



# Navigating the New Era of Research Security

Insights From EAB's Executive Meetings on Foreign  
Interference in Research

# University Research Forum

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## About the University Research Forum

With declining federal and internal subsidies, it has become more challenging to grow the research enterprise. The University Research Forum provides best practices and implementation support to help chief research officers prioritize strategic growth areas, communicate needs and values to campus stakeholders, and better align long-term planning with research funding realities.

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# Executive Summary

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Chief research officers (CROs) must navigate dynamic conditions around research security, foreign interference in domestic research, and federal compliance expectations. Increased scrutiny from politicians and federal funding agencies places new pressures on CROs to balance security with institutional values, despite widespread ambiguity about perceived threats and formal policy requirements. CROs will encounter these six pain points as they navigate federal actions related to research security:



## **Amplified Attention on Research Security**

Widespread scrutiny from elected officials, federal agencies, university stakeholders, and media related to protecting the research enterprise from foreign interference and economic espionage



## **Uncertainty Over Existing and Future Federal Compliance Requirements**

Sense that federal research security policy fluctuates with significant speed and consequence, limiting CROs' ability to respond to new requirements and make longer term plans



## **Protecting Due Process in Research Investigations**

Concern that federal research investigations unfold haphazardly without a clear articulation of formal procedures, defined scope of inquiry, or appropriate respect for university and faculty rights



## **Negative Impacts on Ethnic Chinese Students and Researchers**

Recognition that both the rhetoric and actions of federal officials alienates and targets Chinese nationals on campus



## **Preservation of an Open Research University**

Emerging tensions in the research enterprise between research security initiatives and longstanding institutional values, such as academic freedom, free movement, and open collaboration



## **Ambiguity in Strategic Communications and Internal Coordination**

Imperative for CRO to spearhead university communication and coordination on all matters related to research security often without sufficient expertise and authority

This resource helps university leaders navigate these nascent issues by summarizing executive-level conversations about foreign interference in the research office that occurred between April and October 2019. The resource unpacks each topic in greater detail, providing a summary, articulation of core problems, open questions university leaders should consider, and precautionary next steps. Note that because federal policy continues to evolve, the guidance contained in this resource represents the current CRO thinking rather than EAB's recommended best practices.

# Topic 1: Amplified Attention on Research Security

## Summary

Since 2017, CROs have felt a dramatic increase in mindshare devoted to research security from funders, industry partners, and other institutional stakeholders. Specifically, CROs report:

- Uptick in scrutiny corresponds with escalating US trade and political tensions with other nations, the most significant country being China
- Rhetoric from politicians, along with statements and actions by national security agencies, have brought to the forefront perceived threats posed by China to US economic competitiveness
- Federal funding agencies and professional associations have transitioned from actively promoting collaboration with China to raising concerns about economic espionage and research integrity
- Multiple institutions have received briefings by federal agents on potential threats targeting their research enterprise
- University presidents and governance structures have responded to signals from federal entities and placed pressure on institutional leadership to address risks and ensure compliance
- Media attention from major news sources as well as education/research specific sources (e.g., Chronicle of Higher Education, Science, and Nature) have circulated stories around research security and university-specific impacts

## Core Problems



Elevated scrutiny of university research and faculty practices and relationships



Misinformation and speculation escalate information asymmetry and can mislead institutional decisionmakers and faculty



Spotlight on university researchers by media and agencies cloud institutional reputation and notion of university research as a domestic public good



Volatile geopolitical environment where the status quo changes quickly, preventing proactive planning and risk mitigating actions

## Questions University Leaders Must Consider



### Research-Specific

- What geopolitical developments are directly affecting our research enterprise and faculty?
- To what potential research security risks and liabilities is our institution exposed?
- How can we get out ahead to mitigate potential risks and protect our institution?



### University-Wide

- Who should coordinate university and research response?
- Given a quickly evolving federal environment, what information do we need to prepare our response and where do we decide that we'll be reactive?
- How much institutional agency and autonomy exists as we navigate elevated scrutiny?

## Proposed Action Steps

- Perform a risk audit to capture existing university approaches and gauge potential exposure
- Create institutional taskforce charged with monitoring news trends, coordinating university responses, and serving as the primary point of contact for internal and external queries
- Consider designating a specific individual to act as university's chief coordinator on research security
- Use federal affairs staff and professional associations to stay abreast of latest developments
- Make faculty, staff, and students aware of the evolving and uncertain nature of research security compliance and initiatives—and the university's continued devotion to its core values

# Topic 2: Uncertainty Over Existing and Future Federal Compliance Requirements

## Summary

CROs have received inconsistent signals from federal agencies on what policies they expect universities to follow and what future requirements they will impose. As a result, many CROs feel that they have been unable to effectively respond to the situation given policy uncertainty. Specifically, CROs state:

