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NASEM to Hold Workshop on NSDD-189 and Factors Affecting the Classification of Federally Funded Research



On June 30, *ScienceInsider* published an article titled "When should U.S. research be stamped 'top secret'? NSF asks for a new look at the issue." According to the report, The National Science Foundation (NSF) has asked the National Academies of Sciences, Engineering, and Medicine (NASEM) to hold a workshop on factors affecting the classification of federally funded research. Tentatively scheduled for the fall, the meeting is expected to revisit a Cold War-era policy known as [National Security Decision Directive 189](#) (NSDD-189) that sets openness as the gold standard and says any classification of fundamental research should be kept to a minimum.

Some academic leaders caution that the effort needs to be managed carefully to prevent it from

backfiring. They note that China's aggressive pursuit of emerging technologies has prompted calls from many lawmakers to cordon off basic research on some sensitive technologies, such as quantum computing, artificial intelligence, and biomedical techniques that could be used to produce bioweapons. A massive innovation bill now being negotiated by both chambers of Congress (the House version is known as the COMPETES Act and the Senate version is known as USICA) could be a vehicle for such additional restrictions on scientific collaborations and open publishing.

NSF officials hope the NASEM workshop will assess whether to tweak the country's historically open system of sharing research results to meet current geopolitical realities. "It will help us reflect on where we are now and talk with the community about ways to maintain openness and security," says Rebecca Keiser, NSF's chief of research security.

For the past 4 decades, striking that balance has meant minimal classification of basic research. As Tobin Smith, vice president for science policy at the 65-member Association of American Universities (AAU), explained in the [June 6 APA Justice monthly meeting](#), a NASEM panel led by Dale Corson concluded that fundamental research should "remain unrestricted ... to the maximum extent possible." It resulted in NSDD-189, a policy often described as "putting up high walls around a very narrow set of technologies."

Subsequent administrations have reaffirmed NSDD-189, saying it applies even when the country is under attack. But minimal classification doesn't mean none. In 2008, then-President George W. Bush alarmed many scientists by creating a new category of controlled but unclassified information, known as CUI.

In 2019, JASON, an independent body that advises the U.S. government, concluded in [a report](#) that the NSDD-189 did not need an update while it also looked at ways to increase compliance with federal rules on disclosing foreign sources of research support.

Toby Smith of AAU hopes workshop participants will make the case for "why openness is so essential to U.S. innovation and national security. "I'm not sure that [JASON] got into those reasons," he says. Publishing results not only fuels progress in U.S. science, he said, but also serves as "an early warning system" to flag important discoveries made elsewhere around the world.

Read more about the *ScienceInsider* report: <https://bit.ly/3c2nL9i>

Draft Bill to Ban CDC, NIH from Funding Lab Research in China. According to *Science* on July 12, 2022, a proposal moving through Congress to bar the National Institutes of Health (NIH) and the Centers for Disease Control and Prevention (CDC) from funding research laboratories in China is sparking concern among scientists. If signed into law, the measure could cut off millions of dollars of U.S. funds flowing to collaborative research projects in several areas, including HIV/AIDS, cancer, mental health, and flu surveillance. The proposed ban, part of a 2023 spending bill approved by the U.S. House of Representatives Committee on Appropriations on June 30, grew out of suspicions among some lawmakers, so far unsupported by evidence, that the Wuhan Institute of Virology (WIV) in China released the coronavirus that started the current pandemic, as well as objections to other potentially risky biomedical experiments involving animals. Specifically, the measure would bar the Department of Health

and Human Services (the parent agency of NIH and CDC) from funding WIV or “any other laboratory” in China, Russia, or any country the U.S. government has designated a foreign adversary, a list that currently includes Iran and North Korea. Read more about the *Science* report: <https://bit.ly/3ASwvch>

Santa Ono to Serve as President of the University of Michigan



According to a *Washington Post* report on July 13, 2022, Santa J. Ono, a veteran higher education leader and biomedical researcher, was chosen to become the next president of the University of Michigan.

Ono, 59, who is of Japanese heritage, will be the first Asian American to lead the public university. He has been president and vice-chancellor of the University of British Columbia since 2016 and previously was president of the University of Cincinnati.

“My major agenda is to ensure that Michigan remains, in my view, one of the great public universities of the world,” Ono said in brief telephone interview. “That’s not something I take for granted.” He said he wanted to make sure that the university is affordable and accessible, and he wants to promote research to help solve problems such as climate change.

“Michigan is a stunning research university, a world-class one,” he said. “I view this as an opportunity.” As a researcher himself, Ono has studied the immune system and eye disease.

