



Fostering International Collaboration While Managing Undue Foreign Influence in Academic Research

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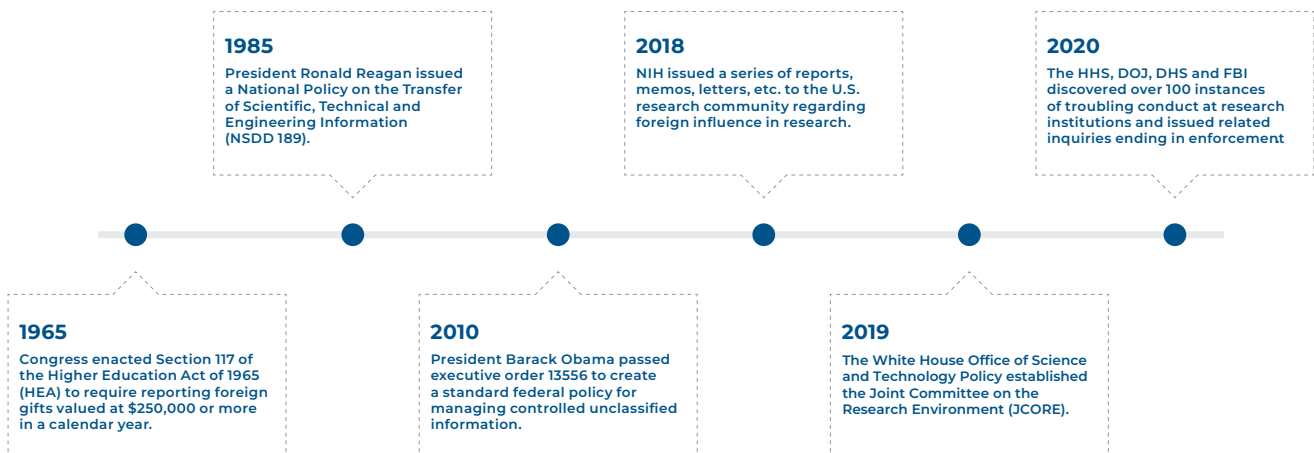
As global collaboration increases and instances of questionable influence by foreign entities over federally funded research continue to surface, institutions are being called to enhance compliance programs to mitigate this evolving risk.

While the concept of inappropriate conduct in research is not new, federal agency disclosure requirements have reinforced the definition of foreign influence and increased the severity with which noncompliance is prosecuted as institutions

are held to higher standards of accountability and transparency. This intensified spotlight on compliance with shifting regulatory demands has created a complex and high-stakes environment in which failure to adhere to federal mandates may lead to formal inquiries and civil or even criminal charges.

A Selected History of Federal Focus on Foreign Influence in Research

The federal government has long held institutions accountable for their dealings with foreign parties. Yet, as the research landscape has become more globally collaborative in recent years, the government has expanded its oversight of research programs



and strengthened enforcement measures for noncompliance. In August 2018, this involvement increased further when the director of the National Institutes of Health (NIH), Francis Collins, [distributed letters to many institutions](#) across the country expressing concern about the peer review process being compromised, the theft of U.S.-funded intellectual property (IP) and instances where institutions and researchers failed to disclose relationships with foreign entities.

Even more recently, the race to find a vaccine and treatments for COVID-19 has reinforced concerns about foreign influence in the public's consciousness. As many advancements have been made in this field of study, there have been at least that many attempts to steal IP resulting from COVID-19 treatment and vaccine research. For example, in July 2020, [Russian hackers embarked upon a coordinated effort](#) (using malware and fraudulent emails) to gain access to vaccine research.

Recent History: The Impact of COVID-19 on Research Collaboration

The search for a vaccine and effective treatments for those already infected has brought together some of the best minds in science, working together to crowdsource a solution. A few notable developments related to collaboration during the COVID-19 pandemic are listed below.

