

NATIONAL SECURITY STUDY
DIRECTIVE NUMBER 14-82

December 23, 1982

SCIENTIFIC COMMUNICATION AND NATIONAL SECURITY

Introduction

This National Security Study Directive establishes the Terms of Reference for a review of scientific communication and the protection of national security information.

Objective of Review

To produce a National Security Decision Directive (NSDD),
Subject: Policy For Protection of Sensitive, but
Unclassified, Scientific Information.

Scope

The interagency group established below will review the issue of protecting sensitive, but unclassified scientific research information, taking into account the recommendations made by the National Academy of Sciences' Panel on Scientific Communication and National Security (the Corson Panel) in its September 30, 1982 Report. The review will result in a report on the following issues raised by the Corson Panel's Report:

- Identification of Sensitive Scientific Information. How can the government improve the manner in which it determines what unclassified, non-proprietary scientific research information should be subject to control so as to focus its efforts efficiently and to avoid raising fears of intrusion within the scientific research community?
- Export Controls. What changes, if any, are required to ensure that: (1) implementation of export control regulations does not interfere with the legitimate communication of scientific research information, and (2) the burden of compliance on the scientific community is reasonable and acceptable?
- Contractual Controls. When there is Federal funding of scientific research, information which has important near-term national security implications but not requiring classification can be controlled by written restrictions in the funding instrument. If such contractual restrictions are appropriate, can they replace other forms of control for

all Federally-funded scientific research? Additionally, what general guidelines or appeals mechanisms are needed to assure that: (1) the restrictions are appropriate, and (2) government agencies impose procedurally and substantively compatible restrictions on the research community?

- Visa Controls. The use of visa restrictions and denials to prevent undesired technology loss from scientific research institutions is another possible approach. Should the visa authority be used more extensively for this purpose than at present? If so, what criteria would be appropriate and what changes in current procedures would be required?
- Dialogue with Scientific Community. Whatever controls are implemented, it is important for the government and the scientific community to understand more fully each other's concerns. What specific steps should be taken and what new mechanisms, if any, should be put into place to facilitate this dialogue? What form of public participation, if any, would be appropriate before implementation of any recommendations concerning the above questions? In what ways can the government best avail itself on a continuing basis of the scientific community's special expertise in the evaluation and implementation of restrictions on the communication of scientific information?

The group should take special care to weigh the anticipated benefits of any restrictions against the costs of slowing scientific and technical progress, of which open scientific communication is an essential component. Therefore, in considering the above questions, the following concerns should also be addressed:

- In view of the unique educational mission of the Nation's academic institutions and their role in the advancement and dissemination of knowledge, are there types of government restrictions on the dissemination of information resulting from academic research that are less appropriate than others?
- What should be the government's policy with regard to information presented at open scientific meetings, and what procedures can be developed to ensure consistent implementation of that policy?

Administration

This study should be conducted by an interagency group chaired by the Office of Science and Technology Policy and including the Departments of State, Treasury, Defense, Justice, Commerce, Health and Human Services, Energy, the National Security Council staff, the Director of Central Intelligence, the Office of Management and Budget, the National Science Foundation, the National Aeronautics and Space Administration, and the General Services Administration. The scheduling and management of the Study is the responsibility of the Office of Science and Technology Policy.

A report for consideration by the National Security Council should be prepared no later than March 1, 1983.

Ronald Reagan