

HSGAC Report on Threats to the U.S. Research Enterprise: China's Talent Recruitment Plans & November 19 Hearing

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COGR Membership,

The Senate HSGAC (Homeland Security and Government Affairs) Permanent Subcommittee on Investigations has released its official report on threats to the U.S. research enterprise posed by China's talent recruitment plans.

Report: [Threats to the U.S. Research Enterprise: China's Talent Recruitment Plans](#)

Appendix A: [China's Talent Recruitment Plan Contracts](#)

Hearing: [Securing the U.S. Research Enterprise from China's Talent Recruitment Plan](#)

The Committee's recommendations (below) begin on page 11 of the 109-page report.

Recommendations

- 1) Federal agencies must develop a comprehensive strategy to combat both illegal and extralegal transfers of U.S. intellectual capital. China uses illegal and extralegal mechanisms to acquire U.S. intellectual property, research, and sensitive technologies. Federal agencies should work with the U.S. research community to balance the need for international collaboration while securing U.S.-government funded research.
- 2) Federal agencies should declassify and disseminate more information on foreign talent recruitment plans. Additional information from the U.S. intelligence community, federal law enforcement, and federal grant-making agencies will help define the scope and scale of the problem so that U.S. research institutions can effectively mitigate risks associated with foreign talent recruitment plans.
- 3) While taking steps to better protect research and intellectual property, Congress and the Executive Branch should reaffirm the critical importance of foreign students and researchers in the United States and the importance of international research collaboration. Congress should provide stable and sustained funding for scientific research sponsored by federal agencies and support programs aimed at keeping scientists and their work in the United States.
- 4) Federal law enforcement agencies and members of the intelligence community must better tailor engagement with the U.S. research community to ensure that threat information is accessible and actionable. The FBI should develop a cohesive strategy to ensure outreach by its headquarters and 56 field offices is effective, consistent, and timely.
- 5) U.S. grant-making agencies should harmonize the grant proposal process and standardize reporting requirements for disclosing all foreign conflicts of interest, conflicts of commitment, and all outside and foreign support. Standardization and harmonization will reduce the administrative burden on research institutions applying for federal research funding and promote data sharing across the U.S. research enterprise. A government-wide standard should require documents be machine readable to encourage automation to assist with identifying grant fraud.
- 6) The U.S. research community should establish a "Know Your Collaborator" culture. U.S. research institutions should establish best practices in monitoring scientific and research collaboration with foreign nationals and determining whether such collaboration adheres to U.S. scientific research values, especially in the area of research integrity. U.S. 12 research institutions also should investigate and adjudicate allegations of failures to disclose conflicts of interest, commitment, or other outside support.
- 7) U.S. grant-making agencies should implement a compliance and auditing program to ensure grantees accurately report conflicts of interest and conflicts of commitment. Congress should provide adequate resources to support agency compliance programs and inspectors general.

- 8) U.S. grant-making agencies conducting or funding U.S. government research should share information regarding grant recipients with access to U.S. government funding and research facilities. This information should be made available as appropriate to foster scientific collaboration and used by funding agencies to assess the qualifications of researchers.
- 9) The Commerce Department should ensure its interagency process for identifying emerging and foundational technologies that are essential to the national security of the United States includes a review of fundamental research. As appropriate and necessary, the Commerce Department should add foundational technologies and areas of fundamental research to its export control lists.
- 10) The State Department should identify any additional authorities needed to deny non-immigrant visas for individuals suspected of engaging in illegal or extralegal transfers of technology, intellectual property, and fundamental research. State also should include additional security related questions designed to detect foreign government sponsorship of research conducted in the United States and whether the visa applicant intends to legally or illegally transfer research and technology back to their home country on visa applications. State should automate security reviews of visa applicants for illicit transfers of technology, intellectual property, and fundamental research.
- 11) The administration should consider updating NSDD-189 and implement additional, limited restrictions on U.S. government funded fundamental research. NSDD-189 was issued in 1985 and established the national policy that products of fundamental research are to remain unrestricted to the maximum extent possible. Federal agencies must not only combat illegal transfers of controlled or classified research, but assess whether openly sharing some types of fundamental research is in the nation's interest.
- 12) Federal law enforcement and other relevant agencies should identify U.S.-based entities that serve as recruitment networks, platforms, or foreign government proxies that facilitate or broker in state-sponsored talent recruitment. Additional investigations and publications are needed to fully understand the impact of foreign talent recruitment efforts in the United States. Federal law enforcement and other relevant agencies should examine the extent of foreign talent recruitment activity in the private sector for foreign talent recruitment-related programs, including venture capital contests and entrepreneurial programs.
- 13) U.S. grant-making agencies should work with research institutions to ensure they have the necessary cybersecurity practices in place to reduce the risk of research data misappropriation. Universities, research institutions, and other recipients of federal research funding should periodically demonstrate that they are adhering to cybersecurity best practices.
- 14) Grant-making agencies should not award U.S. funding to participants of foreign talent recruitment programs absent full disclosure of the terms and conditions of membership in any talent recruitment program.