- Communications on research security expectations have varied between agencies with little intragovernmental coordination up to this point
- Agency enforcement actions, so far, concentrate on conflict of interest disclosures and improper reporting
- National Institutes of Health (NIH) is seen by CROs to be the most active and forthcoming in enforcing research security measures by focusing on conflict of interest reporting compliance
- National Science Foundation (NSF) and Department of Energy (DOE) have been slower to communicate their procedures and have only recently started to look closer at research security
- The White House, Office of Science and Technology Policy (OSTP), and Congress have incongruent rhetoric and proposed policies, adding to the perceived uncertainty
- Several CROs mentioned that they feel that federal agencies have behaved reactively and abruptly, relying on universities to take steps without a clear legal mandate to do so or without considering added administrative burdens or costs

## Core Problems



Opaque and mixed guidance from federal funding agencies on research security and conflict of interest policies



Possibility of added compliance and administrative costs and burdens for universities to cover



White House, funding agencies, and Congressional proposals differ in rhetoric and compliance expectations for universities



Departure from longstanding agency approaches on conflict of interest enforcement and procedures on international research collaborations

## Questions University Leaders Must Consider



### Research-Specific

- What degree of speed and resources should we devote to achieving compliance?
- Do we think that federal security policy uncertainty impedes existing and future research activity?
- How can we equip faculty to best avoid conflict of interest scrutiny?



### University-Wide

- How should we interpret conflicting policy signals from the federal government?
- How can we urge federal policymakers to clarify their intentions and requirements?
- What institutional interests do we need to advocate for to policymakers?

## Proposed Action Steps

- Incorporate general counsel's office into research policymaking conversations
- Update internal Conflict of Interest (COI) forms to capture all international activities
- Establish international research review committees to vet opportunities against risks
- Strengthen on-campus visitor procedures and tighten visiting scholar policies
- Check grant submissions against institutional disclosure forms
- Quantify any added compliance and administrative costs to share directly with policymakers

# Topic 3: Protecting Due Process in Research Investigations

## Summary

CROs feel that overzealous security actions by federal agencies fail to provide adequate legal due process for faculty, students, and institutions. Specifically, CROs find:

- In interactions with federal agencies, some believed the tactics employed by the government to be aggressive and not proportional to the identified issue of concern
- Many CROs vocalized their concern that insufficient protections were in place to guard academic freedom and the presumption of innocence
- Without formal policy frameworks, some felt that agencies occasionally manipulated ambiguity to instigate university overcompliance and overreaction
- CROs resisted attempts by the government to outsource any investigatory burden onto the university, arguing that institutions lacked the expertise and means to do so

## Core Problems



Institutions struggle to balance research security compliance with other institutional values, such as academic freedom



Law enforcement has been more visible and active in university research activities and investigations of faculty



Federal agencies increasingly take more aggressive investigative and enforcement actions against perceived security threats



Universities historically give deference to federal agencies and officials but now worry that doing so will no longer safeguard due process

## Questions University Leaders Must Consider



### Research-Specific

- How can we make sure our internal research integrity procedures operate equitably and in a rules-based fashion?
- Where can we support our faculty and researchers with additional compliance training and resources?
- How should we communicate with faculty who may be most at risk for compliance issues?



### University-Wide

- What mechanisms exist to advocate for greater due process assurances from federal agencies?
- How should we comply with federal investigations while balancing our obligations to our faculty and students?
- When should we take a more adversarial or cooperative approach with federal officials?

## Proposed Action Steps

- Emphasize that faculty fully disclose all international affiliations and engagements in their annual COI reports and grant applications
- Reach out to faculty who raise specific concerns and offer dedicated compliance support
- Equip leaders closest to faculty with information to help triage issues and disrupt misinformation
- Develop university legal framework for cooperating with federal research investigations
- Ask general counsel's office to vet all agency requests
- Designate a primary liaison between federal officials and university
- Limit agency access to faculty and their data without institutional consultation

# Topic 4: Negative Impacts on Ethnic Chinese Students and Researchers

## Summary

CROs identify the harmful impact that research security rhetoric and policies had on Chinese students and researchers as one of their primary concerns. Specifically, CROs report:

- Political rhetoric and administration actions exclusively target Chinese nationals as agents of economic espionage and national security threats
- The focus of agency attention and investigations have overwhelmingly concentrated on individuals of Chinese ethnic identity or affiliations
- Chinese students and faculty state that they face increased hostility and scrutiny on US campuses from peers and administrators as well as the broader public
- CROs believe that this level of hostility will challenge their ability to recruit and retain top talent from China and other countries of interest
- China's government has started to warn their faculty and students of potential safety risks to them at US universities

## Core Problems and Urgency Drivers



Chinese researchers and students have raised concerns that agencies, universities, and peers are unfairly scrutinizing their work



Potential for retaliatory actions by Chinese government on foreign researchers in China



Widespread concern that perceived targeting of Chinese nationals will negatively affect student enrollment as well as faculty recruitment and retention



Federal political rhetoric and agency actions often incorrectly blur Chinese state actors with individuals of Chinese ethnic identity

## Campus Level Considerations



### Research-Specific

- What research programs will be the most impacted by a decline in Chinese graduate enrollment?
- What assurances of inclusivity and equitable treatment can we make or reiterate?
- What additional support can we offer directly to ethnic Chinese researchers?



