

Policy on Malign Foreign Talent Recruitment Program Prohibition

Policy Title	Malign Foreign Talent Recruitment Program Prohibition
Policy #	05.105.1
Policy Owner	Vice President for Research and Economic Development
Contact Information	Questions regarding this policy should be directed to the Office of Sponsored Projects at 401-874-5891
Approved By	President of the University of Rhode Island
Effective Date	November 18, 2024
Next Review Date	No later than December 31, 2029
Who Needs to Know About this Policy	All University of Rhode Island Employees involved with Federally Funded Research.
Definitions	<p>Authorized Organizational Representative (AOR): An individual in the Office of Sponsored Projects who supports the development, review, and submission of proposals. The AOR serves as the designated representative with delegated signature authority in matters related to research at the University.</p> <p>Covered Individual: An individual who—(A) 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 from a Federal Research Agency; or (B) is designated as a covered individual by the Federal Research Agency concerned.</p> <p>Employee: Any person employed by the University of Rhode Island, including faculty, staff, and students as applicable, regardless of the source of funds within the University.</p> <p>Foreign Country of Concern: A country named in the CHIPS and Science Act’s definition of “Foreign Country of Concern,” see 42 U.S.C. § 19237, or any other country determined to be a country of concern by the U.S. Department of State.</p> <p>Federally Funded Research: Any research for which there exists a grant, contract, or other agreement between the University and any U.S. Federal Research Agency.</p>

	<p>Federal Research Agency: Any agency of the U.S. federal government that provides funding for research, including but not limited to, the Department of Defense, the Department of Energy, the Public Health Service, the National Aeronautics and Space Administration, and the National Science Foundation.</p> <p>Malign Foreign Talent Recruitment Program: A program described in the CHIPS and Science Act’s definition of Malign Foreign Talent Recruitment Program, see 42 U.S.C. § 19237, and any associated regulations, as may be amended or changed by the federal government from time-to-time. Guidance on the definition can be found here: https://www.whitehouse.gov/wp-content/uploads/2024/02/OSTP-Foreign-Talent-Recruitment-Program-Guidelines.pdf</p>
<p>Statutes, Regulations, and Policies Governing or Necessitating This Policy</p>	<p>CHIPS and Science Act, Public Law 117-167 (Aug. 9, 2022)</p> <p>Countering Unwanted Foreign Influence in Department-Funded Research at Institutions of Higher Education (June 8, 2023)</p> <p>Guidance for Federal Research Agencies Regarding Foreign Talent Recruitment Programs (February 14, 2024)</p> <p>Adopted policies and guidance of the relevant Federal Research Agency for Federally Funded Research.</p> <p>University of Rhode Island policy on “Conflict of Interest in Research”</p>
<p>Reason for Policy / Purpose</p>	<p>To address the University of Rhode Island’s compliance with the CHIPS and Science Act and related policies and guidance of Federal Research Agencies including the Department of Defense (DoD) policy “Countering Unwanted Foreign Influence in Department-Funded Research at Institutions of Higher Education.”</p>
<p>Forms Related to this Policy</p>	<p>See forms associated with University of Rhode Island’s “Conflict of Interest in Research” policy</p>

Policy Statement

- A. All Employees of the University of Rhode Island (also “University or URI”) are strictly prohibited from participating in Malign Foreign Talent Recruitment Programs.
- B. Requirements for Federal Funding
 1. Covered Individuals are required to submit a disclosure if they are a party to any foreign talent recruitment programs, in addition to any disclosures of Significant Financial Interests required by federal/state law, federal agency guidance, and/or University policies and procedures.
 2. Covered Individuals are prohibited from participating in a Malign Foreign Talent Recruitment Program.

3. As part of the proposal submission process for a research and development award from a federal agency:
 1. Each Covered Individual listed on a proposal must certify that they are not a party to a Malign Foreign Talent Recruitment Program. This certification must also be renewed annually for the duration of an award; and
 2. Subject to federal agency requirements, the University's AOR may rely on the certification provided by a Covered Individual to complete their certification prior to proposal submission.
 3. The University's Office of Research Security will review reported activities that may be considered Malign Foreign Talent Recruitment Programs in coordination with the Office of Sponsored Projects to determine if the activities are prohibited based on the definition.

Non-Compliance

1. Failure to comply with this policy and other disclosure requirements associated with Federally Funded Research may be a violation of federal law.
2. Employees found to be in violation of this policy, any associated University policies and/or procedures, and/or federal agency requirements based on any form of dishonesty or by acting in bad faith, including failure to submit or knowingly submitting an incomplete, erroneous, or misleading disclosure, or failure to comply with required certifications, may face disciplinary action, including but not limited to, freezing Federally Funded Research accounts, suspension and/or termination of employment, or expulsion from the graduate program, in accordance with University policies, as applicable.

Exceptions:

None

Policy Review and Revisions

(Versions earlier than the first policy number may be paper only)

Policy #	Effective Date	Reason for Change	Changes to Policy
05.105.1	November 18, 2024	n/a	n/a