

Existing Guidance from Other Federal Agencies

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Department of Energy [DOE]

[DOE Directive O 486.1A](#), Foreign Government Sponsored or Affiliated Activities September 4, 2020

To ensure the continued flow of scientific and technical information consistent with the Department of Energy's (DOE) broad scientific mission, while also ensuring protection of U.S. competitive and national security interests and DOE program objectives; preventing potential conflicts of interest, e.g., financial interests, conflicts of commitment, and outside employment, which may undermine the DOE research enterprise; and limiting unauthorized transfers of scientific and technical information. Cancels DOE O 486.1, dated 6-7-2019.

[Science Article on DOE Policies](#) February 8, 2019

[DOE Directive regarding Foreign Government Talent Recruitment, June 7, 2019](#)

DOE Order 486.1: "To ensure the continued flow of scientific and technical information consistent with the Department of Energy's (DOE) broad scientific mission, while also ensuring protection of U.S. competitive and national security interests and DOE program objectives; and limiting unauthorized transfers of scientific and technical information."

Department of Defense [DOD]

[Department of Defense Letter raising awareness of efforts to combat foreign influences on research integrity. The letter highlights the efforts of JCORE - Joint Committee on the Research Environment](#)

"In his September 16, 2019. letter to the research community. Dr. Kelvin Droegemeier, Director of the White House Office of Science and Technology Policy (OSTP), described a new OSTP-led interagency Joint Committee on the Research Environment (JCORE).

DoD is an active participant in JCORE, and in its sub-committee on Research Security, which is initially focused on coordinating four lines of Federal effort:

1. coordinating outreach and engagement
2. disclosure requirements for participation in federally funded research
3. best practices for academic research institutions
4. methods for identification, assessment, and management of risk

This work will help agencies that fund Federal research to develop common standards for identifying and adjudicating conflicts of interest and conflicts of commitment from these disclosures. It will also help agencies that fund Federal research to clarify consequences for failing to make these disclosures."

Department of Defense Memo - Actions for the Protection of Intellectual Property, Controlled Information, Key Personnel and Critical March 20, 2019

“The National Defense Authorization Act (NOAA) for FY 2019, Section 1286, pages 443- 445, directs the Secretary of Defense to establish an initiative to work with academic institutions who perform defense research and engineering activities: 1. To support protection of intellectual property, controlled information, key personnel, and information about critical technologies relevant to national security; and 2. To limit undue influence, including through foreign talent programs, by countries to exploit United States technology within the Department of Defense research, science and technology, and innovation enterprise.”

Prohibition on Procurement of Foreign-Made Unmanned Aircraft Systems [DARS Tracking Number: 2020-O0015] [May 29, 2020]

Effective immediately, unless an exception applies or a waiver is granted, contracting officers shall not enter into or renew a contract for the procurement of—

- An unmanned aircraft system (UAS), or any related services or equipment, that—
 - Is manufactured in the People’s Republic of China or by an entity domiciled in the People’s Republic of China;
 - Uses flight controllers, radios, data transmission devices, cameras, or gimbals manufactured in the People’s Republic of China or by an entity domiciled in the People’s Republic of China;
 - Uses a ground control system or operating software developed in the People’s Republic of China or by an entity domiciled in the People’s Republic of China; or
 - Uses network connectivity or data storage located in, or administered by an entity domiciled in, the People’s Republic of China; or
 - A system for the detection or identification of a UAS, or any related services or equipment, that is manufactured—
 - In the People’s Republic of China; or
 - By an entity domiciled in the People’s Republic of China.

This prohibition does not apply to procurements for the purposes of: counter-UAS surrogate testing and training; or intelligence, electronic warfare, and information warfare operations, testing, analysis, and training.

This class deviation implements the procurement prohibition under section 848 of the National Defense Authorization Act for Fiscal Year 2020 (Pub. L. 116-92).

National Aeronautics and Space Administration [NASA]

Gic 12-01 Class Deviation Implementing Nasa Restrictions On Funding Activities With The People's [Republic](#) Of China (Prc) Effective April 25, 2011

“NASA is restricted by specific applications of Section 1340(a) of The Department of Defense and Full-Existing Guidance from Other Federal Agencies
Office of Research and Graduate Education

Year Appropriations Act, Public Law 112-10 (NASA's 2011 continuing resolution), and Section 539 of the Consolidated and Further Continuing Appropriation Act of 2012, Public Law 112-55 (NASA's FY 2012 appropriation) from using funding appropriated in the Acts to enter into or fund any grant or cooperative agreement of any kind to participate, collaborate, or coordinate bilaterally in any way with China or any Chinese-owned company, at the prime recipient level or at any subrecipient level, whether the bilateral involvement is funded or performed under a no-exchange of funds arrangement.”