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2019 FBI Academia Summit

October 10, 2019

This document provides a summary of topics discussed during the 2019 FBI Academia Summit held on October 10, 2019.

Welcoming Remarks from Higher Education

President Peter McPherson of the Association of Public Land & Land-grant Universities (APLU)

President McPherson welcomed meeting attendees spotlighting the APLU's unique and longstanding relationship with the Federal government. In this address, President McPherson identified examples of interference from foreign adversaries in the research and innovation efforts of American universities, which led to a need for FBI-Academia interaction. President McPherson underscored that it is the responsibility of all universities to safeguard and protect their assets. Despite the threat from bad actors, President McPherson emphasized that foreign students and staff should feel welcomed at American academic institutions.

President Mary Sue Coleman of the Association of American Universities (AAU)

President Mary Sue Coleman highlighted the op-ed she co-authored with Peter McPherson in *Inside Higher Ed*. The article "We Must Have Both", outlines a series of recommended security policies to mitigate the issues academic institutions are currently facing because of maligned foreign powers. President Coleman also encouraged open collaboration in order to maintain the United States' position as a global leader in research and innovation.

President Ted Mitchell of the American Council of Education (ACE)

President Ted Mitchell described the American research enterprise as "rich, broad, and deep." In addition, President Mitchell expressed the importance of maintaining the United States' standing as a top destination for intellectuals from around the world. President Mitchell identified the American research enterprise as the global leader of research and innovation. As such, attacks on higher education institutions directly affect national security, the American economy, and the culture of openness and collaboration amongst American academic institutions.

Dr. Kelvin Droegemeier, Director of the White House Office of Science and Technology Policy (OSTP)

Dr. Kelvin Droegemeier emphasized the importance of values in the American system, including trust in a free market system, and the guarantee of free speech, particularly to debate sensitive topics. Dr. Droegemeier underscored that taxpayer trust in the academic community is imperative and that the

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disclosure of foreign funding/affiliations should be more consistent. Like many of the other speakers, Dr. Droegemeier pointed to the need to balance openness and security. Dr. Droegemeier mentioned that representatives from 19 different agencies have met eight times since May 6th, 2019 on security issues and have scheduled an upcoming November summit. Dr. Droegemeier stressed the importance of Congress as a partner and said that America should “lead with our values”.

William Evanina, Director of the National Counterintelligence and Security Center

Director William Evanina informed meeting attendees that one of the biggest threats to US economic and academic security is intellectual property and research theft. To provide context to meeting attendees, Director Evanina revealed that the US is currently losing an estimated \$400 billion in intellectual property and research theft to China. Using Apple as an example, Director Evanina described the diversity of Chinese intellectual property and research theft. Apple has seen IP stolen not just on computers or personal products, but even for electric vehicles.

The US government understands that the problem must be addressed and is moving beyond simply identifying the problem of IP theft to getting all government entities (e.g., Department of Defense, Department of Energy) on the same page. There may not be full solutions, but there are opportunities for mitigation, and the US is now working in a coordinated manner to stem this threat. Director Evanina made the point that by the time the FBI arrests someone, it is already too late and the stolen data is gone, making it critical to take action before it gets to that point. The intent of the Chinese is clear: they are looking at this war over IP as a long-term fight for years to come.

FBI Director Christopher Wray

Director Christopher Wray welcomed members of the summit to the FBI, reinforcing that Academia is one of the greatest assets of the US and therefore the FBI. Trust and cooperation between the FBI and Academia is absolutely critical to the Bureau’s mission. Academia presents unique challenges, and sometimes academic institutions feel as though the FBI isn’t listening to problems and criticisms, but it is. The most effective partnerships generate synergy, serving as force multipliers. The relationship between the FBI and Academia is a perfect example.

Director Wray told attendees that the US is facing adversaries who are not interested in legitimate innovation and that the US must protect its openness from being abused, while at the same not sacrificing its values. Specifically, with respect to China, the playing field is not level and the Chinese are looking to surpass the US generationally as the superpower in economics and technology. The Chinese are taking the long view and exploiting American openness.

