



UNIVERSITY OF
SAN FRANCISCO

Office of
Sponsored Programs

Malign Foreign Talent Recruitment Programs

Fall 2026

Malign Foreign Talent Recruitment Programs

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POLICY STATEMENT

Per the policy of the US Federal Government as well as the University of San Francisco, faculty researchers are prohibited from participating in “Malign Foreign Talent Programs”, as outlined in the 2024 [National Security Presidential Memorandum 33 \(NSPM-33\)](#). These measures aim to ensure the security of important federally funded research.

REASON FOR POLICY

This policy explains and clarifies the rules regarding Foreign Talent Programs for federal grant recipients, and helps this audience understand what may or may not be barred per the federal definition of Malign Foreign Talent Programs, and what constitutes permissible foreign talent programs and activities.

WHO SHOULD READ THIS POLICY

PIs, Co-PIs, and support staff for federally sponsored programs.

POLICY TEXT

A Foreign Talent Recruitment Program (FTRP) is a program organized, managed or funded by a foreign government to recruit science and technology professionals or students in targeted fields. These programs may utilize grants and research fellowships to encourage researchers to relocate to the foreign country as a means of growing the pool of talent in the respective field.

Some programs, known as “Malign Foreign Talent Recruitment Programs” (MFTRPs) encourage, or even require, unethical or criminal behavior or contain requirements that may conflict with the terms of federal research or development awards. MFTRPs may require that the recipient take actions which may pose a conflict of interest, conflict of commitment, or loss of intellectual property to their home institution. Individuals participating in MFTRPs are prohibited from participating in federally funded research and development by US government regulation and USF policy.

For example the researcher may be required:

- to establish a laboratory at a foreign institution
- accept a position at a foreign institution that conflicts with their commitments to their home institution
- agree to apply for research funding to be awarded to the foreign institution
- to keep their participation in the program secret from their U.S. employer and funding agencies
- to file patents in a foreign country rather than, or before, filing in the U.S.
- relocation to the country of the program

To be malign, the program must be run by an entity connected to the government of a Foreign Country of Concern (China, Iran, Russia, and North Korea). Universities in these countries will be considered an entity connected to the government.

Federal funding agencies require that every “Covered Individual” disclose whether they are a party to an FTRP when submitting a funding proposal to the funding agency. How this is disclosed, as well as what information is to be disclosed, may vary by federal funding

agency. It is important that researchers consult with their OSP grant administrator to ensure proper disclosure.

The U.S. government has determined that participation in FTRPs raises the risk that federally-funded research may be inappropriately obtained by foreign governments. “Covered Individuals” must disclose participation in an FTRP as part of the proposal submission process.

In addition, the CHIPS & Science Act prohibits a “Covered Individual” from participating in an MFTRP. Failure to disclose or making a false certification may result in civil or criminal penalties.

It is also important to recognize that many MFTRP requirements may also violate University policy. Make sure to disclose all foreign engagements that may be considered a FTRP or MFTRP.

- The White House Office of Science and Technology Policy has carved out many activities that federally-funded researchers conduct with international colleagues so long as the activity is not funded, organized, or managed by an academic institution or a foreign talent recruitment program on [the Section 1286 List published by the Department of War \(DOW\)](#). These activities typically do not present a research security risk:
 - Making scholarly presentations and publishing written materials regarding scientific information not otherwise controlled under current law;
 - 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;
 - 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
 - Engaging in the following international activities:
 - 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 (e.g., the U.S.- Israel Binational Industrial Research and Development Foundation); 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.

- 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).
- 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. University of Toronto) that are not in conflict with the interests of the federal research agency.
- Receiving awards for research and development which serve to enhance the prestige of the federal research agency (e.g., the Nobel Prize).
- Other international activities determined appropriate by the federal research agency head or designee.

Please note that federal funding agencies retain the ability to require specific risk mitigation strategies based on agency policy or perceived risks to projects. As a result, some agencies may prohibit, for example, a researcher from providing scholarly presentations in a country of concern on a project-by-project basis. Check your grants and agreements for specific requirements, or contact the Office of Sponsored Programs at grants@usfca.edu.

Please also see our [policy on pre-award and post-award disclosure requirements](#) for more details on the specific disclosure requirements for major Federal award sponsors.

DEFINITIONS

Term	Definition
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Covered Individual	A Covered Individual is a researcher who contributes in a substantive, meaningful way to the scientific development or execution of a research and development project proposed to be carried out with a research and development award. This includes Senior and Key Personnel. Federal funding agencies have latitude in identifying other research participants as “Covered Individuals,” so it is important to check sponsor requirements carefully.
Foreign Talent Recruitment Program (FTRP)	Many countries encourage the growth of their local research talent through programs designed to attract talented researchers to their institutions. These programs often involve grants or fellowships to promising research candidates.
Malign Foreign Talent Program (MFTRP)	Some countries utilize MFTRPs which may incentivize criminal or unethical behavior on the part of the researcher. The explanation of MFTRP (listed above) provides characteristics that may indicate that an FTRP is in fact an MFTRP. Of particular importance is the sponsorship of the program. An FTRP may be an MFTRP if the program is sponsored by a foreign country of concern or an entity based in a foreign country of concern (currently China, Iran, North Korea or Russia), or any other foreign sponsor identified in the National Defense Authorization Act of 2019 Section 1286(c)(8) or 1286(c)(9).

ADDITIONAL CONTACTS

Subject	Contact	Phone	Email
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FORMS

Form	Use	Location
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FREQUENTLY ASKED QUESTIONS

REVISION HISTORY

10/15/2026 - First publication of Policy.

APPENDICES

Appendix A

Appendix B