

# FOREIGN INFLUENCE SCREENING: Graduate Students HB 7017

**STEP 1:** Departments identify graduate students to be admitted for positions identified as research or research supporting:

|                             |      |
|-----------------------------|------|
| Graduate Research Associate | 9181 |
| Graduate Research Assistant | 9182 |
| Graduate Teaching Associate | 9183 |
| Graduate Teaching Assistant | 9184 |
| Graduate Assistant          | 9185 |
| Research Associate          | 9166 |
| Post Doctoral Associate     | 9189 |

## STEP 2: IS THE APPLICANT:

1. A citizen of a foreign country who is not a permanent resident of the US; OR
2. A citizen or permanent resident of the US who has any affiliation with a foreign institution or program in a foreign country of concern; OR
3. A US citizen or permanent resident with at least 1 year of prior employment or training in a foreign country of concern (Exception: employment or training by an agency of the United States government).



Department requests that Research Integrity completes screening

Inquiry ends. Proceed normally

Research Integrity requests a laundry list of information from the department, who works with graduate student to submit (The questionnaire will have a laundry list from the statute as a checklist; see page 2)

Screening must be complete before offer and granting such individual any access to research data or activities or other sensitive data. Board of Trustees/Board of Governor's approval may also be required. See page 3



The Research Integrity Office must report to the nearest FBI field office, and to any law enforcement agency designated by the Governor or the BOG and the governing board of the applicable entity described in subsection (1), the identity of any applicant who was rejected for employment based on the scrutiny required by this section or other risk-based screening. In the event that the applicant withdraws from the process prior to screening, in the absence of any additional concerns, there is no need for additional reporting to the FBI.

Initial inquiry ends. Research Integrity documents and notifies department. Regular enrollment process resumes. If foreign principal, BOT and BOG approval required, which may extend time before offer can be made. See page 3.

**Training**  
Departments must be cognizant of requirements. Document training through acknowledgement receipt for departments and deans is helpful.

Prospective graduate students identified for foreign influence screening must provide the following documentation, which includes:

1. submit a complete resume and curriculum vitae, including every institution of higher education attended;
2. all previous employment since the prospective graduate student's 18th birthday;
3. a list of all published material for which the prospective graduate student received credit as an author, a researcher, or otherwise or to which the prospective graduate student contributed significant research, writing, or editorial support;
4. a list of the prospective graduate student's current and pending research funding from any source, including funder, amount, applicant's role on the project, and brief description of the research;
5. A full disclosure of non-university professional activities, including any affiliation with an institution or program in a foreign country of concern (People's Republic of China, the Russian Federation, the Islamic Republic of Iran, the Democratic People's Republic of Korea, the Republic of Cuba, the Venezuelan regime of Nicolás Maduro, or the Syrian Arab Republic)

A foreign prospective graduate student must also provide:

1. a complete copy of the prospective graduate student's passport and most recently submitted Online Nonimmigrant Visa Application, DS-160. After extraction of all information relevant to the requirements of this section, the University may destroy or return the copy of the DS-160 submitted by an applicant.

The Office of Research Integrity and Animal Welfare must:

1. review all materials required in subsection (2) and take reasonable steps to verify all attendance, employment, publications, and contributions listed in the application required in subsection (2) prior to any offer of a position to the applicant.

"Reasonable steps" include searching public databases for research publications and presentations and public conflict of interest records to identify any research publication or presentation that may have been omitted from the application, contacting all employers of the most recent 10 years to verify employment, contacting all institutions of higher education attended to verify enrollment and educational progress, searching public listings of persons subject to sanctions or restrictions under federal law, submitting the applicant's name and other identifying information to the Federal Bureau of Investigation or any federal agency reasonably willing to scrutinize such applicant for national security or counterespionage purposes, and any other steps deemed appropriate to the office.

# When and How To Seek Board of Trustees and Board of Governor's Approval

## When?

### Examples of Activities

The table below provides examples of activities with foreign countries of concern that do and do not require the Board of Governors' approval.

| Activity with Foreign Countries of Concern  | Require Board of Governors' Approval |
|---|--------------------------------------|
| Hiring a foreign principal for academic, administrative, research purposes, or research scholars*                                 | Yes                                  |
| Hiring an individual who has worked at an institution in a foreign country of concern   | No                                   |
| Enrolling a student from a foreign country of concern   | No                                   |
| Collaborating with a foreign principal on a research project in furtherance of the university's mission                           | Yes                                  |
| Sharing data with a foreign principal   | Yes                                  |
| Engaging in a student exchange program in a foreign country of concern  | Yes                                  |
| Partnerships facilitated by third-party providers on behalf of State University System institutions                               | Yes                                  |
| Licensing intellectual property for academic or research purposes from a foreign principal  | Yes                                  |
| Licensing intellectual property for academic or research purposes to a foreign principal  | Yes                                  |
| Obtaining commodities originally from foreign countries of concern but stored in repositories not in foreign countries of concern | No                                   |

\*Administrator is defined in Board of Governors Regulation 9.006, University Personnel Definitions and Compensation.

## How?

### Approval Process for Engaging with Foreign Countries of Concern

