



Title: Policy on International Engagements	Policy Category: Risk Management & Security
Issuing Authority: President's Office	Responsibility: Office of the Provost, Office of the Vice President for Research, & EVP Stony Brook Medicine
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Policy Statement/Background:

In keeping with its mission as a top-tier public research institution and hospital that is dedicated to addressing matters of critical global need, Stony Brook University ("University") is committed to supporting international activities and collaborations. The University is equally committed to sound stewardship of the private and governmental resources supporting its research and other endeavors, and to maintaining the highest standards of excellence, transparency, and adherence to regulatory requirements.

This policy recognizes the potential for undue foreign influence, national security, and compliance concerns some international engagements may present (particularly in light of the inherent vulnerabilities of an open academic environment and growing national concerns about threats to U.S. intellectual property and the integrity of federally funded research endeavors) and strives to balance those risks with the University's research mission.

Policy:

Certain international engagements may present heightened risks to the University and employees. The University community must be aware of, and mitigate or avoid certain of, the heightened risks listed below when considering international engagements that are related to their Institutional Responsibilities.

Heightened Risks

1. Foreign Talent Recruitment Programs

All members of the University community are **prohibited** from participating in a Foreign Talent Recruitment Program that meets the criteria of a Malign Foreign Talent Recruitment Program (MFTRP), as defined in the CHIPS and Science Act of 2022 (see definitions below).

Examples of activities and behaviors that may constitute a MFTRP include, but are not limited to: when such commitments include or require extensive leaves of absence, significant investment of university resources, the operation and oversight of a separate research laboratory, the promise to exchange data, the establishment of a joint venture/institute, the assignment of intellectual property, or a pledge to engage in the supervision and/or mentoring of non-Stony Brook students, research fellows, or other non-Stony Brook employees/affiliates.

2. High Risk Entities

All members of the University community are **prohibited** from collaborating with individuals or entities identified by the U.S. government as high risk (defined below) without the prior written approval of the University's Research Security Program. The University community is required to conduct reviews to screen for high-risk entities when considering international activities. The University has tools and instructions available on the [Export Controls website](#) to assist with the screening requirement.

3. Sanctioned/Embargoed Countries

All members of the University community **must consult** with the University's Research Security Program before collaborating with an individual or entity in a country sanctioned/embargoed by the U.S. federal government (click [here](#) for current list of countries). A license from the Office of Foreign Asset Controls may be required before any activity occurs.

4. Countries of Concern

The U.S. Government has identified countries with military and related capabilities that may pose a significant threat to U.S. national security as "Countries of Concern." All members of the University community **must consult** with the University's Research Security Program before participating in international engagements with Countries of Concern. At present, these countries include: China, Iran, North Korea, and Russia.

5. Critical and Emerging Technologies

The U.S. government has identified certain advanced technologies that could be significant to national security. Researchers are responsible for determining if their research involves a technology that is included on the [Critical and Emerging Technologies](#) list. All members of the University community must be aware of the potential for exploitation by malign foreign governments and their actors due to the value these technologies may provide for military advancements.

Reviews/Consultations with the University's Research Security Program

The University's Research Security Program coordinates reviews on various aspects of international engagements to assess risks related to undue foreign influence, research security and compliance concerns some international engagements may present. Reviews/consultations may come from faculty or administrators. The Research Security Program may forward any international activity to the International Engagements Advisory Committee for review and the committee will provide guidance and recommendations. However, all international activity that is deemed to be exceptionally high risk will be reviewed by the committee. Information and directions for requests for reviews/consultations can be found on the [University's Research Security Program Review/Consultation website](#).

International Engagements Advisory Committee

The International Engagement Advisory Committee is chaired by the Director of Research Security and includes at a minimum a representative from the Provost's Office, the Office of the Executive Vice President for Stony Brook Medicine, Office of General Counsel, and Enterprise Risk Management. The committee may also include faculty, research deans, and other university subject matter experts and/or may convene ad hoc committees as needed. For international activities that represent an exceptionally high risk, the committee will provide recommendations to the Vice President for Research, the Provost, and the Executive Vice President for Stony Brook Medicine as appropriate.

Questions about any international engagements (including informal arrangements) that may present a heightened risk activity, as described above or otherwise, should be directed to the Research Security Program:
ovpr_researchsecurity_admin@stonybrook.edu.

Training

Research security training must be completed by:

- All faculty involved in externally and internally funded research activities, and
- Any non-faculty that meet the definition of "[covered individual](#)" ([42 USC § 19237\(1\)](#)).

Research security training is highly recommended for:

- All faculty, staff, students, and others that are involved in any international engagements.

Training resources and specific requirements are maintained on the [Office of Research Security Training page](#).

Definitions:

High Risk Entities: Entities and individuals that appear on a U.S. government restricted party list (i.e.; Entity List, Debarred List, Specially Designated Nationals and Blocked Persons, High risk entities include entities identified on the FY22 Lists Published in Response to Section 1286 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232) as amended).

Institutional Responsibilities: An individual's professional responsibilities on behalf of the University, including, but not limited to, activities such as research, research consultation, teaching, professional practice, and membership/service on University committees and panels (e.g.: Institutional Review Boards, Data and Safety Monitoring Board, accreditation committees, etc.).

International: Means any country, region or territory beyond the United States of America and its recognized territories.

International Engagement: Means regardless of title or remuneration, an obligation that requires a faculty or staff member to make a commitment to, or perform work for, an unaffiliated, international entity whether for academic, research or other business purposes. For the purposes of clarity, this definition is inclusive of consulting arrangements (i.e., acting as a scientific reviewer or on a scientific advisory board or as a business consultant).

