

Information Sheet on NASA Restrictions Related to Funding Activity with China

Why are you being asked to submit this form?

You are being asked to complete this form because you have received an award from the National Aeronautics and Space Administration (NASA) or are a recipient of NASA funding. Certain federal laws prohibit NASA from funding any type of grant or cooperative agreement that involves bilateral participation, collaboration or coordination with China or any Chinese-owned company at prime and/or subrecipient levels. A Chinese-owned company is any company owned by the People's Republic of China or incorporated under the People's Republic of China laws.

Because of this prohibition, Emory University is restricted from collaborating with or issuing a subaward to China or any Chinese-owned company related to a NASA-funded project. This restriction applies at the prime contract level and any sub-recipient level but does not apply to commercial supply items needed to perform a grant or cooperative agreement. To ensure compliance with this restriction, Emory requires that all principal investigators receiving NASA grants to complete the Disclosure Form, NASA Restrictions on Funding Activity. The Form must be signed by the Principal Investigator, PI's school Dean (or Designee) and the Chief Business Officer (CBO).

Requirements:

Upon receipt of an award from NASA, the person/entity receiving the award must represent that:

- The persons participating in the project are not affiliated with the Chinese government or a Chinese-owned company;
- The project does not involve bilateral participation, collaboration, or coordination with the Chinese government or a Chinese-owned company at the prime contracting or subcontracting level, no matter whether the activity in which the Chinese government or Chinese-owned company is involved is funded or unfunded. "Bilateral" activities are those that solely occur between persons/entities in the United States and China. Activities conducted under the auspices of a multilateral organization (i.e., an organization that involves the United States, China, and other countries) are generally permitted.

What happens if a Chinese national will be working on NASA funded project?

Per guidance from NASA, if a Chinese-national (i.e., non-United States citizen) student, fellow, researcher, visiting researcher, faculty member, principal investigator, or co-principal investigator will be working on the NASA-funded project, NASA will review the participation on a case-by-case basis. NASA will review the matter to determine if the involvement of these individuals is permissible under this restriction.

Potentially problematic situations include, but are not limited to Chinese-national students receiving scholarship funds from the Chinese government or Visiting researchers who maintain an affiliation with the Chinese government. In such cases, Emory is required to contact the NASA grant officer and apprise them of the situation. The NASA grant officer will work with NASA technical officer and NASA headquarters to determine if NASA funding use is permitted.

Important Note: Chinese nationality or citizenship alone does not trigger the NASA restrictions. The restriction focuses on the existence of the individual's affiliation with China or a Chinese-owned company, regardless of the citizenship or location of the individual.

When is this Disclosure Form required?

- Before the funding is awarded.
- If there are changes to the Information disclosed on the Form, PI is **required to re-submit** the form as soon as they become aware of the changes.
- Before a new team member has access to NASA funded research, PI is required to submit a new form and receive approval.