not properly obtain or document the *constructive airfare cost associated with the business portion* of the travel to verify that the personal travel expenses did not increase the costs charged to NSF awards.

NSF Equipment (MIT)

- **Purchase \$17K equipment item in last month of 5 year project**
- **Equipment received during final 2 weeks of project**
- **“The equipment does not appear to provide sufficient benefit to the award...”**

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