



March 24, 2025

The Honorable Mike Johnson
U.S. House of Representatives
H-232, U.S. Capitol
Washington D.C. 20515

The Honorable Hakeem Jeffries
U.S. House of Representatives
H-204, U.S. Capitol
Washington D.C. 20515

Dear Speaker Johnson and Minority Leader Jeffries,

As president of the Association of Public and Land-grant Universities (APLU), a membership association of more than 230 public research universities and systems in all 50 states, I write to share concerns on the DETERRENT Act, H.R. 1048. Regrettably, APLU must oppose this bill as currently constructed as it would ultimately impede innovation that is essential to U.S. competitiveness and add substantial costs to institutions that drive growth in administrative compliance and bureaucracy rather than support for students and science. APLU strongly believes a better approach to address policymaker concerns is possible and welcomes the opportunity to work together to achieve common goals.

In recent years, the public university community has worked with Congress and the intelligence and law enforcement community to bolster research security to prevent undue foreign influence. Congress has already passed numerous bills that have significantly altered U.S. universities treatment of international partnerships. In fact, since the DETERRENT Act was last considered in 2023, federal agencies have significantly expanded research security efforts including:

- the Department of Defense issued a policy for risk-based security reviews of fundamental research to prevent partnerships with entities and countries of concern;
- the Department of Energy established a new framework for risk-based decisions and ensure transparency;
- the National Science Foundation (NSF) launched a new reporting system for institutions receiving funding, requiring grantees to report all foreign gifts and contracts over \$50,000;
- NSF launched a risk mitigation process to prevent potential national security risks;
- NSF launched a new center to share information and reports on research security;
- the National Institutes of Health created a decision matrix to assess the potential for foreign interference; and
- the White House Office of Science and Technology Policy launched uniform guidelines about foreign talent programs.

While expansive, this is not even a comprehensive list of new federal actions advancing research security just since 2023.

Rather than enhance transparency and meaningfully contribute to the plethora of actions taken by Congress and the Trump and Biden administrations over the last ten years, the DETERRENT Act will impede important international collaborations and be duplicative of other federal research agencies' efforts to appropriately strengthen research security and foreign partnership

reporting requirements. Below, I outline public research universities' most significant concerns with the legislation as currently formulated:

- The bill would inappropriately create a new and highly unusual role for the U.S. Department of Education in making determinations about the suitability of international research, education, and cultural partnerships, despite its lack of expertise in scientific research. The Department is ill-equipped to take on such work as it is well outside its responsibility and expertise. Additionally, U.S. universities' partnerships with foreign entities are already regulated by the Departments of Commerce, State, and Treasury, among others.
- The bill would require institutions to create new public databases for the disclosure of international gifts to faculty and staff members. This reporting would include the disclosure of non-work related gifts from any country that grantees receive from family, for example, even when there are no connections to their work. Records of such gifts would be required to be in a searchable database maintained by institutions, and for public universities, such reporting would potentially be subject to open records requests that could allow foreign actors to identify leading researchers to target for influence operations.
- The bill would create duplicative disclosure requirements for foreign gift disclosures as federal research grant applicants already must disclose all sources of support – whether foreign or domestic – for the research activities. Additionally, NSF established a new reporting portal in 2024 for all gifts or contracts from countries of concern. NSF's newly-created reporting portal is more user friendly and does not have the technical challenges of the Department of Education's currently outdated reporting system. An alternative approach to the DETERRENT Act could build upon rather than duplicate the NSF system.

The bill contains several provisions that APLU supports including unifying definitions across federal agencies, codifying compliance rules the Department of Education has previously used sub-regulatory guidance to explain, providing clarity on the treatment of tuition payments, and requiring the Department of Education to maintain a single point of contact to respond to inquiries and provide technical assistance to institutions. However, concerns about the role and capacities of the Department of Education, which were already significant, are further exacerbated given recent administration announcements on the future mission and staffing of the Department.

Public research universities remain committed to working with policymakers to appropriately enhance research security. APLU strongly believes this can be done without unnecessarily burdening institutions with additional regulations that are overly broad, misdirected, and would further bureaucracy both of schools and the federal government. We welcome the opportunity to work with lawmakers on better balanced solutions.

Sincerely,



Mark Becker
President, APLU