

MEMORANDUM FOR HEADS OF DEPARTMENTAL ELEMENTS

FROM: THE DEPUTY SECRETARY

SUBJECT: Department of Energy Policy on Foreign Government Talent Recruitment Programs

Some foreign governments have made it a strategic priority to dominate high technology sectors that are currently led by U.S. entities, including Department of Energy (DOE) Laboratories. One method employed to legally and, in some instances, illegally acquire U.S. government-funded scientific research is to use foreign government talent recruitment programs. A foreign government talent recruitment program is generally defined as any foreign state sponsored attempt to acquire U.S.-funded scientific research through recruitment programs that target scientists, engineers, academics, researchers, and entrepreneurs of all nationalities working or educated in the United States.

Foreign talent recruitment programs, of which there are many, target individuals who are leaders in their respective fields and have top-level access to and research capabilities in technological fields of interest to the foreign government. As an incentive, potential recruits are offered lucrative and prestigious positions at premier foreign research institutes, labs, or universities. Talent recruitment programs sponsored by certain countries threaten the United States' economic base by facilitating the unauthorized transfer of technology and intellectual property to foreign governments.

The Department recognizes the overall value of scientific collaboration with foreign organizations, but exploitation of the openness of the U.S. scientific community threatens U.S. national interests. To limit real or potential exploitation of this open system, DOE plans to take the following actions to protect U.S. national security interests, to be responsible stewards of U.S. taxpayer money and to prevent funding for research at the National Laboratories from benefiting foreign competitors:

DOE personnel¹ will be subject to limitations, including prohibitions on their ability currently or in the future to participate in foreign talent recruitment programs of countries determined sensitive by DOE while employed by DOE, or performing work within the scope of a DOE contract. These limitations also will apply to recipients of financial assistance (e.g., grants or cooperative agreements).

I hereby direct the Office of the Under Secretary for Science, in consultation with the Office of the Under Secretary of Energy and the Office of the Undersecretary for Nuclear Security, to work with the Office of Management to implement and provide additional guidance on this policy through the DOE directives system and other appropriate mechanisms to cover all DOE personnel.

¹ For the purposes of this memorandum, DOE personnel is inclusive of federal employees as well as contract employees, independent contractors, fellows, interns, grantees, and all other DOE funding recipients within DOE as well as the DOE national laboratory complex.