

Legislative, Regulatory & Other Responses to Ensure Research Security, Integrity & Scientific Progress



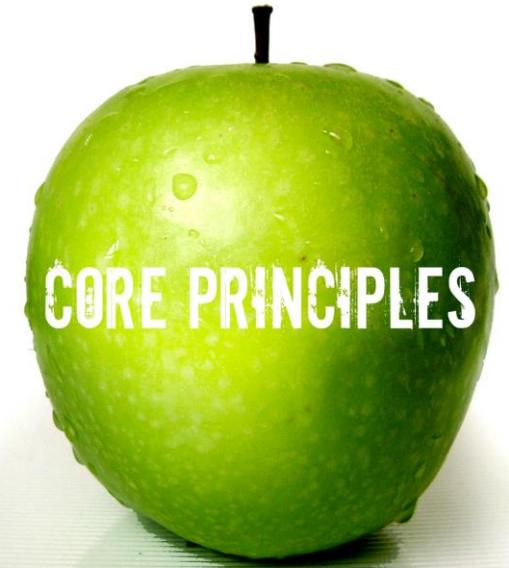
National Academies' Science, Technology, and Security Roundtable

Capstone Workshop

July 17, 2024

Core Principles

- Policies should be risk-based and harmonized across federal research agencies
- Openness must be a priority to advance both science and national security
- Ensuring research security and preserving scientific openness are complimentary -- not contradictory
- Policies should avoid racial profiling and have clear mechanisms for due process
- Researchers and universities need undertake their own assessment of risks



What Has Already Been Done*

- **NSPM-33**
 - *Common Disclosure Forms*
 - *Research Security Program Guidelines*
(*Export Controls; Cybersecurity; Training; Travel Policies*)
- **Federal Research Agency Policies**
 - *Clarification of agency disclosure requirement*
 - *DOD Decision Matrix; NSF TRUST program*
- **NDAA Requirements**
 - *NDAA FY19 (Sect. 1286) – DOD academic liaison; DOD list of foreign institutions & foreign talent programs of concern*
 - *NDAA FY20 (Sect. 1746) – NSTC interagency working group & NASEM roundtable*
 - *NDAA FY21 (Sect. 223) – Mandatory faculty disclosure of all funding sources in R&D award applications; Restriction on DOD funds to institutions w/Confucius Institutes (similar language for NSF in CHIPS Act)*
- **CHIPS and Science Act Requirements**
 - *DOE tools to mitigate risk, e.g., S&T risk matrix*
 - *Chief Research Security Officer and office at NSF*
 - *Research security and export control training requirements*
 - *Research security & integrity risk assessment center (e.g., NSF SECURE Center)*
 - *Prohibition on participate in malign foreign talent programs*



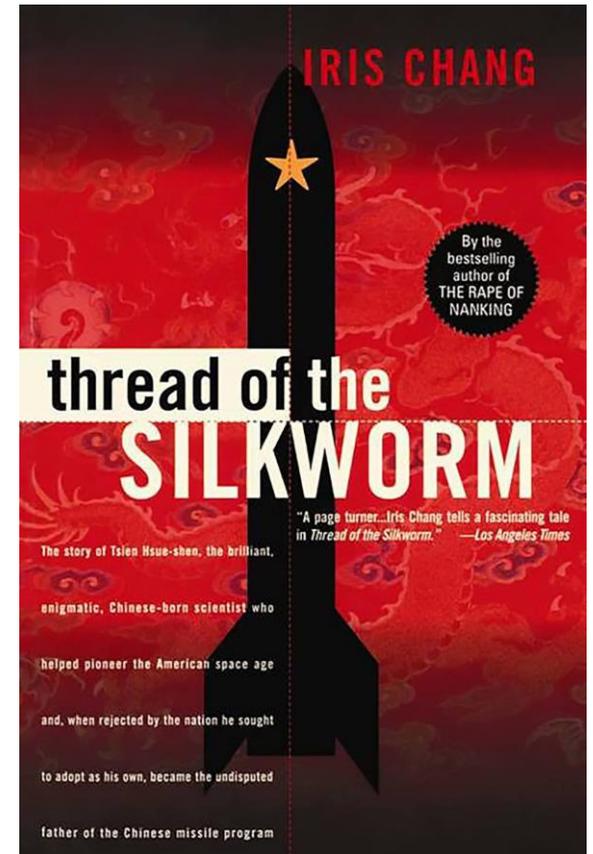
* For a complete list see: [Science & Security | Association of American Universities \(AAU\)](#)

Specific Recommendations

- Need to maintain a forum (or forums) where stakeholders and government intel, security, and research officials can engage in an ongoing dialogue (e.g., the NASEM Science, Technology and Security Roundtable)
- Continued interagency collaboration is critical (e.g., NSTC interagency working group)
- Need an FBI Liaison Office for universities at the national level
- Intelligence agencies need to better coordinate their efforts relating to research security
- Need training for agency program officers on CUI and on controls, including when and how specific restrictions should be imposed
- Need clear processes in place for ensuring due process, especially in instances of agency administrative action
- Need increased sharing of information regarding clear security risks (e.g., mechanisms to share classified information with specific trusted university officials should be developed)
- Additional mechanisms should be developed to help improve research security and assess potential risks (e.g., REN-ISAC Cyber Peer Assessment program; Possible FDP demonstration project relating to research security and integrity)
- Need to develop, support and fund new strategic international partnerships
- Need to retain foreign students who graduate from American universities with advanced STEM degrees (e.g., enact the “Staple Act”).

What Not to Do

- Require excessive and duplicative reporting by faculty and/or institutions
- Develop lists of “sensitive research” for which faculty would be unable to share and publish their scientific results
- Overly restrict the ability of U.S. researchers to participate in important international scientific partnerships
- Further expand new categories of CUI
- Make significant changes to how we treat fundamental research for purposes of export controls
- Reinstitute the “China Initiative”



Concluding Thoughts

- Scientific progress requires science to be open and able to be replicated, tested and reproduced
- Costs vs. benefits of closed versus open science must be assessed; they should not be viewed as mutually exclusive
- No longer have a monopoly on the top science
- National security requires investments in fundamental scientific research, not merely walling it off
- National security requires the development of a national talent recruitment, retention and development strategy (e.g., treat talent as a 'supply chain' issue)
- Ensuring research security, integrity and continued scientific openness is a shared responsibility

