

To: UNM Faculty, Staff, and Administrators

From: President Garnett S. Stokes 

Subject: Malign Foreign Talent Recruitment Programs

Date: July 23, 2024

The University of New Mexico is committed to complying with all applicable Malign Foreign Talent Recruitment Program (MFTRP) laws and regulations. MFTRPs are defined in detail by the CHIPS Act ([CHIPS and Science Act of 2022](#)), but are distinguished from foreign talent recruitment programs with legitimate purposes in that they maintain a focus on encouraging or directing unethical and criminal behaviors in pursuit of acquiring U.S. scientific-funded research or technology. The threat of foreign influence has become increasingly prevalent in the modern research community, resulting in the need for appropriate institutional compliance and oversight. These regulations apply to covered individuals who contribute 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.

Effective August 9, 2024, covered individuals (individuals who contribute 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) are prohibited from participation in a malign foreign talent recruitment program meeting any of the criteria in Sec. 10638(4)(A)(i)-(ix) of the [CHIPS and Science Act of 2022](#). Specifically:

1. UNM prohibits participation in MFTRPs.
2. UNM requires that covered individuals comply with all sponsor policies and certifications regarding MFTRPs as they are developed and implemented, and that disclosures are true, complete, and accurate to the best of the covered individual's knowledge.
3. UNM requires a covered individual comply with federal research agency policies by:
  - a. Certifying at proposal submission, and annually for the duration of the award, that they are not a party to a MFTRP; and
  - b. Disclosing all participation in FTRP contracts, agreements, or other arrangements
4. Certifications will not apply to awards made prior to August 9, 2024.
5. UNM must certify that covered individuals have been made aware of the requirements set forth in this policy.

Fraudulent statements or claims, including intentional omissions, in violation of this policy may result in criminal, civil, administrative or university penalties. For additional assistance or information regarding this policy, contact Jessica Hermosillo, Facility Security Officer, at (505)277-2058 or [jhermosillo@unm.edu](mailto:jhermosillo@unm.edu).

#### References:

<https://media.defense.gov/2023/Jun/29/2003251160/-1/-1/1/COUNTERING-UNWANTED-INFLUENCE-IN-DEPARTMENT-FUNDED-RESEARCH-AT-INSTITUTIONS-OF-HIGHER-EDUCATION.PDF>

<https://new.nsf.gov/policies/pappg/24-1/ch-2-proposal-preparation>