The University of Michigan is one of the 14 founding members of the Association of American Universities in 1900.

Read more about the *Washington Post* report: <https://wapo.st/3RBVYwU>

Mark Your Calendar for September 13, 2022

September

2022

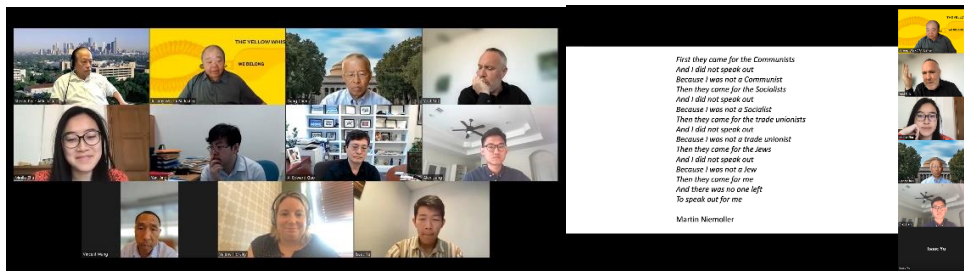
Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5 <small>Labour Day</small>	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	



September 13, 2022, is the scheduled date for The Third Circuit Court to hear oral argument in Professor Xiaoxing Xi's case in Philadelphia. We urge the community to mark the calendar and show their support, including in-person appearance, for Professor Xi's appeal against the FBI. More to come.

Read more about Professor Xi's case here: <https://bit.ly/3gXW5S9> and here: http://bit.ly/APAJ_Xiaoxing_Xi

July 2022 APA Justice Monthly Meeting



The APA Justice monthly meeting held on Monday, July 11, 2022, focused on the Yale Faculty of Arts and Science Senate (FASS) resolution passed on April 28, 2022. It was RESOLVED that

- FASS urges the University to provide transparency regarding past and ongoing investigation of Yale community members related to the China Initiative, and the University's response to these investigations; and
- FASS urges the University to establish a committee to evaluate, define and protect the rights, privileges, and responsibilities of faculty and administration in cases involving the investigation of faculty by outside agencies.

We were honored by these distinguished speakers:

- Dr. Valerie Horsley, Yale FASS President
- Dr. Jing Han, Yale FASS Senator
- Alex Liang, Yale student
- Mirilla Zhu, Yale student
- Isaac Yu, Staff reporter, *Yale Daily News*
- Dr. Gang Chen, MIT Professor and impacted person of "China Initiative"
- Dr. Yoel Fink, MIT Professor and author of "We Are All Gang Chen" open letter
- Dr. X. Edward Guo, President, Columbia University Asian Faculty Association

A meeting summary is being prepared at this time. During the meeting, Professor Fink reminded us of a poem by German theologian and Lutheran pastor Martin Niemöller (1892 – 1984)

First they came for the Communists
And I did not speak out
Because I was not a Communist
Then they came for the Socialists
And I did not speak out
Because I was not a Socialist
Then they came for the trade unionists
And I did not speak out
Because I was not a trade unionist
Then they came for the Jews
And I did not speak out
Because I was not a Jew
Then they came for me
And there was no one left to speak for me

Read more about Martin Niemöller in Wikipedia: <http://bit.ly/2OD4Zoj>

Congressional Bills: NDAA and Census

Immigration Amendments and The NDAA. According to the American Association for the Advancement of Science on July 12, 2022, Rep. Zoe Lofgren (D-CA) introduced an amendment ([#1094](#)) to the [National Defense Authorization Act \(NDAA\) for FY 2023](#) that would exempt qualified foreign nationals with a doctoral degree in a STEM field from numerical limits imposed on green cards. An amendment ([#1060](#)) introduced by Rep. Jackie Speier (D-CA) would expedite the immigration of Russian scientists over four years. An amendment ([#308](#)) introduced by Rep. Elissa Slotkin (D-MI) would provide additional authority to the State Department to increase personnel to aid in processing Afghan immigrant visas.

H.R.8326 - Ensuring a Fair and Accurate Census Act. According to [NPR](#) on July 12, 2022, the bill, titled [Ensuring a Fair and Accurate Census Act](#), introduced Monday in the U.S. House of Representatives could help the 2030 census and other upcoming national head counts avoid the years of meddling by former President Donald Trump's administration that dogged the country's most recent tally. If it becomes law, the bill would put up additional roadblocks against any attempt by an administration to interfere with the next once-a-decade census, which is used to divvy up political representation and federal funding to communities across the U.S. Read more about the 2020 Census: <http://bit.ly/2020-Census>

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