



September 21, 2023

The Honorable Jack Reed
Chairman
Committee on Armed Services
United States Senate
Washington, DC 20510

The Honorable Adam Smith
Chairman
Committee on Armed Services
House of Representatives
Washington, DC 20515

The Honorable Roger Wicker
Ranking Member
Committee on Armed Services
United States Senate
Washington, DC 20510

The Honorable Mike Rogers
Ranking Member
Committee on Armed Services
House of Representatives
Washington, DC 20515

Dear Chairmen Reed and Smith, and Ranking Members Wicker and Rogers,

On behalf of the Coalition for National Security Research (CNSR), a more than 100-member coalition of industry, academia, scientific and professional associations, and non-profits, we write to commend you for your leadership in advancing the fiscal year (FY) 2024 National Defense Authorization Act (NDAA) (S. 226 & H.R. 2670). We appreciate your support for the Defense Science and Technology (S&T) program in both NDAA's. As FY 2024 NDAA conference negotiations begin, below please find recommendations from CNSR to further strengthen the defense industrial base including the scientific research enterprise.

Research, Development, Testing, and Evaluation Contract Cost Sharing

Sec. 809 of the House NDAA requires at least a 25 percent non-federal cost share for any research, development, test, and evaluation (RDT&E) funded contracts. If enacted, this provision will essentially shutdown U.S. Department of Defense (DoD)-sponsored RDT&E at many colleges and universities. This provision will disproportionately harm universities with small but growing Defense research portfolios; these tend to be smaller universities, including historically black colleges and universities (HBCUs) and minority-serving institutions (MSI), and they often do not have the resources to provide such a large non-federal cost share for DoD-sponsored RDT&E. As a result, these universities may opt not to engage in Defense research at all, and the nation will miss out on the expertise they could bring to the table as well as potentially harm DoD's desire to strengthen the defense industrial base workforce. Ultimately, a non-federal cost share requirement of the proposed magnitude will limit DoD's ability to create the next generation technological capabilities that will enable us to keep our global military superiority in the future.

CNSR strongly opposes Sec. 809 being included in the FY 2024 NDAA conference agreement.

Annual Report on Unfunded Priorities for RDT&E Activities

Sec. 228 of the Senate NDAA requires DoD to submit to the Congressional defense committees a report on unfunded priorities of RDT&E activities within 10 days after the President's budget is submitted to Congress.

According to the National Academies and Defense Science Board (DSB), while overall RDT&E funding is steadily increasing, funding for Defense S&T program including defense basic research are well below the recommended levels needed to produce the innovations required to maintain our military superiority. In fact, based on the President's latest budget request, overall Defense S&T program funding levels are more than \$6.7 billion below recommended levels while defense basic research funding has a \$2.2 billion shortfall.

CNSR believes that requiring DoD to produce an annual unfunded RDT&E report could help shed light on the chronic underfunding of the Defense S&T program including defense basic research. Investments in the Defense S&T program have created military capabilities such as hypersonic testing, various quantum technologies, semiconductors for defense radar systems, laser technologies, stealth capabilities, night vision, GPS, sonar, radar, and near-real-time delivery of battlefield information. It is critical that we continue to make investments in the types of research and development that will create new technologies and capabilities necessary to succeed in the era of strategic competition.

CNSR recommends that Sec. 228 of the Senate NDAA be included in the FY 2024 NDAA conference agreement but the language be amended to require DoD to publish the unclassified portion of the unfunded RDT&E report on a public website.

Disclosure Requirements for Persons Performing Research and Development

Sec. 1875 of the House NDAA would create a new set of disclosure requirements for any written statements or documents describing a DoD funded project or program. These requirements would mandate that the percentage and dollar amount of federal funds and the percentage and dollar amount of nongovernmental funds financing the program be clearly stated in every instance.

This provision would create tremendous unnecessary administrative burdens in faculty, researchers and communications staff. It would also severely delay, if not limit across the board, the capacity to produce press releases, interviews, bid solicitation, social media posts, or other documentation related to DoD funding projects. Furthermore, many of our members would have to hire new staff simply to pull data constantly to meet this unfunded mandated.

CNSR opposes Sec. 1875 being included in the FY 2024 NDAA conference agreement.

Office of Academic Engagement Relating to Cyber Activities

Sec. 1502 of the House NDAA establishes an office, within the Office of Chief Information Officer, to maintain and oversee any activities of DoD that pertain to the relationship between the Department and academia with respect to primary, secondary, and postsecondary education on cyber-related matters.

Many colleges and universities are eager to work with DoD on cybersecurity and general cyber issues. However, like so many efforts of academia trying to work with DoD, there is no easily accessible point of contact or point of entry. Industry and small businesses have many different access points to DoD officials – colleges and universities do not; excluding the Basic Research Office, which is not nearly appropriately staffed to fully engage with the academic community on most security issues facing college and university researchers. Increasing collaboration through a dedicated cyber office can improve the development of cyber talent DoD needs to succeed in the era of strategic competition.

CNSR strongly supports Sec. 1502 of the House NDAA being included in the FY 2024 NDAA conference agreement.

Thank you in advance for consideration of our recommendations. Please do not hesitate to contact us with any questions.

Sincerely,

John Latini & Heather Bloemhard
Co-Chairs