



EXTRAORDINARY CHINESE AMERICANS

ENSURING FULL INCLUSION IN AMERICA
ADVANCING U.S.-CHINA RELATIONS

November 8, 2021

Dr. Eric Lander
Assistant to the President and Director
White House Office of Science and Technology Policy
Eisenhower Executive Office Building
1650 Pennsylvania Avenue, NW
Washington, DC 20504

Dear Dr. Lander:

I am the president of Committee of 100 (“C100”), a 501(c)(3) nonprofit group based in New York City that was co-founded in 1990 by architect I.M. Pei, cellist Yo-Yo Ma, and other prominent leaders in the Chinese American community. C100’s twin missions are to advocate for the full inclusion of Chinese Americans in all aspects of American society and to support improved relations between the United States and China. All C100 members are U.S. citizens.

C100 is responding to the Office of Science and Technology Policy (“OSTP”) in its efforts to gather input from a wide range of stakeholders regarding the implementation of National Security Presidential Memorandum 33 (“NSPM-33”), entitled “Presidential Memorandum on United States Government-Supported Research and Development National Security Policy.” On behalf of C100 and its many distinguished members, I am transmitting the recommendations below to address key concerns C100 has identified in this area through its work with many legal and academic exporters, its independent research, and its collection of extensive feedback from the Chinese American, and broader scientific, technological, and medical research communities. We also note that the C100 membership itself includes many distinguished Chinese American scientists, engineers, and physicians in higher education and industry.

As context for the recommendations outlined below, C100 believes that America can most powerfully and effectively safeguard its national and economic security if it continues to attract and retain the best talent from around the world and to provide a welcoming environment for scientific and technological collaboration. As well-known historical precedents, C100 notes how differently the United States might have fared if not for the dozens of European and other scientists and engineers who contributed to the Manhattan Project in the 1940s or, after the end of World War II, to Project Paperclip that eventually supported the U.S. missile development and space programs. Today, C100 is gravely concerned that an unbalanced government effort in the name of research integrity and national security is leading to the unjustified targeting of scholars who are ethnic Chinese and the discouragement of international talent from coming to study and work in the United States. These conditions hamper vital scientific collaboration and create a chilling effect on federally funded research projects. Such unintended consequences then damage America’s reputation and position as the global leader in higher education, especially in science, technology, and medicine, and, over the longer term, will undercut U.S. economic and national security that NSPM-33 seeks to protect.

C100's recommendations focus on the portion of NSPM-33 that would make reporting and disclosure requirements for federal research funding more transparent and consistent. Vague and uneven federal agency policies on reporting and disclosure can lead researchers to violate agency requirements inadvertently, which can then escalate into institutional and government investigations that may be wholly disproportionate to such good faith mistakes and thus inflict lasting damage on those scholars and their work. C100's recommendations thus aim to clarify, simplify, and standardize procedures across government funding agencies and funded institutions to reduce misunderstandings and to remove obscurity or inconsistency as excuses for incomplete or inaccurate reports and disclosures of conflicts of interest or conflicts of commitment.

C100 urges OSTP to consider the following recommendations:

- **STANDARDIZED FEDERAL REPORTING & DISCLOSURE POLICIES:** In principle, there is no apparent reason that each federal funding agency should have its own unique reporting and disclosure requirements that are different in definitions, terminology, or coverage from every other agency regarding conflicts of interest or conflicts of commitment. The more such different agency policies that exist, the greater the burden on both institutions and investigators to study, understand and comply with such differing policies and the greater the risk that both institutions and investigators will make mistakes in compliance through confusion and misunderstanding. OSTP could lead an interagency task force of agency representatives to harmonize and standardize these myriad policies for far greater consistency and, if possible, even uniformity.
- **STANDARDIZED FEDERAL REPORTING & DISCLOSURE FORMS:** Many investigators and institutions have complained about the unclear and inconsistent nature of current reporting and disclosure forms, especially when frequently changing collaborations may render complete and timely disclosure difficult to achieve. Simplifying and harmonizing such reporting and disclosure forms would do much to reduce such confusion, facilitate fuller and more accurate and timely reporting and disclosure, and prevent small errors or omissions that could wrongly turn into questions about apparent fraud or deception. If and when OSTP could lead an interagency task force to establish a uniform policy on the reporting and disclosure of conflicts of interest and conflicts of commitment, then OSTP's next step should be to have those agencies standardize their forms to be used by institutions and investigators to make those reports and disclosures. A multitude of forms to convey the same basic information needed by the federal agencies can only breed confusion and misunderstanding, and so everyone involved would gain in efficiency and consistency if a uniform set of reporting and disclosure forms could be prescribed and put into use.
- **STANDARDIZED FEDERAL COMPLIANCE TRAINING MODULES:** Inconsistent and insufficient training across funded institutions invariably leads to inconsistent and insufficient understanding by institutional personnel, including both administrators and investigators. In an age of enormous and ubiquitous online digital content, OSTP should encourage all the federal funding agencies to create uniform and clear digitized "plain English" federal-level training modules that should be distributed to institutions to be used locally in conjunction with each institution's own compliance training materials. Federal agencies should also exchange such materials with one another to ensure their respective guidance messages to institutional audiences are consistent with one another.

and are all helping to create more consistent understanding and compliance across U.S. higher education.

- **STANDARDIZED INSTITUTIONAL REPORTING & DISCLOSURE POLICIES & FORMS:** Just as there would be substantial gains in efficiency within the U.S. Government if all the federal funding agencies would adopt uniform policies on the reporting and disclosure of conflicts of interest and conflicts of commitment, the U.S. higher education community itself would likely gain a great deal of efficiency internally if leading and respected organizations in that community would pool their materials and create a “best practice” standard model set of reporting and disclosure policies and forms. Scholars now frequently hold joint appointments between two or more institutions and regularly collaborate with other investigators at other institutions. Additionally, given the high frequency with which investigators may move from institution to institution during their research careers, increasing the level of commonality of institutional policies and forms can only reduce such transitional confusion that is otherwise apt to happen despite everyone’s best intentions. The more that reporting and disclosure practices and policies may differ from institution to institution whenever such cross-institution relationships may exist, the more likely that innocent misunderstandings or mistakes could lead to incorrect and inaccurate reports or disclosures and then to potentially graver consequences. Much as the Federal Highway Administration helped to promote uniform highway signage so that American drivers can now drive anywhere in the United States and easily understand all exit, hazard, speed limit or other highway signs, OSTP could encourage and collaborate with the U.S. higher education community to develop more uniform models of institutional policies and forms to better enhance a “culture of compliance” across the whole nation.

We appreciate OSTP’s efforts to review research procedures and policies and its openness to stakeholder insights such as those C100 has presented above regarding NSPM-33. Thank you for your consideration of these views, and we look forward to continuing this dialogue with you and other officials across the Government to ensure a rational and balanced approach to protection of U.S. economic and national security interests while America continues to attract and retain all the world’s “best and brightest” minds.

Sincerely,



Zhengyu Huang
President