DISCLOSING FOREIGN SUPPORT AND INTERNATIONAL ACTIVITIES

Authority

Statutes, regulations, and policies related to disclosures of foreign support and relationships with foreign entities or individuals include, but are not limited to:

- Nebraska Conflict of Interest Statute, Neb. Rev. Stat. §49-1493 (https://nebraskalegislature.gov/laws/statutes.php?statute=49-1493)
- Board of Regents Bylaws sections 3.4.5, 3.8 and 3.10 (https://nebraska.edu/-/media/unca/docs/offices-and-policies/policies/board-governing-documents/bor.pdf)
- Board of Regents Policy (https://nebraska.edu/-/media/unca/docs/offices-and-policies/policies/board-governing-documents/board-of-regents-policies.pdf?la=en) RP-3.2.8, Conflict of Interest and conflict of Commitment
- Board of Regents Policy (https://nebraska.edu/-/media/unca/docs/offices-and-policies/policies/board-governing-documents/board-of-regents-policies.pdf?la=en) RP-4.4, Intellectual Property
- University of Nebraska Travel Policy (https://nebraska.edu/-/media/unca/docs/offices-and-policies/policies/policies/university-of-nebraska-travel-policy.pdf)
- UNMC Policy No. 1098, Corrective/Disciplinary Action (https://wiki.unmc.edu/index.php/Corrective/Disciplinary_Action/)
- UNMC Policy No. 6014, Travel and Reimbursement (https://wiki.unmc.edu/index.php/Travel_and_Reimbursement/)
- UNMC Policy No. 8005 Export Control (https://wiki.unmc.edu/index.php/Export_Control/)
- UNMC Policy No. 8010, Conflict of Interest (https://wiki.unmc.edu/index.php/Conflict_of_Interest/)

Definitions

Foreign Entities

"Foreign Entities" include, by way of example: foreign governments and agents thereof; foreign colleges, universities, and research institutions; business associations organized under or otherwise subject to the laws of foreign jurisdictions; foreign journals and professional organizations.

Foreign Individuals

"Foreign Individuals" include individuals, regardless of citizenship, employed by or otherwise acting on behalf of a Foreign Entity.

Support(ed)

"Support(ed)" includes any financial or non-financial support for any aspect of any activity. Non-financial support may include exchanges of data or materials; donations of equipment, software, or other materials; or payment of travel and related expenses, including meals and lodging.

Activities Supported by Foreign Entities or Individuals

"Activities Supported by Foreign Entities or Individuals" are any activity for which a Foreign Entity or Foreign Individual provides financial or non-financial Support, including without limitation:

- a. Serving as an employee or agent of a Foreign Entity or Foreign Individual;
- b. Collaborating in research with a Foreign Entity or Foreign Individual, including designing experiments, collecting and analyzing data, preparing manuscripts for presentation or other publication, and presenting or otherwise publishing the results of research;
- c. Providing consulting services to a Foreign Entity or Foreign Individual, whether or not such services are compensated;
- d. Developing partnerships or other business relationships with a Foreign Entity or Foreign Individual;
- e. Accepting gifts, including donations of funding, accommodations, travel-related expenses, equipment, software, or any materials to be used in support of research or clinical activities, from a Foreign Entity or Foreign Individual; and
- f. Any other activity or relationship subject to a disclosure requirement under University of Nebraska policy or state or federal law that involves a Foreign Entity or Foreign Individual.

UNMC Personnel

“UNMC Personnel” include, for the purposes of this policy:

- a. Faculty;
- b. Staff;
- c. Students;
- d. Volunteers;
- e. Visitors; and
- f. Any other individuals who participate in any activity on behalf of UNMC, irrespective of appointment, compensation, or the location of the activity.

Scope

This policy applies to all UNMC Personnel, irrespective of appointment, compensation, or the location of the activity.

Purpose

Establish requirements for disclosing Support

UNMC is committed to building partnerships on a global scale. At the same time, federal and state law and University of Nebraska policy require transparency with respect to certain activities and relationships involving Foreign Entities or Foreign Individuals. The purpose of this policy is to establish requirements for disclosing Support received from Foreign Entities or Foreign Individuals by UNMC personnel.

Supplement and clarify existing policy

This policy is designed to supplement and clarify existing University of Nebraska and UNMC policies on reporting conflicts of interest and commitment involving Foreign Entities or Foreign Individuals, and does not replace or supersede disclosure requirements imposed by federal

or state law or other University of Nebraska or UNMC policies, including those listed above.

Statement of Policy

Disclose nature of Support

All UNMC personnel who receive Support from a Foreign Entity or Foreign Individual must disclose the nature of the Support in accordance with RP 3.2.8 and UNMC Policy No. 8010. Additionally, UNMC personnel engaging in research must make such disclosures prior to or while applying for federal research funding or participating in federally funded research. In no event will any federal funds be spent or committed until all disclosure requirements related to Support from a Foreign Entity or Foreign Individual have been fulfilled.

Obtain permission from Vice Chancellor for Business and Finance

All UNMC Personnel who wish to establish a clinical practice or for-profit or non-profit business outside the United States must obtain permission from UNMC's Vice Chancellor for Business and Finance prior to establishing the practice or business.

Obtain permission from Vice Chancellor for Research

All UNMC Personnel who wish to establish a research laboratory outside the United States, or to engage in research physically located at a foreign institution, must obtain permission from UNMC's Vice Chancellor for Research prior to commencing the conduct of such research.

Disclosure Requirements

Comply with UNMC Policy No. 8010

Activities Supported by Foreign Entities or Individuals must be disclosed using the mechanisms for conflict of interest assessment prescribed in UNMC Policy No. 8010. Disclosures of Activities Supported by Foreign Entities or Individuals are subject to review by the relevant academic program leader, the Chief Compliance Officer, the Export Control Director, and other UNMC officials as appropriate.

Comply with any funding organization disclosure requirements

When applying for external research funding, UNMC personnel must also comply with any disclosure requirements imposed by the funding organization. In many cases, this may require making separate disclosures to UNMC in addition to any disclosures required by the external funding organization.

Violations

Failure to comply with this policy will result in corrective or disciplinary action as provided under UNMC Policy No. 1098, Corrective/Disciplinary Action (https://wiki.unmc.edu/index.php/Corrective/Disciplinary_Action/), including termination, dismissal, or exclusion from participation in federally funded activities.

Additional Information

- Contact the Chief Compliance Officer (sarah.glodencarlson@unmc.edu)
- Contact the Export Control Director (exportcontrol@unmc.edu)
- Department of Energy Order 486.1, Department of Energy Foreign Government Talent Recruitment Programs (https://www.directives.doe.gov/directives-documents/400-series/0486.1-border/@@images/file/)
- NIH Notice No. NOT-OD-19-114 (https://grants.nih.gov/grants/guide/notice-files/NOT-OD-19-114.html)
- NSF Letter 19-200 (https://www.nsf.gov/pubs/2019/nsf19200/research_protection.pdf)

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