



OFFICE OF THE VICE PRESIDENT - RESEARCH AND INNOVATION

OFFICE OF THE PRESIDENT
1111 Franklin Street, 11th Floor
Oakland, California 94607-5200

April 19, 2022

The Honorable Nancy Pelosi
Speaker of the House
U.S. House of Representatives
H-232, The Capitol
Washington, D.C. 20515

The Honorable Kevin McCarthy
Minority Leader
U.S. House of Representatives
H-204, The Capitol
Washington, D.C. 20515

The Honorable Charles E. Schumer
Majority Leader
U.S. Senate
S-221, The Capitol
Washington, D.C. 20510

The Honorable Mitch McConnell
Minority Leader
U.S. Senate
S-230, The Capitol
Washington, D.C. 20510

Dear Speaker Pelosi, Leader McCarthy, Leader Schumer and Leader McConnell:

Our nation's global leadership in science and technology is dependent upon the research and innovation taking place at our universities and national laboratories. However, this leadership is under threat at the same time that the U.S. is in competition for new scientific talent. The University of California (UC) appreciates congressional efforts to enhance America's competitiveness in research and innovation through robust funding for basic research, the translation of scientific breakthroughs to the market and support for immigration-related provisions that help the U.S. recruit and maintain top global talent. UC strongly supports the science and technology goals of the House-passed H.R. 4521, America COMPETES Act of 2022 and the Senate-passed S. 1260, United States Innovation and Competition Act (USICA).

Funding for Science Agencies

As the largest recipient of federal funding from the National Science Foundation (NSF) and a recipient of significant federal funding from the Department of Energy (DOE) Office of Science, as well as serving as the management and operating contractor for three DOE national laboratories—Lawrence Berkeley, Lawrence Livermore and Los Alamos—UC plays a leading role in the federal government's missions to advance basic science, global competitiveness, scientific leadership and the economy. UC supports provisions in both bills that provide robust authorized funding levels for the NSF (**Sec. 10303 in H.R. 4521 and Sec. 2116 in S. 1260**). This funding will maintain the core mission of the agency in advancing basic research, and enhance technological innovations through the new Technology, Innovation and Partnership (TIP) directorate (**Sec. 10308 in H.R. 4521 and Sec. 2102 in S. 1260**). UC also supports provisions in the House bill that authorize funding to the DOE Office of Science (**Sec. 10102 in H.R. 4521**) and for a number of programs at the National Institute of Standards and Technology, including the regional technology and innovation hubs (**Sec. 10641 in H.R. 4521**). These federal investments will maintain our nation's global competitiveness in research and technological innovation.

Research Infrastructure

While funding is critical to performing research at our nation's universities and national laboratories, equipment and facilities are also critical to continuing this work and to building the next generation of leaders in science and technology. UC supports the Senate provisions on capacity building for developing universities (**Sec. 2110 in S. 1260**), as well as the House provisions to authorize a substantial increase to NSF's Mid-Scale Research Infrastructure program and to NSF's Major Research Instrumentation (MRI) and Academic Research Infrastructure (ARI) programs (**Sec. 10303 in H.R. 4521**). UC also supports provisions in the House bill to authorize construction projects and user facility updates for the DOE Office of Science, as well as the proposed new mid-scale instrumentation program (**Sec. 10102 in H.R. 4521**). These federal investments will ensure that groundbreaking research continues to take place at our universities and national laboratories.

Technology Transfer

While federal investments are critical to fundamental research, it is important to translate these discoveries into practical applications. UC supports the Senate provisions on research test beds (**Sec. 2108 in S. 1260**) and other technology commercialization programs (**Sec. 2109 in S. 1260**), as well as the House provisions on convergence accelerators (**Sec. 2105 in H.R. 4521**), all of which can advance our country's innovation ecosystem through large-scale transformational advances. UC also supports the House provisions establishing entrepreneurship training programs which can promote regional technology transfer (**Sec. 10308 in H.R. 4521**). These federal investments would facilitate the translation of innovative research to the market through capacity building, infrastructure and workforce development.

