

Questions for the Record: Committee on Science, Space, and Technology
Examining Federal Science Agency Actions to Secure the US Science and Technology Enterprise
February 26, 2024
Rep. Darrell Issa

Witnesses

- The Honorable Arati Prabhakar, Director, White House Office of Science and Technology Policy
- Dr. Rebecca Keiser, Chief of Research Security Strategy and Policy, National Science Foundation
- The Honorable Geri Richmond, Under Secretary for Science and Innovation, Department of Energy
- Dr. Michael Lauer, Deputy Director for Extramural Research, National Institutes of Health

Questions for All Witnesses:

1. For decades, the United States has pursued broad-based research science and technology collaboration with the People's Republic of China, especially between academic institutions in the United States and China's universities.
 - a. To what extent does the United States rely upon the PRC's research and development apparatus for our scientific advancement?
 - b. Do your agencies assess if this broad-based cooperation continues to be in the United States interest? If so, why?
 - c. Are benefits derived from such broad-based cooperation reciprocal to both the United States and the PRC?
 - d. PRC nationals make up a sizable number of graduate students in U.S. STEM fields.
 - i. Is the U.S. domestic research enterprise dependent on individuals from the PRC?
 - ii. Could this talent pool be replaced by nationals from partner countries?
 - e. Given General Secretary Xi Jinping's expansive understanding of "national security" do your agencies assess that research collaboration with the PRC on STEM technologies is inherently dual-use? If not, why not?
2. Fundamental research has long been exempt from export controls. Despite significant advances in our understanding of the Chinese Communist Party's technological ambitions and strategy, this policy has yet to be revisited.
 - a. Do you believe the time has come to reevaluate National Security Decision Directive 189?
 - b. Do your agencies assess that fundamental research is necessary for the PRC to achieve the goals of its Made in China 2025 industrial policy?
 - c. Do your agencies assess that basic research collaboration and knowledge transfer of fundamental research support People's Liberation Army modernization?
 - d. Can you describe the benefits that would result from stemming the flow of basic research to the PRC?
3. Since the China Initiative's termination, have any of your agencies experienced a shift in the willingness or ability of the Justice Department to pursue criminal cases related to research security violations and intellectual property theft from China?

4. On November 8, 2023, I led a group of Members in sending a letter to Secretary Blinken, Secretary Raimondo, and Ambassador Tai requesting that they pause negotiations on the U.S.-China Science and Technology Cooperation Agreement (STA).
 - a. To your knowledge, what is the status of STA renewal negotiations?
 - b. Do your agencies assess that the United States derives reciprocal or substantial benefits from maintaining a broad-based research cooperation agreement with the PRC rather than specific agreements on discrete topics, such as influenza?
 - c. What activities at your agencies are covered by the STA?
 - d. The academic community has come out in strong support of the STA. To what extent do you believe private research collaboration would be impacted by termination of the STA?
 - e. Section 1207 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (22 USC 6901 note) requires that the Secretary of State “coordinate the activities of all agencies of the United States Government that carry out cooperative activities under the Agreement.” Please describe the mechanisms your agencies employ to keep the State Department apprised of work your agencies are carrying out pursuant to the STA.
 - f. Section 1207 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (22 USC 6901 note) also requires the President to create an interagency working group to oversee the implementation of the STA.
 - i. Dr. Prabhakar, does this working group exist? What are its current functions, scope, and level of activity?
 - ii. Are your agencies part of this working group?
5. The academic community has demonstrated limited awareness of the range of threats posed by the PRC. What steps or initiatives have your agencies taken over the last year to help make universities and researchers aware of this threat? What has been the response?

Dr. Prabhakar:

6. The Trump Administration’s Department of Justice launched the China Initiative to address the systemic, widespread, and unique threat posed to our national security and way of life by the Chinese Communist Party. It included the development of an enforcement strategy concerning lab researchers at universities. However, the Biden Administration disbanded this initiative, citing “concerns from the civil rights community that [it] fueled a narrative of intolerance and bias.”
 - g. Does the Biden Administration agree that the threat posed to our research base by the CCP is unique in its scope, effectiveness, and penetration?
 - h. Why has the Biden Administration failed to replace the China Initiative with an alternative framework that it does not deem to be problematic?
 - i. To your knowledge has the Department of Justice implemented specific strategies to fill the gap left by the termination of the China Initiative?
7. The CCP does not play by the same rules and standards in the scientific community. For example, the CCP is not transparent and purposely obfuscates its affiliations with its defense

research industrial base. Another example is that the PRC has closed access off to their scientific papers to western countries, yet takes advantage of our open basic research papers.

- a. What is the Biden Administration's strategy for naming and shaming the PRC for not playing by universally accepted academic standards?
 - b. In your agencies' assessment, how would you describe access by U.S. academics and experts to ongoing research activities, projects, symposia, and other scientific and technology activities in China, and how would you compare this access to such activities in the U.S. enjoyed by PRC researchers?
8. The United States has always been a premier destination for foreign academic talent. However, this leaves the United States vulnerable to breaches in research security.
- a. What can be done to balance the need to keep the United States as a destination for foreign science and technology talent while protecting American intellectual property?
 - b. In your view, should the United States continue to educate the next generation of PRC STEM students?
9. The CCP sees all ethnically Chinese individuals as its subjects, making such individuals top targets for harassment, coercion, and cooption.
- a. What steps has the Biden Administration taken to help shield Chinese American academics from CCP harassment or coercion?
 - b. What steps has the Biden Administration taken to ensure that academic institutions support their Chinese American employees and students when these employees are faced with such harassment?

Dr. Lauer:

10. Since it was discovered that the NIH had funded dangerous gain of function research at the Wuhan Institute of Virology, there has been significant concern regarding life sciences collaboration with China. Can you provide the Committee with a comprehensive list of all NIH activities and grants that currently fund activities in China or include significant collaboration with a PRC entity?

Dr. Keiser:

11. Criminal charges against college and university professors currently comprise only 3 percent of all economic espionage prosecutions. However, there is growing cases of grant fraud at federal research agencies and universities associated with China.
- a. Can you please elaborate on how your office's caseload of research security cases has changed over the last 2 years?
 - b. Is your office proactively pursuing such cases? Why or why not?