



Foreign Talent Plans

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Foreign Government Talent Recruitment Programs

Contracts can stipulate quotas for publications, outside funding, patents, and recruitment of other foreign researchers.

Definition: A foreign government sponsored talent recruitment program is an effort organized, managed, or funded by a foreign government to recruit science and technology professionals or students (regardless of citizenship or national origin)

Some recruitment programs threaten the transparency, openness, and integrity of scientific research by directing or encouraging inappropriate behaviors of recruited ***employees of U.S. academic research organizations.***

Under certain programs, U.S. university professor may be required to:

List foreign university affiliation before U.S. university on publications

Obtain large amounts of research funding for the foreign university

File a number of patents registered to the foreign university



Recruitment Email

To an NSF Program Officer:

[High-level Talent Introduction Program] sincerely invites you to join!

Dear [NSF Program Officer], I am xxx, Director of the Talent Introduction Program. It is a pleasure to connect with you. I've been scouting high-level talents like you to come to China to engage in scientific undertakings. Here are currently two Full-Time opportunities including Synthetic Biology Scientists and Chemical Process Scientists, looking for candidates. It will be a terrific opportunity if you plan to return to China in the next 2-3 years. We will provide massive support for you in applying for the Talent Introduction Program. And the amount of policy support will be up to CNY 7million. If you haven't applied for this program this year, and be interested in the program and the two positions, please kindly reply with your WeChat, we would contact you for further details. Looking forward to hearing from you, cheers!



5、乙方聘期内在甲方工作期间，所作出/取得的教学、科研等作品、发明创造或其他任何成果均属职务成果，其权益由甲方享有，乙方发表有关论文、著作或申报有关奖励、专利和科研项目及经费等，均须同时署乙方及甲方名（即必须同时署作者及作者单位），乙方在发表或申报前应事先向甲方征询该作品、发明创造或其他任何成果是否涉及甲方对第三方的保密义务或者属于甲方认为需要保密的事项，在征得甲方同意后方可发表或申报。

The intellectual property rights and interests of the teaching and research results during Party B's appointment at Fudan University belongs to Party A, and can be shared by Party B according to related stipulations and laws, accordingly. Related publications, including research articles and books, and patents, as well as related awards should have both Party B and Party A's names. Before submission related manuscripts or filling patents or other applications, Party B should make inquiry with Party A on whether

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the related work, invention or other form of results might be related to Party A's confidentiality obligations to other parties or might belong to Party A's necessary confidentiality concerns, and obtain permission from Party A before submission or application. Party A should make decisions on these matters in reasonable time upon Party B's request.

6、乙方对所获悉的甲方资料、技术及信息、甲方对合同三方之外单位（或人员）负有保密义务的所有事项以及前款所述任何职务作品/发明创造/成果等负有保密义务，未经甲方事先同意，不得以任何方式向任何合同三方之外单位（或人员）予以暗示、披露或允许任何合同三方之外单位（或人员）使用，不得用于甲方工作任务以外的用途。乙方的上述保密义务不因本合同的解除、中止、终止、失效而免除。

Party B has the obligation to ensure the confidentiality of the materials, sources, technical details and information obtained from Party A, and the confidentiality of the works, invention or results obtained through party B's appointment. Party B should not in any way imply, expose or allow usage of these materials or information to anybody other than the three parties in this contract, or use them for anything not related to Party A's interest. These obligations for Party B shall not be exempted due to the cancellation, discontinuation, termination or invalidation of this contract.



CHIPS and Science Act, Passed in August 2022

Several research security provisions including:

- Prohibition of malign foreign talent recruitment programs for federally funded researchers
- Requirement for NSF to establish a Research Security and Integrity Information Sharing and Analysis Organization
- Research security training requirement for all covered personnel on federal awards
- Inclusion of research security training as part of Responsible and Ethical Conduct of Research training
- Reporting (to NSF) on foreign financial transactions and gifts above \$50,000 associated with countries of concern
- Prohibition of Confucius Institutes



Malign Foreign Talent Program Definition in CHIPS + Science

- Unauthorized transfer of intellectual property or other nonpublic information;
- Recruit trainees or researchers to enroll in such program;
- Establishing a laboratory/employment/appointment in a foreign country in violation of terms and conditions of a Federal research award;
- Inability to terminate;
- Overcapacity/overlap/duplication;
- Mandatory to obtain research funding from the foreign government's entities;
- Omitting acknowledgement of U.S. home institution/funding agency;
- Not disclosing program participation; or
- Conflict of interest/commitment.

****And also sponsored by a country of concern***



Research Security Training Requirement

Research Security Training Modules Under Development

1. Why is research security an important issue?
2. What is a disclosure policy and how will it be used?
3. What actions can federally funded research recipients take to manage and mitigate risk?
4. Is international collaboration encouraged?