Under Director Wray’s tenure, “process” is a central theme. For the Bureau, getting “process” right means not only doing the right thing, but doing it in the right way. Director Wray emphasized that the Bureau does not investigate anyone based on ethnicity or ideology, only based on their behavior and actions. Malign foreign influence has a chilling effect on academic freedom and some foreign influence makes students feel the need to self-censor. Financial leverage and campus proxies are just two of the ways that foreign governments pressure students from their countries into self-censoring.

Director Wray assured academic partners that the Bureau is working to improve and better coordinate information-sharing, and that universities are best positioned to fight malign influence and take steps to ensure students are not intimidated by foreign governments. Director Wray articulated that his goal is for universities to believe that there is no better partner than the FBI.

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Director Wray commended Loyola University - Chicago for holding their own foreign influence conference and applauded the Ohio State University and University of Kansas for serving as brand ambassadors to dispel myths about the FBI.

Audience Questions

A university representative lauded the FBI Citizen Academy and InfraGard as helpful mechanisms for increasing engagement with the FBI. Director Wray thanked them for sharing their experience, and noted that it requires time to get to know the Bureau and a thoughtful back and forth in a comfortable setting is important.

One attendee asked Director Wray about previous Congressional testimony where Director Wray described academia as “naïve” about threats and if he was willing to reassess that position. Director Wray responded that he stands by what he said and believes the country’s intelligence threats are more severe than anyone realized previously. The Director also said that the scale of the threat blew him away and there are 1,000 investigations into China trying to steal American research data and IP.

A university representative asked Director Wray to describe the role that universities should play in conducting investigations versus the FBI. Director Wray argued that it is case-specific, but in general, universities are best positioned to know what information is most valuable, and typically the FBI’s sweet spot is threat identification and legal action.

One attendee said that people should not hide behind security clearances and that the more facts, statistics, and information shared with Academia the better. Director Wray responded that, while he understands this perception, the FBI has over 1,000 active investigations with some nexus to Chinese efforts to steal intellectual property and some confidentiality is necessary. However, Director Wray is seeking to make the Bureau as forward-leaning and transparent as possible, highlighting that they can sometimes reveal facts without revealing the source.

One attendee inquired about a Department of Education disclosure request that they received. The speaker found this request confusing and challenging to respond to ethically. Dr. Kelvin Droegemeier said he could handle that question offline.

Case Study of a Successful Partnership: The Ohio State University (OSU) and FBI Cincinnati

Panelists for the case study analysis between The Ohio State University (OSU) and the FBI included: Stacy Rastauskas (Vice President for Government Affairs, The Ohio State University), Morley Stone (Senior Vice President for Research, The Ohio State University), SSA Elizabeth Silliman (FBI Cincinnati), and SAC Todd Wickerham (FBI Cincinnati). In addition to the panelists, Tobin Smith (Vice President for Policy, Association of American Universities) served as the moderator. Senior Vice President Tobin Smith kicked off the panel by inquiring about the history between OSU and the FBI. The panelists described the longstanding relationship between the two entities over the past ten years as beneficial and reflected on the September 11th attacks and how it affected information sharing for OSU.

The next question posed to the panel was, “What kind of threats have been the focus and how has it helped the relationship grow?” SAC Todd Wickerham replied by stating that terrorism is still the focus and that there was increased attention after a 2016 terrorist attack at OSU. Panelists also commented on counterintelligence strategies encompassing key assets recognition, relying on other sectors for protection, and being aware of the scale and size of potential threats. Senior Vice President Morley Stone added that data exfiltration was also a threat, noting potential negative impacts.

