

Guidance: Restricted Party Screenings & Navigating Existing Collaborations with Restricted Parties

Overview: The federal government maintains lists of restricted parties (individuals and organizations). Collaborating with restricted parties can create export control risks, including federal violations, as well as raise your risk profile. Federal funding agencies are conducting foreign influence security reviews on researchers even for fundamental research projects. The risk matrices vary by agency, and the restricted party lists change over time, so please contact the [Export Controls & International Compliance](#) (ECIC) team to conduct regular screenings.

- 1. How can you request Restricted Party Screenings for your collaborators?** Email the [ECIC](#) team to request Restricted Party Screenings for any current or future collaborators including potential appointments, international collaborations including co-authors, and international conference organizers, etc. The screenings will identify if a person or organization is on a U.S. restricted list.
- 2. What happens if you are associated or affiliated with a restricted party?** Every situation is different, so please contact the [ECIC](#) for a consultation and guidance. In addition, if you are sponsoring a research visitor and their home institution gets added to a restricted list, contact the ECIC team for guidance
- 3. When a collaborator is from a restricted entity, what can you do with them?** This is too broad to comprehensively cover in an FAQ, contact the ECIC for specific guidance. You cannot send (mail, fax, email) items (i.e., materials, substances, equipment, technical data, and unpublished data) to a denied entity without an export control license. However, the federal government will **very likely** deny the license request (i.e., there is a presumption of denial).

Collaborating with an individual that is from a restricted entity – particularly if located in a country of concern (China, Iran, North Korea, and Russia) – is **extremely high risk**. Collaborating with restricted entities on a federally funded project is likely prohibited by the award language and could also impact your future funding. At minimum, you will likely be asked to submit to a mitigation plan (e.g., reporting international travel in advance, participating in research security training, and/or possibly agreeing not to collaborate with any individual from countries of concern during the award period).

- 4. What should you do if you are midstream on a collaboration with a restricted party?** As soon as possible, discuss the situation with the [ECIC](#) team. There are research integrity considerations, in addition to research security concerns (malign foreign influence, risk profile impact, etc.). For example, we do not advise that you simply take someone's name off a potential publication. This could trigger research integrity issues and be perceived by federal funding agencies as concealing a foreign collaborator. However, do not send anything to the restricted entity if they are located outside the country as it may need an export control license. You **may** be able to finish the manuscript without violating export control law, but please discuss with the ECIC team.
- 5. Can I provide feedback on a paper initiated and led by a person from a restricted entity?** This is an individual decision based on a benefit/risk analysis. What is the benefit to you and to Northwestern? Is there any overlap with your federal funding? Would you be listed as a co-author?" Depending on the answers this activity may raise your risk profile with federal funding agencies.
- 6. Should I accept travel reimbursement or funding from a restricted party?** Consult with the ECIC team, but generally speaking the answer is "no." Doing so may be a violation of federal law and will **almost certainly** raise your risk profile with federal funding agencies. You cannot pay a restricted entity or party without advanced federal authorization (e.g., a license or license exception).

7. **What criteria do federal agencies use to assess a researcher's security risk profile?** Examples of risk matrices used by funding agencies include [DOD Risk Matrix](#) (reference pages 9-12) and the [Army Risk Matrix](#). Other agencies have similar matrices, but the Army's is the least risk tolerant. According to the DOD, simply co-authoring should not be the basis for the rejection of a proposal. However, Northwestern has experienced three rejections (all from the Army) which appear to be based on co-authorship. We appealed those decisions and are awaiting final adjudication. On the other hand, the NSF has stated that simply co-authoring a paper will not raise your risk profile. NSF is rolling out their [research security reviews](#) in 2025 with a [pilot](#) – starting with quantum technology.

8. **What are examples of key restricted lists (note: the below list is not exhaustive)?**

- **DOD 1286 list is one of the most problematic lists.** The 1286 List includes foreign institutions that have been confirmed as engaging in problematic activity as described in [Section 1286\(c\)\(8\)\(A\)](#) of the NDAA for FY 2019. Reference page [18 of the DOD Matrix](#) for the 1286 list but note that it changes over time.
- **BIS Entity List** The Bureau of Industry and Security (BIS) publishes the names of foreign persons – including entities (businesses, research institutions, government, and private organizations) and individuals, that are subject to specific license requirements for the export, reexport and/or transfer (in-country) of specified items. These persons comprise the Entity List (ELT), which is found on [Supplement No. 4 to Part 744](#) of the Export Administration Regulations (EAR). Entities included on this list are referred to as denied entities.
- **Australian Unitracker:** The “Unitracker” is not a denied entity list per se, it is a list compiled by an Australian think tank with funding from the U.S. State Department's Global Engagement Center. In some instances, but not all, Australian entities may eventually appear on a U.S. government-denied list.

