

House and Senate Pass FY 2020 Defense Authorization Bill

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Both the House and Senate approved their versions of the fiscal year (FY) 2020 *National Defense Authorization Act* (NDAA), setting up negotiations between the two chambers when Congress returns from the August recess. The Democratic-led House passed its NDAA in July on a 220-197 party line vote, and the Republican-controlled Senate handily passed its version in June by a vote of 86-8.

The defense policy bill has been passed on a bipartisan basis for the last 58 years. However, this will be complicated by partisan disagreements over the level of funding authorized and a number of policy provisions that have raised objections from Republicans. The notable difference between the two versions is the Senate's continued support for the President's priorities and top-level funding number of \$750 billion, while the House bill would authorize funding at \$733 billion. The House's NDAA, which reflects the priorities of House Armed Services Committee (HASC) Chairman Adam Smith (D-WA) and the House Democrats, also includes provisions that would prohibit the use of DOD funds towards constructing a wall on the Southern border, limit the deployment of additional nuclear weapons, and bar DOD from sending new detainees to Guantanamo Bay among others. The White House [released](#) a statement of administration policy warning that it would recommend the President veto the bill.

In a win for the research community, the House NDAA would reject the Administration's proposed cuts to basic and applied research, and the Senate NDAA would provide increases to basic research for the Army, Air Force, and Defense-wide accounts. Both bills show a concern for the future of the defense workforce and responding to emerging threats and technical capabilities.

Both bills include authorized funding and provisions aimed at increasing support for scientific research on artificial intelligence/machine learning, strengthening efforts to develop the STEM workforce and promote diversity, and protecting the defense research enterprise from foreign influence. A few notable provisions highlighted below:

- The HASC's bill would require the Secretary of Defense to develop an Artificial Intelligence Education Strategy. This would include applications of and challenges from AI that would be integrated into a curriculum for military service members who would use AI technologies as part of their duties. Aspects addressed by the strategy include the impact of AI on military strategy as well as potential ethical issues, biases, and weaknesses in AI technology.

- Both bills addressed the issue of foreign influence on research, as this continues to be a priority for Congress, DOD, and the national security agencies.
 - In the House, an amendment from Rep. Mikie Sherrill (D-NJ), which was accepted during the HASC's full committee markup, would create an interagency working group to coordinate activities to protect federally funded research and development from foreign interference, cyberattacks, theft, or espionage and develop recommendations for best practices for federal agencies and grantee institutions. The bill would also direct OSTP and relevant agencies to enter into a joint agreement with the National Academies to create a "National Science, Technology, and Security Roundtable," which would examine threats to U.S. research, how the U.S. can protect its intellectual property while ensuring open exchange of ideas and talent, and how the government can mitigate and communicate threats to the research community.
 - The Senate bill contained a modification of a provision from last year's NDAA, which required the Secretary of Defense to establish an initiative to support the protection of sensitive research relevant to national security from undue influence, including through foreign talent programs and other security threats by developing policies, training, and regulations and procedures in collaboration with academic organizations. The modification would require the Secretary to compile a list of academic institutions in China or Russia that would pose a security risk; U.S. academic institutions would be consulted in developing this list.

The NDAA authorizes funding for DOD programs, but it is ultimately up to the House and Senate Appropriations Committees to allocate funds for FY 2020. After President Trump signed into law bipartisan legislation to extend the debt limit and set spending levels for the coming two fiscal years, Congress will have to work quickly to pass spending bills or a continuing resolution (CR) before the end of the fiscal year on September 30 in order to keep federal agencies operating.

Sources and Additional Information:

- Lewis-Burke's earlier analysis of the House and Senate NDAA can be found [here](#).