February 13, 2024

Dr. Arati Prabhakar
Director
White House Office of Science and Technology Policy
Eisenhower Executive Office Building
1650 Pennsylvania Ave NW
Washington, DC 20502

Dear Director Prabhakar:

Representing America's leading research universities, I write on behalf of the Association of American Universities (AAU) to urge you to consider concerns expressed in the comments from AAU and other associations as you work to finalize the research security program standard requirements which the White House Office of Science and Technology Policy (OSTP) released as a draft for comment in March 2023.

AAU, along with several other higher education associations, research organizations, and universities, submitted extensive comments[1] to OSTP's request for information[2] on the draft research security program guidance.[3] AAU's comments, similar to several other submitted comments, described significant concerns with the lack of a risk-based approach to research security and the need for clear and consistent guidance across research agencies when implementing research security program requirements. We appreciate that consideration of the comments and making appropriate changes to the requirements takes time. Since the June 2023 comment deadline, OSTP has not released final requirements or an update to the research community on the status of finalizing the requirements; we encourage you to finalize the requirements as soon as possible.

Starting from language in the FY2020 National Defense Authorization Act[4] which mandated the creation of the National Science and Technology Council's (NSTC) interagency subcommittee on research security, NSPM-33 and its implementation guidance specifically called for the effective coordination and harmonization of research security requirements across federal research agencies. At the end of 2023, this coordinated approach led to finalizing common disclosure forms[5]. Building from this success and in continuance of NSPM-33 implementation, we urge OSTP to take seriously concerns AAU and other associations have raised in the comments to ensure that any final guidance is both risk-based and harmonized across federal agencies. Significant variation in what agencies require for acceptable research security programs will make compliance difficult and would not be in our national interest.

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[1] AAU Submits Response to OSTP Request for Information on NSPM-33, May 31, 2023: https://www.aau.edu/key-issues/aau-submits-response-ostps-request-information-nspm-33

[2] Request for Information; NSPM-33 Research Security Programs Standard Requirement, March 7, 2023: https://www.federalregister.gov/documents/2023/03/07/2023-04660/request-for-information-nspm-33-research-security-programs-standard-requirement

[3] Subcommittee on Research Security, National Science and Technology Council, Office of Science and Technology Policy, DRAFT Research Security Programs Standard Requirement, February 2023: https://www.whitehouse.gov/wp-content/uploads/2023/02/RS_Programs_Guidance_public_comment.pdf

[4] Securing American Science and Technology Act (SASTA), Section 1746 of the FY20 NDAA (P.L. 116-92)

[5] NSTC Research Security Subcommittee, NSPM-33 Implementation Guidance, Disclosure Requirements & Standardization: https://www.nsf.gov/bfa/dias/policy/nstc_disclosure.jsp

Finalizing the research security program guidance is critically important for our member institutions. We look forward to continuing to work with OSTP and the interagency subcommittee on research security to refine the requirements and effectively mitigate research security risks related to university-based research.

Sincerely,

Barbara R. Snyder
President