



Malign Foreign Talent Recruitment Program Self-Assessment Worksheet

Introduction: How to use this worksheet

The USC Office of Research Security (ORS) developed this worksheet to help covered individuals within the USC research enterprise determine if they have encountered or become involved in a prohibited “malign foreign talent recruitment program,” or MFTRP.

Summary Definitions:

- **Foreign Talent Recruitment Program (FTRP):** An effort that is organized, managed or funded by a foreign government (or a foreign government’s instrumentality or entity) to recruit science and technology professionals or students (regardless of citizenship or national origin, or whether having a full-time or part-time position) by offering compensation in exchange for participation. Compensation could take many forms including cash, research funding, complimentary foreign travel, honorific titles, career advancement opportunities, promised future compensation or other types of remuneration or consideration, including in-kind compensation.
 - Participation in a FTRP is generally not prohibited by the university or the U.S. government. But, participation in FTRPs that have certain characteristics causing them to meet the definition of a “malign foreign talent program” is prohibited.
- **Malign Foreign Talent Recruitment Program (MFTRP):** Some foreign government-sponsored talent recruitment programs operate with the intent to import or otherwise acquire from abroad, sometimes through illicit means, proprietary technology or software, unpublished data and methods, and intellectual property to further the military modernization goals and/or economic goals of a foreign government. Programs with intentions such as these challenge U.S. national security and are considered to be malign foreign talent recruitment programs, which are prohibited from participation by covered individuals.
 - The questions in this worksheet will help you determine if a program you have encountered or in which you are participating is a prohibited MFTRP.

These are summaries of the full definitions; for more comprehensive details, including relevant federal regulations and additional guidance, check out the resources at the end of this worksheet or visit the [ORS website](#).



Completing the Worksheet

When you complete this worksheet, please answer all questions as follows:

- When responding to sections 2, 3 and 4, all responses should be either “Yes” or “No.” If you are unsure about the correct answer to a question, please err on the side of caution and answer “Yes.”
- When responding to questions in sections 2 and 3, please answer from the standpoint of your *current situation* **and** your *anticipated/planned situation in the coming year*.

Section 1: Your Information

Please enter your responses to the following questions. For questions about a “Foreign Entity and/or Foreign Program,” responses should address the program you have encountered or been involved in that you are concerned may be a MFTRP.

Your Name and USC Contact Info:

Name of Foreign Entity and/or Foreign Program:

Full Foreign Entity/Program Address (including city, state, province, country):

Foreign Entity/Program Point of Contact and Contact Information (full name, phone, email, etc.):



Section 2: Worksheet Applicability Questions

Section 2 Instructions:

- Please answer the questions in this section with either “Yes” or “No.” If you are unsure about the correct answer to a question, please err on the side of caution and answer “Yes.”
- For the questions in this section, please answer from the standpoint of *your current situation and your anticipated/planned situation in the coming year.*

S2 Q1. Covered Individual: Are you 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; and (B) is designated as a covered individual by the federal research agency concerned? Agencies may also define other individuals as covered persons as appropriate and consistent with their mission.

- **Answer:** **Yes** **No**

S2 Q2. Foreign Government Compensation Involvement: Are you a participant in any program, position, or activity that includes compensation in the form of cash, in-kind compensation, including research funding, promised future compensation, complimentary foreign travel, things of non de minimis value, honorific titles, career advancement opportunities, or other types of remuneration or consideration directly provided by a foreign country at any level (national, provincial, or local) or their designee, or an entity based in, funded by, or affiliated with a foreign country, whether or not directly sponsored by the foreign country, to an individual, whether directly or indirectly stated in the arrangement, contract, or other documentation at issue.

- **Answer:** **Yes** **No**

Section 3: Malign Characteristics Questions

This section contains questions that help to determine if the Foreign Entity and/or Foreign Program you identified in sections 1 and 2 have any characteristics of MFTRPs.

Section 3 Instructions:

- Please answer the questions in this section with either “Yes” or “No.” If you are unsure about the correct answer to a question, please err on the side of caution and answer “Yes.”
- For the questions in this section, please answer from the standpoint of *your current situation and your anticipated/planned situation in the coming year.*



S3 Q1. Forced IP Transfer: Are you required to engage in the unauthorized transfer of intellectual property, materials, data products, or other nonpublic information owned by a United States entity or developed with a federal research and development award to the government of a foreign country or an entity based in, funded by, or affiliated with a foreign country regardless of whether that government or entity provided support for the development of the intellectual property, materials, or data products?

- **Answer: Yes No**

S3 Q2. Recruiting: Are you required to recruit trainees or researchers to enroll in such foreign government program, position, or activity?

- **Answer: Yes No**

S3 Q3. Foreign Affiliation: Have you established a laboratory or company, accepted a faculty position, or undertaken any other employment or appointment in a foreign country or with an entity based in, funded by, or affiliated with a foreign country, understanding (or later learning) that such activities are in violation of the standard terms and conditions of a federal research and development award?

- **Answer: Yes No**

S3 Q4. Non-Terminable Contract: Are you unable to terminate the foreign talent recruitment program contract or agreement except in extraordinary circumstances?

- **Answer: Yes No**

S3 Q5. Duplicative Research Conflict: Through funding or effort related to the foreign talent recruitment program, are you limited in the capacity to carry out a research and development award or required to engage in work that would result in substantial overlap or duplication with a federal research and development award?

