Foreign Influence and Its Impact on University Research

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Northwestern | RESEARCH

What are the concerns about “foreign influence”

- The federal government has long expressed concerns about foreign influence on the U.S. research enterprise, driven by national & economic security
- While these concerns have been ramped up in recent times (particularly over the last year), they’re hardly new
- In FBI guidance, “foreign influence” is defined as “covert actions by foreign governments to influence U.S. political sentiment or public discourse” with the goal “to spread disinformation, sow discord, and, ultimately, undermine confidence in U.S. democratic institutions and values”

What are the concerns about "foreign influence"

- **An April 2011 report issued by the FBI entitled: "Higher Education and National Security: The Targeting of Sensitive, Proprietary, and Classified Information on Campuses of Higher Education," highlighted concerns, including:**
  - **Theft of technical information or products**
  - **The bypassing of expensive R&D**
  - **Recruitment of individuals for espionage**
  - **Exploitation of the student visa program**
  - **Spreading of false information for political or other reasons**

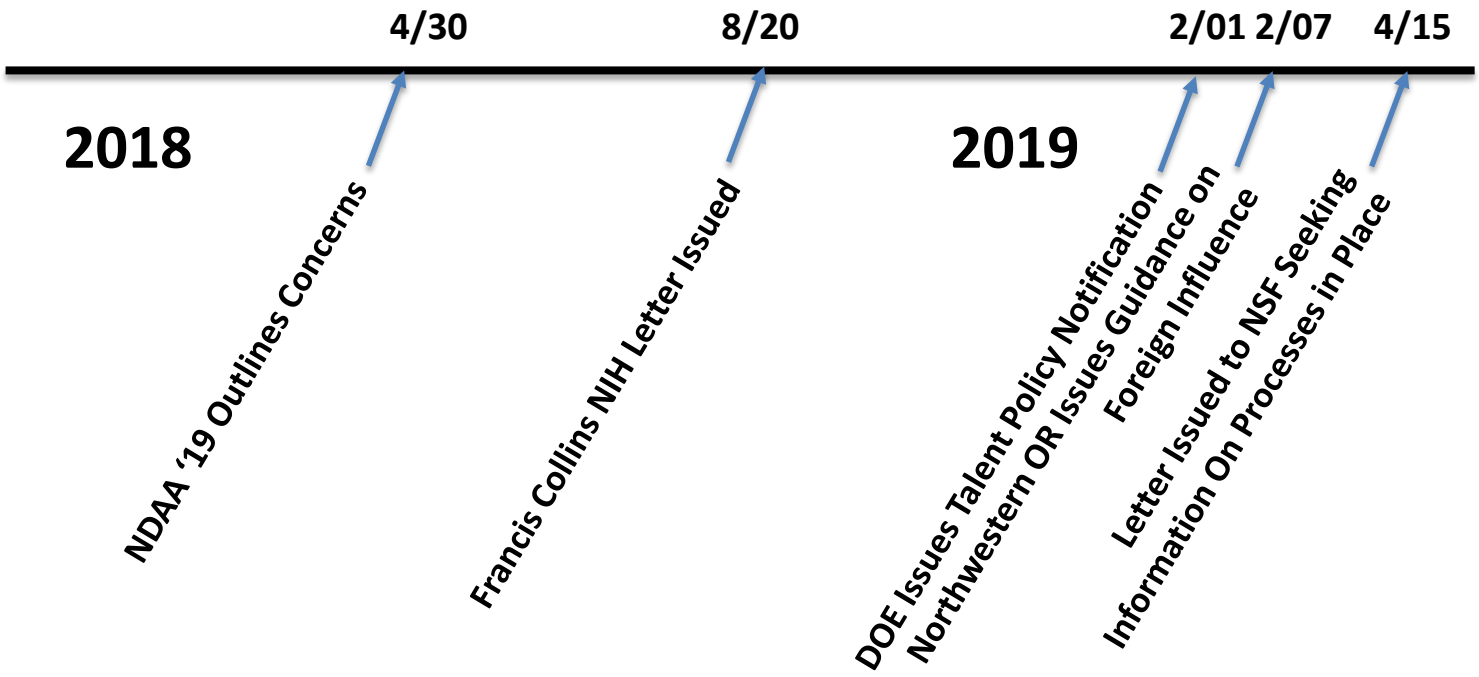
What are the concerns about "foreign influence"

- **The report identified a number of methods used to achieve these goals:**
  - **Conducting computer intrusions**
  - **Collection of sensitive research**
  - **Utilizing students or visiting professors to collect information**
  - **Spotting and recruiting students or professors**
  - **Unsolicited emails or invitations**
  - **Sending spies for language and cultural training and to establish credentials**
  - **Funding programs at universities**

What are the concerns about “foreign influence”

- **The FBI has characterized the recent increase in scrutiny as follows:**
  - **The interconnectedness of the modern world**
  - **The anonymity of the Internet**
  - **These factors combined have changed the nature of the threat and how it must be addressed**

A Timeline on Foreign Influence



What have we been told?

- DOD (NDAA)
- Francis Collins Letter
- DOE
- NSF
- FBI Meeting

What have we been told?

- National Defense Authorization Act for Fiscal Year 2019 outlined specific concerns about foreign influence
- Section 1286 specifically identifies concerns: “Initiative to Support Protection of National Security Academic Researchers from Undue Influence and Other Security Threats”

What have we been told?

