Research Administrators Forum

Research Integrity & Ethics
And Sponsored Projects Accounting
December 2018
Topics

• International Partnerships – disclosing and reporting requirements

• NSF Audit Findings
• 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)
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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