9. **What does it mean if one of my collaborators or their home institution show up on a denied list?**

From an export control perspective, denied entities:

- Require a federal license to share (ship, mail, or transfer) anything with a denied entity or 1286 entity. There is also a presumption of denial – the U.S. government will almost certainly deny the license.
- The U.S. government may occasionally grant visas for individuals who are affiliated with a denied entity or 1286 entity. If a visitor affiliated with a denied entity or 1286 entity **is in the U.S. on a valid visa**, you may generally collaborate with the individual on fundamental research. But the visitor cannot share items (data, equipment, materials, anything) with a denied entity (i.e., their affiliated institution). If the visitor returns to a denied or 1286 entity institution or leaves the U.S. and remains affiliated with the denied entity, you cannot collaborate with them without a license.
- In addition, the visitor may not be able to work on federally funded projects and collaborating with them including publishing papers may impact your future federal funding. The federal government has various risk matrices for federal researchers and one of the high-risk indicators is collaborating with restricted parties. Some awards may have prohibitions in the award terms.
- In addition, working with or collaborating with a person associated with a denied or 1286 entity is an **extremely high risk** from a foreign influence perspective. It may negatively impact your future federal funding, particularly with the DoD. **However, you will want to make sure you properly disclose any affiliations as under reporting this information can be problematic and violate federal law.**

10. **Can you collaborate with an organization on the Australian Unitracker?** You can collaborate with entities that are **only** on the Australian Unitracker (i.e., they are not also on a U.S. restricted list). However, you need to be mindful when [shipping or sending](#) anything outside the U.S. Collaborations need to be reported to federal agencies. Any collaboration with a person associated with any university or organization from a country of concern (China, Iran, North Korea, and Russia) may **likely** impact your risk profile.

11. **What do you need to disclose in your Northwestern Conflict of Interest disclosure?**

- All foreign and domestic Significant Financial Interests (e.g., payments, equity, reimbursed travel);
- All external positions and appointments (e.g., board service, visiting or honorary appointments, serving as a PI or teaching outside of Northwestern);
- Any research support that did not go through Sponsored Research or Alumni Relations and Development
- Any participation in a foreign talent recruitment program, malign or otherwise.

Disclosure is required in [eDisclosure](#) within 30 days of acquiring or becoming aware of a new relationship or financial interest. More information can be found in the [Policy on Conflict of Interest in Research](#).

12. **What do you need to disclose to funding agencies?**

- All foreign and domestic academic, professional, and institutional positions and appointments must be included in your biosketch per agency requirements.
- **All** current and pending support, including grants, contracts, agreements, in-kind support, and external support for students and postdoctoral fellows,
- Any research performed outside of Northwestern (e.g., via consulting or other appointments)
- Any participation in programs sponsored by foreign governments, instrumentalities, or entities, including talent recruitment programs must be listed in your Current & Pending Support.

Federal agencies vary on when this documentation is required. Work with your research administrators to understand the terms of any project, and review Sponsored Research's [agency-specific resources](#).

13. **What is a Foreign Talent Recruitment Program and a Malign Talent Recruitment Program?** Definitions can be found on the [Office of Research Security website](#). If you are receiving compensation (of any kind – monetary or non-monetary including honorariums) from a designated country of concern (China, Iran, North Korea, or Russia) review this [resource](#) and reach out to the [ECIC](#) team

14. **What has changed? You cannot be a Malign Foreign Talent Recruitment Program participant and apply for or receive federal funding.** The federal government broadened the foreign talent plan definitions (malign and non-malign) and has prohibited participation in Malign Foreign Talent Recruitment Programs if you receive federal funding. Northwestern implemented these changes and prohibition by updating the [Policy on Conflict of Interest in Research](#) in January 2024.

15. **Where can I learn more?** To assist employees in navigating international partnerships and avoiding inadvertent issues, the Office for Research maintains a [webpage](#) with guidance on improper foreign influence.

Who can you contact with questions? Contact the [ECIC team](#) for Restricted Party Screenings as well as general questions about talent programs or other international engagements. If you have any questions related to disclosure, contact [NUCOI](#).