

Federal Timeline

In December 2017, the White House [released a national security strategy](#) [1] that suggests the possibility of restrictions on visas for STEM students from certain nations to prevent the transfer of intellectual property to competitor countries.

In February 2018, Federal Bureau of Investigation director Christopher Wray told the Senate intelligence committee that China is exploiting America's open research and development environment and that the intelligence threat from China would require "[a whole-of-society response](#) [1]" involving not just the intelligence sector, but the academic and private sectors as well.

Congressional hearings with names like 'Scholars or Spies: Foreign Plots Targeting America's Research and Development' followed. In June, the State Department [moved to restrict](#) [2] Chinese graduate students in certain high-tech fields like aviation and robotics to one-year visas, instead of the usual five.

Programs run by foreign governments aimed at recruiting diasporic or international academic talent -- most notably China's Thousand Talent program -- have also come under federal scrutiny. Speaking [at a House armed services committee hearing](#) [3] last June, Anthony M. Schinella, the national intelligence officer for military issues in the Office of the Director of National Intelligence, said these talent programs "facilitate the transfer of foreign technology, intellectual property and know-how to advance China's science, technology and military modernization goals."

The defense spending authorization bill approved in [August 2018 \(sec. 1286\)](#) includes language calling for further study of foreign talent recruitment programs and the development of relevant regulations, and outlines disclosure requirements for all key personnel listed on research and research-related educational activities supported by DoD grants and contract.

More recently, in January of this year, the Department of Energy, which funds research related to nuclear energy, issued [a memo](#) [5] restricting employees and grantees from participating in foreign talent recruitment programs operated by countries deemed by the agency as "sensitive." A DOE official said the policy, which would affect talent programs operated by China, Iran, North Korea and Russia, has not yet been put in place. The National Science Foundation issued a statement on "Security and Science" dated October 23, 2018, stating that US universities must "embrace transparency and rigorously adhere to conflict of interest and conflict of commitment policies." This was updated by a letter from the [NSF Director in July 2019](#).

The National Institutes of Health (NIH) issued a Notice on March 30, 2018, [with a reminder in July 2019](#) reiterating that PIs, sub-awardees and co-PIs must disclose all financial interests received from higher education or governmental institutions in countries outside the United States (NOT-OD-18-160). NIH Director Dr. Francis S. Collins also sent a memo to institutions on Aug. 20, 2018, stating that the failure to properly disclose foreign relationships threatened to distort decision-making about the use of NIH funds.

The Department of Energy issued a directive dated June 7, 2019, mandating that "federal and contractor personnel fully disclose and, as necessary, terminate affiliations with foreign government-supported talent

recruitment programs” on new DOE contracts and subcontracts. DOE is expected to issue a separate policy directive to implement the requirement on DOE grants and cooperative agreements.

As a reminder, NASA has long-standing restrictions on using NASA funds to enter into agreements “to participate, collaborate, or coordinate bilaterally in any way with China or any Chinese-owned company, at the prime recipient level or at any subrecipient level, whether the bilateral involvement is funded or performed under a no-exchange of funds arrangement” (grant restrictions, contract restrictions).