



To: Faculty, Staff and Graduate Students

From: Dr. Russell Moore, Provost and Executive Vice Chancellor for Academic Affairs
Dr. Terri Fiez, Vice Chancellor for Research & Innovation

Date: January 31, 2019

Subject: Disclosure and reporting requirements related to foreign support of research

CU Boulder would like to acknowledge and thank Purdue University for allowing us to adapt their statement on this topic: <https://www.purdue.edu/business/sps/data/disclosure.html>.

The University of Colorado Boulder is focused on creating global impact by cultivating and supporting collaboration, transformation and leadership. At the heart of this focus are the diverse contributions of a wide range of world-class experts, working together to accelerate ideas throughout the entire innovation lifecycle. These contributions include many important collaborations with foreign students, faculty, researchers, companies and other entities; this guidance does not diminish in any way the value of those relationships.

Recently, the Director of the National Institutes of Health (NIH), Francis Collins, issued a “[Foreign Influence Letter to Grantees](#)” and testified to the Senate Health, Education, Labor and Pensions Committee regarding concerns about systematic programs of foreign influence in U.S. research. Dr. Collins reminded the research community to “disclose all forms of other support and financial interests, including support coming from foreign governments or other foreign entities...in accordance with the NIH Grants Policy Statement, [on] all applications and progress reports” and indicated that NIH’s Office of Extramural Research (OER) will be providing additional information in the future.

As NIH and other federal agencies and government officials finalize further guidance involving international collaboration, CU Boulder would like to remind our research community of our duty to uphold responsible conduct of research. In line with the applicable laws and regulations, CU Boulder has established policies and procedures that ensure compliance, while promoting openness in research and supporting academic freedom. Given the breadth of the research portfolio at CU Boulder, some projects are inherently more complex and it is important to consult with the appropriate offices on campus to ensure one adheres to all of the current laws and regulations. University faculty, staff and students are expected to coordinate with the [Office of Contracts and Grants](#) for any prospective sponsored research agreement or service contract.

For international collaborations (in particular, entities currently from China, Cuba, Iran, North Korea, Syria and Ukraine), it is important that employees and students coordinate with the [Office of Export Control](#) whenever a collaboration with, sponsorship of research by, or gifts from, a foreign entity or government are contemplated. **Compliance also requires that CU Boulder will not host visitors, enter into contracts, do business, or engage in any activity with entities listed on a United States Government Restricted Party List.** The [Office of Export Control](#) can assist in identifying these entities.

CU Boulder may also restrict funding or participation with additional parties, based on emerging legislative or administrative guidance. Currently, CU Boulder will not accept funding (grants, contracts or gifts) from Huawei Technologies and their affiliates. This position is founded upon a [2018 letter](#) from Congress to Secretary Betsy DeVos.

CU Boulder encourages scholarship and research that lead to commercial and consulting activities. Such activities, however, have the potential to lead to conflicts of interest, which may have unintended consequences. Therefore, it is important to submit an annual [Disclosure of External Professional Activity \(DEPA\)](#) and update this accordingly including any current or pending work with foreign entities, as it is warranted. Note that 1/6th time approved work must be included in your DEPA.

The Office of Contracts and Grants (OCG) is the University's authorized representative to submit proposals, negotiate and accept sponsored research and service agreements, non-disclosure agreements and material transfer agreements on behalf of the Board of Regents. Sponsored projects proposals and awards must be submitted and administered by OCG.

Our campus compliance hinges on your full and open disclosure and participation in the reporting process. If you are engaging in research or educational activities that involve international collaboration, please remember to:

- Disclose outside activities, including those with foreign entities, as stipulated in the Disclosure of External Professional Activity (DEPA) (annually, and updated throughout the year)
<https://www.colorado.edu/researchinnovation/coi>
- Comply with U.S. export control regulations when accepting publication restrictions in research; traveling internationally and attending conferences; participating in international collaborations; using proprietary information; working with international staff and students; hosting international visitors; shipping materials internationally; or engaging in any international transactions.
<https://www.colorado.edu/researchinnovation/export-controls>
- The university compiles a list of High Risk Countries from a number of sources, including Department of State, Department of Treasury, and the Federal Bureau of Investigation. Before international travel is conducted, consideration should be made on how to mitigate any risk.
<https://www.colorado.edu/researchinnovation/compliance/export-controls/guidance/international-travel/concur-international-travel-landing-page-0>
- Promptly disclose intellectual property to the Technology Transfer Office.
<https://www.colorado.edu/techtransfer/>
- Install relevant IT security updates and report any suspected compromises to the Information Technology Security Office.
<https://oit.colorado.edu/services/it-security>
- Comply with the Foreign Corrupt Practices Act.
<https://www.justice.gov/sites/default/files/criminal-fraud/legacy/2012/11/14/fcpa-english.pdf>

Thank you for attention to this matter and commitment to ensuring compliance at the University of Colorado. If you have any questions about these requirements please contact [Denitta Ward](#), Assistant Vice Chancellor for Research & Director, Contracts and Grants, or [Joseph Rosse](#), Associate Vice Chancellor of Research Integrity & Compliance.

This notice is available [here](#).