- **Answer: Yes No**

S3 Q6. Mandated Foreign Funding: Are you required to apply for and successfully receive funding from the sponsoring foreign government's funding agencies with the sponsoring foreign organization as the recipient?

- **Answer: Yes No**

S3 Q7. Omitted Research Attribution: Are you required to omit acknowledgment of the University of South Carolina or the federal research agency sponsoring the research and development award, contrary to the institutional policies or standard terms and conditions of the federal research and development award?

- **Answer: Yes No**



S3 Q8. Undisclosed Foreign Participation: Are you required not to disclose to the federal research agency or the University of South Carolina that you are participating in the program, position, or activity?

- **Answer:** **Yes** **No**

S3 Q9. Research Conflict Violation: Has your affiliation with the Foreign Entity/Program resulted in a conflict of interest or conflict of commitment contrary to the standard terms and conditions of the federal research and development award?

- **Answer:** **Yes** **No**

Section 4: Final Assessment Questions

S4 Q1. Foreign Countries of Concern (FCOC): Is the Foreign Entity/Program directly or indirectly based in, funded by or affiliated in any way with the following FCOCs: China (including Hong Kong), Russia, Iran or North Korea?

- **Answer:** **Yes** **No**

S4 Q2. Department of Energy (DOE) Funding: Do you now or will you in the coming year have DOE federal funding?

- **Answer:** **Yes** **No**

S4 Q3. List Checks: Does the sponsoring Foreign Entity/Program appear in one of the following lists of possible threats to U.S. national security?:

- ✓ [Department of Defense NDAA 1286 list \(pdf\)](#)
- ✓ [National Academies listing of foreign talent programs that may pose a threat U.S. national security interests \(list appears in appendix C, pages 251-262\)](#)
- ✓ [Center for Security and Emerging Technology Chinese Talent Program Tracker](#)

- **Answer:** **Yes** **No**

Section 5: Self-Assessment Determination

Section 2 Assessment

- **“Yes” to S2 Q1 AND S2 Q2:** If you answered “Yes” to both questions in section 2, this means you are considered a covered individual and an FTRP participant. FTRP participation is generally allowable, but participation in a malign FTRP is prohibited by USC policy and federal rules.
 - **Action:** Move on to the below section 2, 3 and 4 assessments to determine if your involvement with the FTRP may be prohibited.



- **“No” to S2 Q1 OR S2 Q2:** If you answered “No” to either question in section 2, you are not in an FTRP, and do not need to assess your involvement any further.
 - **Action:** If your situation changes in such a way that it would require you to answer “Yes” to S2 Q2, please return to this worksheet and complete it in full to assess the FTRP you have encountered.

Section 3 Assessment

- **“Yes” to Any S3 Question:** If you answered “Yes” to one or more questions in section 3, this means your FTRP displays one or more of the nine characteristics of a prohibited malign FTRP (MFTRP).
 - **Action:** Contact the ORS right away at foreigntravelandcollabs@sc.edu for support with next steps. Share this completed worksheet with them to provide the preliminary information they will need to get started.
- **“No” to All S3 Questions:** If you answered “No” to all nine questions in section 3, your FTRP does not display characteristics of a MFTRP. However, it is possible that your FTRP may be prohibited by the University of South Carolina and/or your federal funding agency.
 - **Action:** Move on to the below Section 4 Assessment to determine if your FTRP may be prohibited for another reason.

Section 4 Assessment

- **“Yes” to S4 Q1:** Your FTRP is affiliated in some way with one of the four designated foreign countries of concern, indicating that your participation in the program may be prohibited.
 - **Action:** Continue your section 4 assessment to determine if your participation in this FTRP is prohibited or if your FTRP may be considered malign for other reasons.
- **“Yes” to S4 Q2:** The U.S. Department of Energy takes a more stringent approach to FTRPs than other federal funding agencies. It considers all FTRPs that are affiliated in any way with any FCOC to be a prohibited MFTRP, regardless of the program’s other characteristics. This means your participation in the FTRP risks your current and/or future DOE funding.
 - **Action:** Contact the ORS right away at foreigntravelandcollabs@sc.edu for support with next steps. Share this completed worksheet with them to provide the preliminary information they will need to get started.
- **“Yes” to S4 Q3:** These lists identify known foreign institutions and foreign talent programs that engage in activities considered problematic and that pose a risk to U.S. national security. If you have found the FTRP you participate in or have encountered on this list, the program is considered an MFTRP by federal funding agencies.



- **Action:** Contact the ORS right away at foreigntravelandcollabs@sc.edu for support with next steps. Share this completed worksheet with them to provide the preliminary information they will need to get started.

Additional Information and Resources

If you need further assistance to understand your assessment above or have general questions about FTRPs and MFTRPs, please contact the Office of Research Security at foreigntravelandcollabs@sc.edu. The ORS Team welcomes your questions.

More Information on FTRPs and MFTRPs

- Learn more via the ORS website's [Foreign Talent Recruitment Program web page](#)
- USC Policy [RSCH 1.10: Prohibition on Participation in Malign Foreign Talent Recruitment Programs \(pdf\)](#)
- Department of Energy Policy: [Prohibition on Malign Foreign Talent Recruitment Program Participation](#)
- Full definitions of FTRP and Malign FTRP: [White House Office of Science and Technology Program memo dated February 14, 2024 \(pdf\)](#)