

University Senate Research Committee Meeting
30 November 2018
1:00 PM
156 CL

In Attendance: C Bonneau, E. Chasens, A. DiPalma, D. Hargill, G. Huber, P. Humar, G. Melhem, P. Morel, R. Rutenbar, D. Salcido, S. Sant, P. Smolinski, B. Yates, J. Woodward

The discussion at this meeting focused on new initiatives from the Administration concerning foreign influence and security issues facing universities. Many of these were included in the recent National Defense Authorization Act (NDAA). The NDAA requires the Secretary of Defense to "...establish an initiative to support the protection of national security academic researchers from undue influence, including through foreign talent programs, and other security threats, by developing policies, training and regulations and procedures with academic organizations to support the goals of this objective". As part of this the NDAA includes certain specific prohibitions such as federal agencies are prohibited from using any telecommunications equipment or services from a wide range of Chinese firms. The committee received clarifications on this by Allen DiPalma and Rob Rutenbar.

It was acknowledged that most of these directives are aimed at China, which is seen as being a threat to national security. China has many programs to either train individuals in China or to educate individuals in the US about China. These include Chinese government-funded Confucius Institutes, in many US universities, that provide cultural exchange programs

A. DiPalma stated that there are Confucius Institutes hosted by various universities in the United States and the stated goal of these Institutes is to promote Chinese culture and language. The University of Pittsburgh has a well-known Confucius Institute (CI) whose mission is support the learning of Chinese language and culture in local K-12 schools. There is government concern that these institutes are being used to instill in the minds of in future leaders a pro-China viewpoint. There will be a prohibition on the use of Department of Defense (DOD) used to support any Chinese language study programs provided by CI or at any institution of higher education (IHE) that hosts a CI.

There is a concern among academic institutions that these could materialize into over-restrictive policies concerning scientific and educational exchanges between the US and other countries. A. DiPalma stated that, in order to guard against such a possibility, he has been invited to participate in the Academic Security and Counter Exploitation (ASCE) Working Group led by Dr. K. Gamache at Texas A&M that will be looking at foreign talent recruitment programs involving individuals at institutes of higher education in the U.S.

R. Rutenbar stated that government interest in foreign influence may lead to new laws, regulations and guidelines. The foreign influence mostly involves China but can involve

other countries, for example Russia and the use of Kaspersky software. There are three major areas of concern: 1) intellectual property (IP), 2) talent programs and 3) untoward policy influence. Universities are viewed as open places where nefarious behaviors, such as the stealing of IP, can be easily conducted. Talent programs such as the Thousand Talents Plan recruit Chinese ex-patriot and US academics to advise and mentor research programs in China. The list of academics in the Thousand Talents Program was recently taken down from the internet. The third concern is that covert political influence is being used to promote social and cultural change that is favorable to China.

In addition to trying to access technologies restricted by International Traffic in Arms Regulations (ITAR) other examples of bad IP behavior include stealing data, specimens, samples, and software. There is also concern at the NIH that ideas may be stolen during the proposal merit review process. Due to concerns about taxpayer-funded IP loss, there may be changes in the National Defense Authorization Act (NDAA), which funds research spending for defense, with regard to new export controls and new critical technologies to be controlled. Also, there are likely to be changes in disclosure policies forthcoming from the NIH and NSF to avoid diversion of proposal information. He stated that NIH Director Dr. Francis Collins recently briefed a United States Senate committee that NIH-funded scientists may be smuggling IP or unpublished scientific findings to foreign governments. Dr. Collins has written a letter to research institutions giving the areas of concern of: investigators receiving undisclosed foreign support, diversion of IP to foreign countries and peer reviewers disclosing confidential proposal information.

R. Rutenbar stated that there will be a broad look at institutions on what information needs to be disclosed. In the near future, an email will be sent to the University community reminding people about disclosure requirements on conflict of interest (COI) forms. The COI form is based on NIH guidelines. Also, currently at the University IP is tracked by a paper process and there will be a new IT system to electronically maintain this information.

G. Huber mentioned that the current COI form may have to be revised in the area of foreign travel and consulting. At present the COI form is restricted to activities that result in payments over \$5000, and foreign travel or interactions with foreign entities per se are not included.

P. Morel stated that there are several academic programs that involve foreign exchange students and asked about any effects on these programs. R. Rutenbar said that a review of these programs may be necessary in order to determine how these students are being monitored.

D. Salcido asked if there were any incidents of IP theft at the University. R. Rutenbar said he is not aware of any allegations.

Several people expressed the opinion of the need to protect academic freedom and open scientific exchange in light of the foreign influence concerns.

P. Morel asked about an institutional letter being required by NIH for training grant proposals regarding institutional policies for dealing with harassment.

J. Woodward said that she is aware of this and a standard letter has being prepared, and she provided copies of this letter to the committee.

The meeting was adjourned at 2:20 pm.

The next meeting will be January 25, 2019 in CL 156

Minutes submitted by P. Smolinski and P. Morel.