Post-9/11 Security:

Better for Scientists, but Not Perfect

Tom Price

Some post-9/11 security measures may have had the unintended effect of slowing scientific progress. Science advocates today say the situation is improving, but that too many limitations remain and that the implementation of legitimate restrictions should be fine-tuned.

In late September of this year, a man claiming to be the leader of Al-Qaeda in Iraq invited scientists to join his jihad.

"We are in dire need of you," he said in an audiotaped address to experts in chemistry, physics, electronics, media and other sciences—especially nuclear scientists and explosives experts. "The field of jihad can satisfy your scientific ambitions, and the large American bases are good places to test your unconventional weapons, whether biological or dirty (radioactive)."

This disturbing help-wanted ad—posted on the Internet by a man identified as Abu Hamza al-Muhajir—dramatized the fears that led the U.S. government to restrict access to scientific information and tighten the rules allowing foreigners to visit the United States after the terrorist attacks of September 11, 2001.

Many now feel that government officials initially clamped down too hard. "Things are better than they were, but they aren't perfect," said Albert Teich, director of science and policy programs at the American Association for the Advancement of Science.

Wendy White, who heads the National Academies' Board on International Scientific Organizations, agreed that "the situation continues to improve." But it's still harder to get a visa now than it was before 9/11, she noted, and the rest of the world remains suspicious of U.S. attitudes toward visiting foreigners. As a result, some foreign scientists and students remain reluctant to come to the United States, even as restrictions on their visits are eased.

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One of the government's first post-9/11 moves to restrict information was among its most controversial. Agencies removed more than 25,000 documents from public access. An audit this year by the National Archives' Information Security Oversight Office concluded that about a quarter of those documents did not meet the criteria for classification,

and 12 percent were questionable. Many of the two-thirds that did meet the classification criteria did not need to be hidden from the public, the audit stated.

In September, U.S. archivist Allen Weinstein announced that reclassification had been "stopped in its tracks." Agencies withdrew only seven documents from the public between April and September, he said. One of those had been returned to public view, and officials were considering whether the others should be as well.

Weinstein said he expected the "vast majority" of the withdrawn documents to be made public again. And he created an interagency panel to establish policies and procedures to ensure that "only information that must be retained for national security purposes is withheld."

Other information restrictions were aimed at foreigners but struck at U.S. scientists' international collaborations.

"Deemed exports" regulations require U.S. entities to obtain licenses before giving foreigners information about "controlled technologies"—usually those that can be put to military use. The requirement could apply to international students at U.S. universities or to foreign and U.S. scientists working together. The

requirement does not apply to fundamental research intended for publication.

In early 2004, the Commerce Department's inspector general declared that the restrictions might not be stringent enough, and a year later the department proposed tougher rules. However, the department withdrew the proposal in mid-2006, after hearing loud complaints from the scientific community, including OSA (see Viewpoint column, p. 10).

In August, Commerce Secretary Carlos Gutierrez appointed a "Deemed Export Advisory Committee" to recommend policies that "strike a balance between protecting national security and ensuring that the United States continues to build upon its position as a leading innovator of technology."

The heaviest post-9/11 security burden on science may have been the tougher controls on foreign visitors to the United States. The changes had little effect on citizens of the 27 countries—mostly affluent democracies—who can visit without visas. But the impact on others could be profound.

Visa seekers were required to appear for personal interviews and finger-printing at a limited number of offices—just four in all of India, which sends more than 80,000 students to the United States, and five throughout China, for instance.

The time required to obtain a visa soared, and some scientists were denied visas for what seemed to be arbitrary reasons. The number of visas issued dropped, as did the number of foreigners applying. Foreign student enrollment declined at U.S. universities. In mid-2004, a coalition of industry associations reported that U.S. companies lost $30 billion between July 2002 and March 2004 because of visa delays and denials.

The State Department responded to the problems by adding staff and stream-lining procedures. The department cre-

ated a team dedicated to "Visas Mantis," which are issued to scientists who work with sensitive technologies. Students were allowed to jump to the front of the application line.

Student visas were issued for longer times, as were visas for certain scientists and scholars. Embassies and consulates started working with American chambers of commerce abroad to expedite business visas.

Waiting times are now dropping. Visas Mantis processing, which took an average of 75 days in 2003, takes less than two weeks now. Visa applications and issuances began to increase in 2004 after having dropped precipitously in 2002 and 2003. The Board on International Scientific Organizations' International Visitors Office reported a decrease in requests for assistance with visa problems—from 856 in 2003 to 495 in 2005 to 204 through July 2006.

The average delay between application and issuance in those cases dropped from 148 days to 48. While nearly a third of the 2003 cases took more than six months, none had taken that long this year.

There is still ample room for continued improvement, however. Some applicants still have to wait nearly six months. And delays or denials for prominent would-be visitors have led some scientists to decide that visiting the United States is not worth the hassle.

Early this year, for instance, a visa was denied to Indian chemist Goverdhan Mehta, who happens to be president of the International Council for Science and who had visited the United States several times in the past. When the State Department later approved the visa, Mehta refused it, saying he was insulted by the process and did not care to return to the United States. ▲

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