

At George Mason, investigators must disclose any participation in a *foreign talent recruitment program* (FTRP) as they do with all outside activities. Federal regulations prohibit investigators from receiving Federal research funds if they participate in *malign* foreign talent recruitment programs (MFTRP).

As of August 2024, investigators must certify that they are not participating in any MFTRP.

Who has to certify non-participation in any MFTRP?

Federal agencies are responsible for specifying who must certify they are not participating in a MFTRP. In most cases, this will involve anyone who contributes to funded research in a substantive way (e.g., PIs and Co-PIs, project researchers, foreign visitors and collaborators, postdocs). This disclosure requirement aligns with the category of all investigators in George Mason Policies 4001 and 4021. [3,4]

When (and where) do you have to certify?

Investigators certify that they are not participating in a MFTRP when submitting a proposal, at just-in-time (recommended for funding), and annually post-award. The Office of Science and Technology Policy has issued Biosketch and Current and Pending “Common Forms,” which individuals use to certify that they are not participating in a MFTRP. Most federal agencies use common forms that have been adopted by NSF and NIH. These forms are in the portal SciENcv and federal agencies may require SciENcv be used to populate the Common Forms. However, some Federal agencies (e.g., DOE) may use other forms. Check with your pre-award contacts to confirm what forms are necessary.

What is an MFTRP?

A FTRP involves any activity that includes compensation or promised compensation (e.g., cash, complimentary travel, honorific titles) provided by a foreign country or an entity affiliated with a foreign country.

A FTRP is considered malign when two conditions are met:

(1) It is associated with a country of concern:

- People's Republic of China (including Hong Kong & Macau)
- Democratic People's Republic of Korea
- Russian Federation
- Islamic Republic of Iran

(2) It requires an individual:

- engage in the unauthorized transfer of IP, materials, data; or
- recruit others to join the activity; or
- establish a laboratory or company; or
- accept a position or appointment with a foreign country or affiliated entity; or
- not terminate a contract or agreement; or
- limit their capacity to carry out research or work; or
- apply for and receive funding from foreign funding agencies; or
- omit acknowledging George Mason or the sponsoring federal research agency; or
- not disclose participating in the activity; or
- have a conflict of interest or conflict of commitment.

To see the full definition of what constitutes a MFTRP check here: [White House Definition of MFTRP \[1\]](#)

To see a list of known MFTRPs check here: [Countering Unwanted Influence in Department Funded Research \[2\]](#)

What are the risks?

MFTRP pose risks to individual investigators, George Mason, and U.S. national and economic security, including:

- Disqualification or loss of Federal funding
- Theft of intellectual property
- Conflicts of commitment violations

How will this impact my proposal submissions?

The Office of Sponsored Programs and ORIA are working together to satisfy an organizational certification requirement. George Mason's organizational authorized representatives must certify that each individual employed by the organization and identified on a proposal as a senior/key person has been made aware of the certification requirements [5]. All senior/key personnel listed on a proposal must submit Biosketches and Current and Pending documents to OSP. These documents require investigators certify that they are not participating in a MFTRP.

Frequently Asked Questions

Where (and how) do you disclose FTRP participation?

Individuals disclose their participation in FTRP in RAMP COI. Under George Mason Policy 4021, a faculty member must receive prior approval from their Dean before engaging in an FTRP. Pre-approval requests are submitted in RAMP COI [4].

Who determines if an FTRP is malign?

ORIA makes a malign/not malign determination when they review FTRP preapproval requests. ORIA may request additional information (e.g., the agreement between the researcher and the foreign organization) in order to make a determination.

Are there foreign-related activities that are not FTRPs?

Yes. As long as they are not associated with an MFTRP, the following are not considered foreign talent recruitment programs:

- Routine scientific exchanges (e.g., invited lectures, peer review panels, international conferences)
- Publishing written materials regarding scientific information
- Research that involves the open exchange of information aimed at advancing international scientific understanding
- Advising and writing recommendations for foreign students enrolled in higher education
- Activities sponsored by the United States (e.g., serving as a government appointee to a joint scientific fund)
- Participating in international technical, multilateral scientific, and standards setting organizations (e.g., the International Telecommunications Union)
- Participating in a Fulbright Commission program
- National or international academies or professional societies that produce publications in the open scientific literature
- 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
- Receiving awards that enhance the prestige of your sponsoring Federal research agency (e.g., Nobel Prize)
- Other international activities approved by the sponsoring Federal research agency

Where can I find additional information on relevant Federal and university policies?

[1] Office of Science and Technology Policy Memorandum on Guidelines for Federal Research Agencies Regarding Foreign Talent Recruitment Programs - <https://www.whitehouse.gov/wp-content/uploads/2024/02/OSTP-Foreign-Talent-Recruitment-Program-Guidelines.pdf>

[2] Under Secretary of Defense Memorandum on Policy for Risk-Based Security Reviews of Fundamental Research - <https://media.defense.gov/2023/Jun/29/2003251160/-1/-1/1/COUNTERING-UNWANTED-INFLUENCE-IN-DEPARTMENT-FUNDED-RESEARCH-AT-INSTITUTIONS-OF-HIGHER-EDUCATION.PDF>

[3] George Mason University Policy 4001: Conflict of Interest - <https://universitypolicy.gmu.edu/policies/financial-conflicts-of-interest-in-university-contracts-with-businesses-under-virginia-law/>

[4] George Mason University Policy 4021: Outside Professional Activities and Conflict of Commitment - <https://universitypolicy.gmu.edu/policies/outside-professional-activities-and-conflict-of-committment/>

[5] William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021, Section 223(a)(1) (42 U.S.C. § 6605(a)(1)) - <https://www.congress.gov/bill/116th-congress/house-bill/6395>

Where can I learn more about this topic and/or ask questions?

For more information or to submit questions, please email the Research Security Program team at: rsp@gmu.edu