STEM Workforce Diversity

Expanding geographic and institutional diversity in our research enterprise is vital for maintaining our nation's global competitiveness. UC supports the aim of both bills to expand STEM workforce diversity at institutions across the country, including at Minority-Serving Institutions (MSIs) and emerging research universities (**Sec. 10305 in H.R. 4521 and Sec. 2202 in S. 1260**). The UC system is home to six MSIs, which enroll large numbers of underrepresented and first-generation college students from across California. UC also supports provisions in the Senate bill which fund graduate scholarships and fellowships (**Sec. 2106 in S. 1260**), and provisions in the House bill establishing programs that provide mentorship and career preparation for students from underrepresented backgrounds (**Sec. 10304 in H.R. 4521**). These federal investments would facilitate the participation of the next generation of students from all backgrounds in science and technology.

Immigration

Creating a welcoming environment for STEM students performing research at U.S. universities is critical to advancing our nation's research enterprise. UC supports immigration provisions in the House bill which exempt STEM doctoral degree earners from a U.S. or foreign research institution from immigrant visa caps and allow them to pursue permanent residence without needing to leave the country (**Sec. 80301 in H.R. 4521**). UC also supports provisions in the House bill which increase the number of fields included in the definition of "STEM," also allowing U.S. institutions to make new programs of study eligible for participation in Optional Practical Training (OPT) Extension (**Sec. 80303 in H.R. 4521**). These federal investments would facilitate the retention of foreign talent and streamline the work of federal agencies to support STEM opportunities.

Established Program to Stimulate Competitive Research (EPSCoR)

Broadening participation of federally funded researchers and students is critical to our nation's competitiveness in science and technology. UC supports efforts in both bills to build research capacity at institutions across the country (**Sec. 10305 in H.R. 4521 and Sec. 2202 in S. 1260**) and believes that federal investments should support researchers in every state, regardless of their geographic location. The University is deeply concerned with the Senate bill's provision mandating that a 20 percent set aside of NSF's budget should be allocated to the Established Program to Stimulate Competitive Research, or EPSCoR (**Sec. 2209 in S. 1260**). This set-aside would significantly disadvantage researchers and students at emerging research institutions and MSIs. Such emerging research institutions and MSIs in non-EPSCoR states would be ineligible to compete for this funding, which would weaken our nation's competitiveness in research and innovation. UC strongly urges House and Senate negotiators to support research capacity building across the country without mandating percent set-asides for NSF funding.

Research Security

The University is deeply concerned with provisions in both bills which create overly restrictive research security policies, threaten international collaboration and weaken the principles of academic freedom. UC urges House and Senate negotiators to eliminate the following problematic provisions:

- The Senate bill provision requiring academic researchers to provide NSF copies of contracts with China (**Sec. 2526 in S. 1260**), which is unnecessary given NSF's newly implemented guidelines that its grantees disclose any conflicts of interest or conflicts of commitment.
- The Senate bill provision directing the Committee on Foreign Investments in the United States (CFIUS) to review university contracts and gifts with international partners (**Sec. 3138 in S. 1260**). CFIUS does not have expertise working with universities or researchers performing basic research, and this directive would result in significant compliance costs for institutions and delay the establishment of valuable research partnerships.
- While the University supports disclosure of possible conflicts of interest, provisions in both bills lowering the Sec. 117 reporting threshold and directing institutions of higher education to establish a database for and to report every dollar received by individual researchers and staff (**Sec. 90304 in H.R. 4521 and Sec. 6124 in S. 1260**) are overly burdensome and places unnecessary administrative burden on the academic community.

We urge Congress to swiftly negotiate a compromise innovation bill that strengthens America's scientific and technological innovation, builds a strong and diverse STEM workforce, and ensures our global competitiveness and economic leadership. If we can provide additional information, please do not hesitate to contact UC Director of Research, Phil Harman at phillip.harman@ucdc.edu or (202) 974-6306.

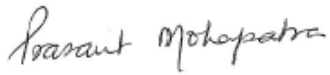
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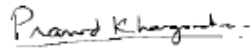
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Vice President for Research & Innovation,
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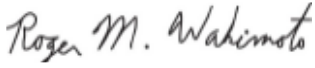
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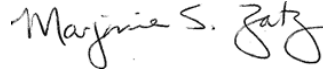
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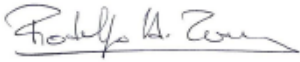
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cc:

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Senator Alex Padilla
Representative Karen Bass
Representative Ami Bera
Representative Judy Chu
Representative Anna Eshoo
Representative Mike Garcia
Representative Jimmy Gomez
Representative Sara Jacob
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