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Vice President Stacy Rastauskas was asked about the FBI's liaison at OSU and their operational duties. SAC Wickerham replied with information on an agent that serves as the point of contact for internal and external communication, with duties such as: communications on evolving threats, gathering information, and connecting the FBI to pertinent OSU personnel. Additionally, the liaison fosters active discussion with the compliance office at OSU. As a result, there has been increased engagement over the past two years. Supplemental conversations followed on the topic of campus liaisons, with Senior Vice President Stone giving insight on Ohio State's Joint Terrorism Task Force (JTTF). Ohio State's JTTF officer has helped their initiatives on terrorism threat mitigation. In addition, Senior Vice President Stone shed light on the overall benefits that campus liaisons provide, which include: networking with other organizations and agencies, improving threat response times, and coordinating logistics. Emphasis was placed on OSU's quick response times and the cross referencing of information between organizations and agencies as key benefits for the FBI.

Vice President Stacy Rastauskas provided her experience on the benefits of engagement with the FBI regarding requests for university visits. Vice President Rastauskas described a time where the Consulate of China requested a visit to Ohio State University to meet with university authorities and enforcement groups. Despite OSU denying the request, the Consulate arrived on campus. As a result, OSU coordinated with the FBI and Department of State to help with this possible threat.

Panelists were also asked about strategies for developing relationships with the FBI. Panelists identified InfraGard's Citizens' Academy and the creation of a campus liaison position as tools to build relationships with the FBI.

Audience Questions

First question was about lessons learned. Vice President Rastauskas suggested that the incident expedited the establishment of a university research security governance board. Another audience member inquired about the scale to which the incident with the Consulate of China was shared with the OSU community. Vice President Rastauskas stated that the members of the university's research security governance board were briefed and aware of the potential threat posed to the University as a result. As a follow-up question, panelists were asked how OSU should evaluate whether meeting with the Consulate of China would make sense. Panelists shared that the engagement was deemed as not mutually beneficial, as there was a lack of reciprocity between the two entities. As a final question, an audience member asked what efforts OSU has taken to increase research security. Panelists provided a number of examples, including reviewing and updating university policies and protocols. Panelists also specifically noted that now investigations are being conducted even when there is a failure to disclose financial information.

Reducing Risk to Academia

Director Carl Taylor (Office of Global Operations & Security, University of Kansas) discussed the process of building a program and fostering positive relationships between academic institutions and external organizations. Director Taylor shed light on the importance of a "covering" agent, and how that agent and the university must communicate effectively to identify risks. On his arrival to the University of Kansas, Director Taylor was made aware of the University of Kansas' lack of interaction with the FBI. To remedy this, Director Taylor focused on building a new security strategy that leveraged his 25 years of experience with the FBI.

Director Taylor highlighted the difficulty in developing a security program at the University of Kansas, identifying many of the requirements and questions that should be asked prior to developing a program. The most common challenge identified by Director Taylor was the need to maintain student freedom and openness. Director Taylor emphasized the importance of balancing security and risk to assist university

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stakeholders with their global mission to educate and advance science and technology. The importance of fostering a standard of communication between academic institutions and external organizations was noted as well.

Director Taylor further explained requirements needed to establish a security program. He highlighted the importance of senior leadership communication, awareness of university culture, setting realistic goals, choosing the right team, and developing informative training. Other requirements included identifying internal and external stakeholders that are instrumental in implementing a strong security program, such as: senior leaders, general counsel, federal law enforcement, security agencies, and research sponsors.

Director Taylor highlighted the importance of risk and threat identification, risk evaluation methodology, and building key partnerships to maintain openness and collaboration in academic environments. In regard to building strong partnerships, Director Taylor expressed the importance of collaboration and benchmarking with other academic institutions, as well as external organizations like Federal, State, and Local law enforcement, Department of Defense Counterintelligence and Security Agencies, and the FBI. Lastly, Director Taylor anticipated an increase in interaction between academic intuitions and the FBI in areas such as technology and financial crimes.

Audience Questions

A question was posed to Director Taylor regarding prioritization of key assets. Director Taylor's response was that not everything is preventable but identifying the projects that are most important is pivotal to the safety of the university. Director Taylor was also asked, "Who do you report to?" Director Taylor stated that he reports to the University's Chancellor and the Provost, and gets daily support from the Chief Financial Officer of the University.

Working Groups Report Out

Concluding the individual working group sessions, the three working groups shared key points from their discussion and dialogue.

