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Universities Face Federal Crackdown Over Foreign Financial Influence

'THIS IS REAL THEET'

NIH Investigates Foreign Influence at U.S. Grantee Institutions

BY ERIC BOCK



profiling violating review.er, NIH deputy director for extramural research.

Harvard University Professor and Two Chinese Nationals Charged in Three Separate China Related Cases

The Department of Justice announced today that the Chair of Harvard University's Chemistry and Chemical Biology Department and two Chinese nationals have been charged in connection with aiding the People's Republic of China.

Dr. Charles Lieber, 60, Chair of the Department of Chemistry and Chemical Biology at Harvard University, was arrested this morning and charged by criminal complaint with one count of making a materially false, fictitious and fraudulent statement. Lieber will appear this afternoon before Magistrate Judge Marianne B. Bowler in



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Kansas professor indicted for all failing to disclose appointment sitv

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...on Settlement aute To Resolve Allegations Junese Grants To Two Researchers

WASHINGTON — The Department of Justice announced today that Van Andel Research Institute (VARI) has agreed to pay \$5,500,000.00 to resolve allegations that it violated the False Claims Act by submitting federal grant applications and progress reports to the National Institutes of Health (NIH) in which VARI failed to disclose Chinese government grants that funded two VARI researchers. The settlement further resolves allegations that in a Dec. 21, 2018 letter, VARI made



SENSITIVE ISSUES & CHALLENGING CONVERSATIONS

Curren	t Environment	
	Increased scrutiny by federal agencies on international research and engagement	
	Country-based concern is primarily but not exclusively with China	
	Process concern is with lack of transparency/disclosure and drives many recent enforcement actions	
	NIH, NSF, DOD, DOE, and other funding agencies each have new or expanded requirements to disclose 'Foreign Components' and 'Other Support'	
	Disclosure requirements vary and the situation remains fluid	
	Faculty and institutions face serious consequences for failure to disclose	
Strong Commitments at Mason		
	International engagement, collaborations, and global impact	
	Academic freedom and openness	
	Diversity and impartiality	

HOW COULD THIS AFFECT ME?

- ☐ Strong trend in research toward greater collaboration on larger projects that increasingly cross disciplinary and national boundaries.
- ☐ Researchers are engaging in projects with a wider diversity of collaborations and sponsors than they may have had before.
- ☐ Communicating with collaborators and disclosing and reporting activities properly to sponsors is critical, and requirements change from sponsor to sponsor and over time.

EXAMPLES OF NIH, NSF, AND DOD SIMILAR REQUIREMENTS*

What to Disclose	Where to Disclose	When To Disclose
Outside appointments, both paid and unpaid.	Biosketch	Proposal (NSF, NIH, DOD) Just in time updates, Research Performance, Progress Report (NIH)
All resources, including in- kind, made available to an	Other support	Proposal, JIT, RPPR (NIH)
individual in support of and related to his/her research efforts	Current and pending	Proposal, Progress Report (NSF)
Related Sources of support	Other Support	Proposal – Senior Key Personnel Profile (DOD)

^{*} Other disclosure requirements include foreign sponsored travel over \$5K (NIH), international visiting scholars, students or collaborators supporting your research (NIH), funding of a foreign organization, including sub-award or consultant arrangements as part of award (NSF)

See oria.gmu.edu for links to other requirements. Choose "foreign support" from the "Topics of Interest" menu.

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WHAT YOU CAN DO: BEST PRACTICES FOR INTERNATIONAL ENGAGEMENT

DISCLOSURE is a fundamental tool for managing risk.

Disclose and manage potential conflicts.

Err on the side of transparency.
Review current projects and each funding application to ensure that all Foreign Components and Other Support are disclosed and reported as required by the different federal sponsors.
Guidance and requirements are updated frequently contact us if you have questions.
Check with OSP and ORIA before adding a foreign component to an existing research project. You may have disclosure requirements or prohibitions.
If a federal agency contacts you with questions about your international engagements, please contact us (rhartle1@gmu.edu or cditeres@gmu.edu) immediately for assistance.