### University-Wide

- How can we reassure and support our Chinese students and faculty?
- What impact may this have on our student enrollment and tuition revenue?
- Will our institution still be able to recruit top research talent from across the globe?

## Proposed Action Steps

- Outreach to faculty who have raised concerns to offer dedicated support on ways to prevent the marginalization of national identities
- Conduct institutional faculty investigations and risk identification reviews with strict avoidance of ethnic identifying information
- Engage faculty and peer groups to answer questions, clarify information, and receive feedback



# Topic 5: Preservation of an Open Research University

## Summary

CROs prioritize advocacy of academic freedom and collaborative research values but the highly dynamic geopolitical situation (coupled with White House-generated volatility) complicate their efforts. Specifically, CROs state:

- The longstanding and bipartisan consensus that promoted international research collaboration to boost US economic competitiveness faces unprecedented challenges from both political parties
- Open research carries an increasingly negative political connotation as it now links to trade tensions between the US and other countries
- CROs and universities have struggled to translate public goods obtained through collaborative research into politically persuasive arguments
- Opinions among CROs and universities vary on perceived threat level, proper course of action, and degree of cooperation needed, complicating efforts to act collectively and leverage the full research community

## Core Problems



Growing doubts that universities can maintain an open campus without incurring significant compliance and reputational risks



Divergent opinions between and within institutions on what principles constitute an open global university



Values of academic freedom, multiculturalism, and transparency conflict with some proposed research security measures



Need to demonstrate positive returns of international researchers and multinational research collaborations

## Questions University Leaders Must Consider



### Research-Specific

- How could added export control requirements and concerns over information sharing hinder our existing research collaborations?
- How should we rethink our strategy on research collaborations with foreign institutions?
- What will we do if our competitiveness for international opportunities and partnerships declines?



### University-Wide

- What type of global presence does our institution have and aspire to reach?
- How does increased geopolitical volatility impede both our existing initiatives and our aspirations?
- What elements of our global brand and identity are most at risk?

## Proposed Action Steps

- Assess international activities and recalibrate risk estimate based on geopolitical developments
- Collaborate with other universities and professional associations to advocate open research values and benefits
- Measure and communicate impact of international collaborations and researchers on economic development and domestic innovation to share with policymakers

# Topic 6: Ambiguity in Strategic Communications and Internal Coordination

## Summary

CROs feel that senior leadership has (either formally or implicitly) deputized the research office to spearhead communication with government agencies and faculty on issues of research security, placing them in roles that they lack sufficient expertise and resources to perform effectively. Specifically, CROs state:

- Pressure from funding agencies has placed research offices at the nexus of research security questions, despite their university scope of considerations and implications
- Other university leaders defer to CROs to coordinate university response while exculpating themselves from the situation to deflect any potential negative fallout
- CROs have often been tasked with communicating directly with faculty and student body and, in doing so, have encountered pushback, criticism, and unanswered questions
- Communication directly with funding agencies has resulted in added legal and compliance considerations that hinder speed and efficacy

## Core Problems



Insufficient resources and expertise to effectively coordinate with multiple stakeholders on rapidly evolving and intricate topics



Balance between achieving compliance while simultaneously pursuing advocacy for university interests



Uncertainty and misinformation complicate strategic communication efforts in real time



Faculty raise complex questions and want detailed guidance from research office and university

## Questions University Leaders Must Consider



### Research-Specific

- What questions are faculty and students asking and how can we best answer them?
- What format works best to share updates and respond to feedback?
- How can we communicate our guiding principles while stating our policy expectations?



### University-Wide

- Who will spearhead communication with faculty, students, and staff as well as external audiences?
- What expertise and resources can we deploy to manage the situation and stay coordinated across campus?
- What information should we share and at what frequency do we update?

## Proposed Action Steps

- Keep school deans, associate deans for research (ADRs), and department chairs fully briefed on key information and strategies to support their faculty
- Launch central information portal where faculty can go to access institutional policies, FAQs, and specific resources
- Acknowledge uncertainty wherever present and reiterate institutional principles guiding decisions
- Invite faculty and student participation in university conversations on research security



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