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August 2, 2019

Re: SP 800-171B (DRAFT), Protecting Controlled Unclassified Information in Nonfederal Systems and Organizations: Enhanced Security Requirements for Critical Programs and High Value Assets

Via sec-cert@nist.gov

To Whom It May Concern:

On behalf of Boston University (BU), I write to share our views regarding National Institute of Standards and Technology (NIST) Special Publication (SP) 800-171B to protect Controlled Unclassified Information (CUI). We appreciate the need to ensure controlled unclassified information is protected from sophisticated adversaries. However, we are concerned that the proposal may cause unintended harm to U.S. organizations that perform fundamental research, such as BU. This, in turn, would negatively impact the broader U.S. innovation system.

We support the comments provided by the Association of American Universities (AAU), the Association of Public and Land-grant Universities (APLU), the American Council on Education (ACE), the Council on Governmental Relations (COGR), and EDUCAUSE. The NIST publication provides little guidance on how federal research agencies will determine whether a particular grant or agreement will involve a "critical program" and/or "high value asset." If the determination is left to each agency's discretion, research institutions and investigators will need a consistent way to know in advance whether the SP 800-171B requirements will apply to the specific funding call to which they plan to submit a proposal.

Thank you for this opportunity to provide feedback.

Sincerely,

A handwritten signature in black ink that reads "Gloria Waters".

Gloria Waters
Vice President and Associate Provost for Research