Research and Integrity

The Research and Integrity working group discussed the importance of scaling down messaging for campus faculty in a digestible manner. In addition, the Research and Integrity working group also discussed the significance of developing a periodic forum in which discussions on scope, scale, and overall information can be shared and facilitated among stakeholders within academic institutions.

Information Systems Security

The Information Systems Security working group discussed the gravity and magnitude of cyber threats, which are both plentiful and complex. The group also laid out the role that human actors play in insider threats. In addition, the importance of information sharing was highlighted. The group gave insight concerning the curation of shared information so that the "right information is shared with the right people at the right time." There was further discussion on the mitigation of real-time risks with real-time information.

Academic Freedom and Cultural Exchange

The Academic Freedom and Cultural Exchange working group focused on how universities can ensure that international students feel welcome at American Universities, despite efforts by malign foreign powers. The working group encouraged faculty to continue to welcome international students and create a

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supportive environment and culture. Working group members concluded with suggestions for institutions, including: fostering best practices to give international students optimal experiences, collaboration across government agencies, involving education-oriented international associations, and increased research on international student life during and after their university careers.

Closing Remarks

Michael Drake, President of Ohio State University

President Michael Drake communicated the importance of shared values and goals. President Drake touched on the significance of personal relationships and how they facilitate optimal decision making and their benefits during times of crisis. Furthermore, the relationships between campuses, agencies, and the fostering of bi-directional information sharing.

Assistant Director Michael Sullivan, FBI Office of Private Sector

Assistant Director Michael Sullivan thanked all attendees for joining today. AD Sullivan emphasized the importance of FBI field offices as the main conduit of interaction with the Bureau on the local level. As a brief reminder, the largest threat to Academia is state-sponsored espionage. Threat mitigation revolves around observing behavioral indicators of bad actors and not their race, creed, or religion.



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October 2019 FBI Academia Summit; Thursday October 10th, 1:00-2:00 pm EST

This document outlines key takeaways from the working group sessions held as part of the 2019 FBI Academia Summit on October 10, 2019.

Working Group 1: Research Integrity (Webster Room)

Co-Chairs:

Michael McQuade – Vice President for Research, Carnegie Mellon University

Patrick Shiflett – Supervisory Intelligence Analyst, FBI

Elizabeth Silliman – Supervisory Special Agent, FBI Cincinnati

- Academic institutions provide information to trusted partners, but the access can be abused. Therefore, academic institutions feel that they cannot be responsible for technology once it has left the country.
- Academic institutions need buy-in from the top down to ensure appropriate engagement between external partners and faculty. Training is essential for faculty engagement, and examples or use cases are helpful for building understanding.
- Chinese investment and endowments in academic institutions are growing, and it is important to distinguish between threatening and non-threatening investment, which is mostly driven by legislation. However, academic institutions may lack critical information related to determining acceptable investors.
- Staff members are hesitant to share information about conflicts of interest for fear of retribution restricting future research grants or other funding.
- A key point of clarification when discussing research integrity at academic institutions is that the topic of “Chinese influence” is focused on the Chinese government and the Communist Party, not individual citizens.
- Training for staff about research integrity should communicate that the rules for foreign collaboration have changed in recent years to ensure that the right stakeholders are involved in addressing conflict.
- Fiduciary validation processes of federal grants at granting agencies and academic institutions identify wrongdoing and deter others from engaging in prohibited behaviors. Talent plans are no longer published, therefore increasing the importance of validation processes.
- Key messaging for leadership and faculty should include periodic information on the challenges of research integrity, as well as evolving guidance around these issues.
- The Association of American Universities (AAU) and the Association of Public and Land-grant Universities (APLU) recently sent a request for policies and guidance from its members on research integrity to support development of best practices.