- In January 2020, [Chinese and Australian researchers collaborated](#) to develop the first virus genome, making the genetic map accessible to scientists globally.
- The National Center for Advancing Translational Sciences (NCATS) and the U.S. Food and Drug Administration (FDA) partnered to create the [CURE ID database](#), which allows medical professionals to easily share information related to the virus to crowdsource expertise, enable collaboration and iterate on advances.
- An international team of 115 scientists published a literature review of the [most effective methods for sanitizing N95 respirator masks](#).
- Even in the face of significant headwinds, many institutions recognize the immense necessity for international collaboration and have

remained steadfast in their research strategies. For example, [international collaboration on science and engineering research publications](#) from January to May 2020 increased to 32% from 26% in the five previous years.

Fostering Collaboration and Managing Risks

As with many complex propositions, international research collaboration carries risks along with benefits. The benefits of international collaboration are numerous, including specialized expertise, training and development opportunities, data sharing, innovation and creativity, efficiencies of scale, accelerated development timelines, and improved performance. The diversity of expertise and skill sets obtainable only through widespread collaboration helps the research community drive rapid innovation and achieve significant scientific advancements, and as such, many research institutions and scientists consider the primary benefits of global partnerships to outweigh their associated risks.

While the benefits of international collaboration are many, there are still significant risks associated with undue foreign influence that institutions should take steps to protect themselves against. In keeping with the principles of diversity and inclusion (D&I) that are paramount in higher education, institutions should create a consistent, objective and transparent framework to assess international relationships and quantify risks.

Identifying Foreign Influence Risks Across the Institution

Compounding this challenge is the reality that foreign influence activity occurs throughout institutions and falls under the purview of multiple operational leaders, including compliance, legal, research, academic affairs, technology transfer, development and advancement, and information security. Assessing relationships and quantifying risks requires collaboration across disparate functions throughout the institution and will likely require institutions to update policies and adopt new

processes, deploy monitoring activities, and leverage communication strategies to educate stakeholders.

An Institutional Network of Foreign Influence Mitigation Activities



Institutional Reporting

- Foreign IP Transactions
- Foreign Gifts and Contracts
- Conflicts of Interest



People

- Employee and Visitor Screening
- Visitor Access
- Visa Administration



Export Controls

- Controlled Technology
- International Shipping
- International Travel



Security

- Physical Security
- Data Security and Exfiltration Prevention
- Receipt or Generation of Confidential Unclassified Information



Research Proposals and Reporting

- Proposal Submission
- Progress Reports
- Other Support
- Biosketches

Institutions can take several initial steps to preserve national interests and research objectives while encouraging international collaboration, such as:

- Conducting a policy gap analysis and updating or creating policies to address foreign influence risks.
- Educating staff, researchers and senior leaders on foreign influence activity and any policy or procedure updates.

- Involving faculty leaders and D&I representatives in ongoing efforts, including developing communications and trainings.

In the simplest terms, the goal should not be to impede international collaboration but rather to make it more transparent. Successfully navigating this complex landscape requires leaders to strike a balance between preserving national interests and IP assets and encouraging the collaboration that is critical to innovation and discovery.

Throughout this series, Huron will provide guidance to institutions around five major components of foreign influence risk mitigation:

1. Information security and export controls in a work-from-home environment
2. Using electronic research administration (eRA) systems to collect and manage data relevant to foreign influence
3. The role of conflict of interest programs in managing foreign influence risk
4. Considerations for accepting foreign gifts that support research and donor relationship management
5. Examining enforcement actions to understand when institutions are implicated alongside individual researchers

Key Takeaways

To develop an effective plan to manage foreign influence risks, institutional leaders should:

Think differently.

Understand that failure to act around foreign influence can lead to civil or criminal charges for noncompliance.

Plan differently.

Proactively identify foreign influence risk exposure and develop frameworks to assess international relationships and quantify risks.

Act differently.

Foster a culture that values diversity and promotes collaboration without increasing the risks of foreign influence.



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