Foreign Talent Recruitment Program: A foreign talent recruitment program is any program, position, or activity that includes compensation in the form of cash, in-kind compensation, including research funding, promised future compensation, complimentary foreign travel, things of non de minimis value, honorific titles, career

advancement opportunities, or other types of remuneration or consideration directly provided by a foreign country at any level (national, provincial, or local) or their designee, or an entity based in, funded by, or affiliated with a foreign country, whether or not directly sponsored by the foreign country, to an individual, whether directly or indirectly stated in the arrangement, contract, or other documentation at issue.

A foreign talent recruitment program does not include the following international collaboration activities, so long as the activity is not funded, organized, or managed by an academic institution or a foreign talent recruitment program on the lists developed under paragraphs (8) and (9) of Section 1286(c) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 4001 note; Public Law 115-232):

1. Making scholarly presentations and publishing written materials regarding scientific information not otherwise controlled under current law;
2. Participating in international conferences or other international exchanges, research projects or programs that involve open and reciprocal exchange of scientific information, and which are aimed at advancing international scientific understanding and not otherwise controlled under current law;
3. Advising a foreign student enrolled at an institution of higher education or writing a recommendation for such a student, at such student's request; and
4. Engaging in the following international activities:
 - a. Activities that are partly sponsored or otherwise supported by the United States such as serving as a government appointee to the board of a joint scientific fund; providing advice to or otherwise participating in international technical organizations, multilateral scientific organizations, and standards setting bodies (e.g., the International Telecommunications Union, Intergovernmental Panel on Climate Change, etc.); participating in a Fulbright Commission program funded in whole or in part by a host country government; or other routine international scientific exchanges and interactions such as providing invited lectures or participating in international peer review panels.
 - b. Involvement in national or international academies or professional societies that produce publications in the open scientific literature that are not in conflict with the interests of the federal research agency (e.g., membership in the Pontifical Academy of Sciences or The Royal Society).

- c. Taking a sabbatical, serving as a visiting scholar, or engaging in continuing education activities such as receiving a doctorate or professional certification at an institution of higher education (e.g., the University of Oxford, McGill University) that is not in conflict with the interests of a federal research agency.
- d. Receiving awards for research and development which serve to enhance the prestige of a federal research agency (e.g., the Nobel Prize).
- e. Other international activities determined appropriate by a federal research agency head or designee.

Malign Foreign Talent Recruitment Program:

(A) Any program, position, or activity that includes compensation in the form of cash, in-kind compensation, including research funding, promised future compensation, complimentary foreign travel, things of non de minimis value, honorific titles, career advancement opportunities, or other types of remuneration or consideration directly provided by a foreign country at any level (national, provincial, or local) or their designee, or an entity based in, funded by, or affiliated with a foreign country, whether or not directly sponsored by the foreign country, to the targeted individual, whether directly or indirectly stated in the arrangement, contract, or other documentation at issue, in exchange for the individual—

(i) engaging in the unauthorized transfer of intellectual property, materials, data products, or other nonpublic information owned by a United States entity or developed with a Federal research and development award to the government of a foreign country or an entity based in, funded by, or affiliated with a foreign country regardless of whether that government or entity provided support for the development of the intellectual property, materials, or data products;

(ii) being required to recruit trainees or researchers to enroll in such program, position, or activity;

(iii) establishing a laboratory or company, accepting a faculty position, or undertaking any other employment or appointment in a foreign country or with an entity based in, funded by, or affiliated with a foreign country if such activities are in violation of the standard terms and conditions of a Federal research and development award;

(iv) being unable to terminate the foreign talent recruitment program contract or agreement except in extraordinary circumstances;

(v) through funding or effort related to the foreign talent recruitment program, being limited in the capacity to carry out a research and development award or required to engage in work that would result in substantial overlap or duplication with a Federal research and development award;

(vi) being required to apply for and successfully receive funding from the sponsoring foreign government's funding agencies with the sponsoring foreign organization as the recipient;

(vii) being required to omit acknowledgment of the recipient institution with which the individual is affiliated, or the Federal research agency sponsoring the research and development award, contrary to the institutional policies or standard terms and conditions of the Federal research and development award;

(viii) being required to not disclose to the Federal research agency or employing institution the participation of such individual in such program, position, or activity; or

(ix) having a conflict of interest or conflict of commitment contrary to the standard terms and conditions of the Federal research and development award; **AND**

(B) A program that is sponsored by—

(i) a foreign country of concern or an entity based in a foreign country of concern, whether or not directly sponsored by the foreign country of concern;

(ii) an academic institution on the list developed under section 1286(c)(8) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 2358 note; Public Law 115-232); or

(iii) a foreign talent recruitment program on the list developed under section 1286(c)(9) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 2358 note; Public Law 115-232).

Contact:

Additional information about this policy is available here:

Office of the Vice President for Research (OVPR)

S5424, Frank Melville Jr. Memorial Library
Stony Brook, NY 11794
(631) 632-7932

<https://research.stonybrook.edu/resources.php>

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Relevant Standards, Codes, Rules, Regulations, Statutes and Policies:

- [Disclosure of External Interests & Commitments Policy](#)
- [Research Security Program Website](#)
- [Foreign Talent Recruitment Programs | University and Sponsor Disclosure Requirements](#)
- [Outside Consulting](#)
- [External Appointments at Foreign and Domestic Institutions](#)
- [Sabbaticals](#)
- [Title F Leaves](#)