- **Tasks DOD with establishing an initiative to work with academic institutions who perform defense research and engineering activities**
  - **Support protection of intellectual property, controlled information**
  - **Limit undue influence, including through foreign talent programs, by countries to exploit U.S. technology within DOD research, science and technology, and innovation enterprise**
  - **Support efforts toward development of domestic talent in relevant scientific and engineering fields**

What have we been told?

- **Requires development of the following:**
  - **Information exchange forum and information repositories to enable awareness of security threats and influence operations being executed against U.S.**
  - **Training and other support for academic institutions to promote security and limit undue influence**
  - **Capacity of government and academia to assess whether individuals have participated in talent recruitment programs**
  - **Opportunities to collaborate in secure facilities to promote protection of critical information and strengthen defense against foreign intelligence**
  - **Develop regulations, policies and procedures, and other initiatives to support these efforts, including the prohibition of funding provided by DOD**

What have we been told?

- **NIH Director Francis Collins issues letter outlining concerns with threats to NIH-funded research enterprise**
  - **Diversion of intellectual property in grant applications or produced by NIH-supported research to other entities**
  - **Sharing of confidential information on grant applications by NIH peer reviewers with others, or otherwise attempting to influence funding decisions**
  - **Failure by some researchers working at NIH-funded institutions in the U.S. to disclose substantial resources from other organizations, which threatens to distort decisions about the appropriate use of NIH funds (*Note: the NIH issued letters regarding these specific concerns to a number of academic institutions)***

What have we been told?

- **NIH Director Francis Collins issues letter outlining concerns with threats to NIH-funded research enterprise**
  - **Identified steps to combat these concerns through:**
    - **Improving accurate reporting of all sources of research support, financial interests, and relevant affiliations**
    - **Mitigating the risk to IP security while continuing NIH's long tradition of collaborations with foreign scientists and institutions**
    - **Exploring additional steps to protect the integrity of peer review**

What have we been told?

- **Department of Energy issued a memorandum on 2/1/19 outlining concerns about foreign influence**
  - **Specifically identified foreign talent recruitment programs**
  - **Defined such programs as "any foreign state-sponsored attempt to acquire U.S.-funded research through recruitment programs that target scientists, engineers, academics, researchers, and entrepreneurs of all nationalities working or educated in the U.S.**
    - **These programs target individuals who are leaders in their respective fields and have top-level access to and research capabilities in technological fields of interest to the foreign government**
    - **These recruits are offered lucrative and prestigious incentives**

What have we been told?

- **Department of Energy issued a memorandum on 2/1/19 outlining concerns about foreign influence**
  - **These programs threaten the U.S. economic base by facilitating the unauthorized transfer of technology and intellectual property to foreign governments**
  - **DOE recognizes the inherent conflict between open scientific collaboration and the potential exploitation of this openness**

What have we been told?

- **Department of Energy issued a memorandum on 2/1/19 outlining concerns about foreign influence**
  - **In response, the DOE has outlined a plan to protect U.S. national security interests**
    - **DOE funding recipients will be subject to limitations, including prohibitions on their ability currently or in the future to participate in foreign talent recruitment programs of countries deemed sensitive by DOE**
    - **Includes a mandate to implement this plan and to provide additional guidance through DOE directives**

What have we been told?

- **The National Science Foundation has been instructed to provide information that will address concerns regarding foreign influence**
  - **Background check to vet grant recipients**
  - **Rules/procedures to prevent potential theft**
  - **Funding allocated to identify/investigate potential violations**
  - **Reviews/audits**
  - **Enforcement mechanisms**
  - **Coordination of efforts across agencies**

What have we been told?

- **FBI Meeting**
  - **Northwestern recently met with the FBI and were provided with five key areas of concern:**
    1. **Thousand Talents**
    2. **Chinese Scholarship Council recipients**
    3. **Huawei gifts/grants**
    4. **Visitors from Entity List institutions**
    5. **Targeting/recruitment risks to overseas student programs**

Northwestern's Response

- **On 2/7/19, Northwestern's Vice President for Research issued Guidance Regarding Foreign Influence and Involvement in University Research, reminding researchers of its obligations in several key areas:**
  - **Transparency in disclosure**
  - **Export compliance**
  - **Policies for engaging visiting collaborators**
  - **Proper security of materials, data, and confidential information**
  - **Protection of intellectual property**
  - **Peer review**

Targeted Companies

- **In the most recent National Defense Authorization Act (NDAA) for fiscal year 2019, two specific companies were identified as posing risks to U.S. interests**
  - **Huawei Technologies**
  - **ZTE Corporation**
- **With respect to these two companies, the NDAA expresses a prohibition on certain telecommunications and video surveillance services or equipment**
- **Per the NDAA: "The head of an executive agency may not … *enter into a contract with an entity that uses any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as a critical technology as part of any system.*"**

Take-Home Messages

- **While concerns about foreign influence are hardly new, and disclosure requirements have always existed, it is rare to see such unified messaging coming from a wide range of federal agencies, both enforcement-based and funding-oriented**
- **The clear message we are receiving is that the federal government demands strict adherence to disclosure requirements, transparency in foreign engagements, and vigilance in addressing potential threats by foreign governments**

Follow-up Questions/Concerns

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