- A comprehensive online training program for research faculty could establish expectations, requirements for reporting, acceptable practices, and export rules, among other areas of importance

Working Group 2: Information Systems Security (Room 1064)

Co-Chairs:

Fred H. Cate – Vice President for Research, Distinguished Professor, and C. Ben Dutton Professor of Law, Indiana University

Peter Mitchener – FBI Senior National Intelligence Officer for Cyber

- Academic institutions often face three tiers of potential victims: the institution and its infrastructure, the faculty and staff, and the students. Students are typically the most vulnerable – often it is their first time being alone and they haven’t been trained on cyber security matters.
- PPD-41 provides the framework for the United States Government for dealing with cyber-attacks. The FBI is identified as the lead in threat response, and the Department of Homeland Security (DHS) is the lead for asset protection. At times, this split can lead to slower threat identification, which the FBI is actively working to improve.
- All relationships have conflict and the relationship between the FBI and Academia is no different. Building “structure” into the relationship (e.g., engaging the correct parties, determining the regularity of meetings) limits friction between the two parties. Academic institutions that have increased “structure” with their local Field Office have been able to observe a noticeable benefit. FBI Field Offices know the most about academic institutions in their areas of responsibility, and can provide the best information for them.
- Academic institutions should use multiple mechanisms to promote information sharing among faculty, such as encouraging faculty to speak to other faculty members about cyber issues. Also, academic institutions can employ the hierarchy of senior university or academic institution officials to ensure compliance, but also provide estimates of costs incurred due to non-compliance
- Using keywords like “education” or “training” can be helpful to raise interest and awareness for information-systems security.
- As cyber threats are often regional, academic institutions may benefit from developing regional cyber consortiums with local partners (e.g., banks, insurance companies, health care providers)
- The FBI hosts a Chief Information Security Officer (CISO) academy at Quantico, with a goal to better understand and meet the needs of all CISOs.
- The Australian National University (ANU) Incident Report on the Breach of ANU’s Administrative Systems (dated October 2, 2019) provides important lessons learned from a cybersecurity attack.

Working Group 3: Academic Freedom and Cultural Exchanges (Room 1228)

Moderator:

Brad Farnsworth – Vice President, Global Engagement, ACE

Co-Chairs:

Caroline Casagrande – Deputy Assistant Secretary for Academic Programs, Bureau of Educational and Cultural Affairs, U.S. Department of State

Meredith McQuaid – Associate Vice President and Dean of International Programs, University of Minnesota System

- The Department of State (DoS) supports international students studying in the U.S. as a way to bolster diplomatic and national security of the United States, as it is important for foreign students to experience academic freedoms firsthand.
- Many international students, particularly those from China, face pressure from their governments and fear retribution for exercising academic freedom while studying in the United States
- About 50% of the success is to bring Chinese or other foreign students on campus and the other 50% is when those students make American friends The goal is for international students to have a positive social and academic experience in the United States
- Being a world-class research institution requires being open and welcoming to foreign students, but students do not naturally integrate across cultures. Therefore, it is incumbent upon academic institutions to internationalize curricula and campuses to create pathways for international students to engage with others on campus.
- Institutions of higher education should be willing and able to assure foreign students that they can safely express their ideas, even though those students may face pressure from their governments to embody nationalist ideals.
- Institutions of higher education should deliberately promote diversity in classrooms and on campus (for example: faculty assigning project teams that are internationally and socially diverse, rather than leaving it up to students to form their own groups).
- Thought leaders in academia should share best practices for promoting academic freedom and integration among international students. Internationalizing classrooms and campuses should be a sustained, deliberate effort in academia, enabled by cross-institutional sharing of successful policies
 - It is critical to share best practices or Frequently Asked Questions (FAQs) with institutions that may have fewer resources to support academic freedom and cultural exchange.
- Senior International Officers (SIOs) should advocate to administrators for building integrated academic communities to ensure foreign students have a meaningful and positive experience.
- Representatives from the Department of Justice (DOJ) and National Security Council (NSC) clarified the intent of the Foreign Agents Registration Act (FARA) as a statute of disclosure.
- The academic community would like to sustain relationships with government partners (DoS, DOJ, DHS, etc.) to keep abreast of the threat landscape, and it is then incumbent upon higher education to determine a way forward in responding to threats to academic freedom