On Tuesday, the House passed the fiscal year (FY) 2022 National Defense Authorization Act (NDAA), on a vote of 363-70. The bill would authorize $768.2 billion in discretionary spending, including $740 billion for the Department of Defense (DoD), a $25 million increase relative to the President’s budget request. The FY 2022 NDAA reflects a rushed process to negotiate a conference agreement, given the limited time remaining on the legislative calendar. Given persistent roadblocks in the Senate, the chamber will not vote on amendments and will consider the conferenced bill in the coming days.

The University of Minnesota Washington Update provides intelligence and analysis on recent federal activities. Faculty visiting Washington, D.C. are encouraged to contact Sarah Neimeyer, Director of Government Relations, at neimeyer@umn.edu. Contact Christina Laridaen, Lewis-Burke Associates LLC, at christina@lewis-burke.com with any questions or comments related to the Update’s content.

Congressional and Administration Updates


Congress released a conferenced bill for the fiscal year (FY) 2022 National Defense Authorization Act (NDAA), and the House passed it with a 363-70 vote, on December 7. House and Senate Armed Services Committee (HASC/SASC) leadership rushed to negotiate a conference agreement, given the limited time remaining on the legislative calendar and delays on Senate floor consideration. The Senate version of the NDAA was blocked by Senator Marco Rubio (R-FL), citing his refusal to support the package without a vote on his Uyghur forced labor bill. By skirting regular order, the Senate will not vote on amendments and will consider the conferenced bill in the coming days. The NDAA is an annual bipartisan bill that authorizes programs and sets policies pertaining to the Department of Defense (DOD) and U.S. national security with a 60-year history of annual passage.

The bill would authorize $768.2 billion in discretionary spending, including $740 billion for DOD, a $25 million increase relative to the President’s budget request. The FY 2022 NDAA would authorize $117 billion in research, development, test, and evaluation (RDT&E) funds, a 12.4 percent increase over the FY 2021 authorized level. The science and technology (S&T) accounts would see a 11.8 percent increase above the FY 2021 authorized level, though the basic research accounts would see a smaller increase of about 8.3 percent. While NDAA authorizes funding levels and sets policy and program priorities, funding is directed through the
defense appropriations bill, which is still being negotiated for FY 2022 and operating via continuing resolution (CR) through February 18, 2022.

The provisions in the FY 2022 NDAA reflect several congressional priorities for addressing innovation and modernization in response to national security threats from China and Russia. To support these initiatives and U.S. competitiveness, S&T priorities include artificial intelligence (AI), cybersecurity, microelectronics, advanced and additive manufacturing, quantum, hypersonics, and biotechnology. A summary of provisions relevant to research and higher education is below.

Basic Research Initiatives

- The bill would codify the Defense Established Program to Stimulate Competitive Research (DEPSCoR) program, ensuring annual execution, and would authorize $10 million for FY 2022.
- The bill would authorize $13 million for the Minerva Research Initiative, the Department’s social science research program.
- The bill would authorize $7 million for basic research in biotechnology for challenging environments.
- For Defense Advanced Research Projects Agency (DARPA) basic research initiatives, the bill would authorize a $15 million increase for DARPA-funded university research activities, as well as an additional $20 million for the Electronics Resurgence Initiative 2.0 (ERI 2.0). Further, the bill directs DARPA to facilitate a program to identify appropriate defense applications and accelerate development and deployment of dual-use quantum technologies.
- The bill would authorize a Consortium to Study Irregular Warfare, “a research consortium of institutions of higher education to study irregular warfare and responses to irregular threats.” The consortium would shape policy through research, specifically basic research in social science on emerging threats; maintain open-source databases; serve as a repository for related datasets developed by federally funded institutions of higher education; and to support and transition basic research, among other activities. Congress would authorize $8 million for this program.

Defense Research and Engineering at Minority-Serving Institutions

The bill would direct the Department to develop a plan with recommendations for promoting “defense-related engineering, research, and development activities at minority institutions for the purpose of elevating the capacity of such institutions.” To support implementation of the plan, Congress would authorize the Secretary of Defense to establish a program to award competitive grants for workforce and research infrastructure, recruiting and retaining research faculty, and facilitating personnel exchange programs and career development activities, among other activities. Further, the provision would direct the Secretary to “establish goals and incentives to encourage federally funded research and development centers (FFRDCs) and University Affiliated Research Centers...to enter into partnerships and collaborations with [minority] institutions.” In addition to establishing this new initiative, Congress would authorize a $40 million increase for the Historically Black Colleges and Universities/Minority Institutions (HBCU/MI) basic research program.

Artificial Intelligence (AI)

NDAA would prioritize AI policies and programs significantly, proposing the most investments in the technology ever—for both DOD applications and integration into DOD systems and processes, as well as research and development. Select programs of interest would include:

- $5 million for basic research and $10 million for applied research in trustworthy, human integrated, and robust AI.
• Directives to review applications for AI and digital technology in DOD processes and operations, as well as establish performance objectives and metrics for implementation, including those for AI research and development and workforce skills.

• Authorizing the DOD Chief Data Officer and the Joint Artificial Intelligence Center (JAIC) to create data repositories with “datasets relevant to the development of AI software and technology” and allow “appropriate public and private sector organizations access...for the purpose of developing improved AI and machine learning software capabilities.” Congress would encourage the Department to engage with technology start-ups, universities and colleges, and the private sector in the establishment of the repositories. The bill would authorize increases in funding for JAIC research and development accounts, as well.

• $200 million for the National Security Commission on Artificial Intelligence (NSCAI), as well as directives to reports and briefings on the implementation plan.

Innovation and Technology Development

Congress and the Administration continue to prioritize the transition of research and development through the prototyping and acquisitions pipeline to field capabilities rapidly. In support of these efforts, the NDAA would:

• Expand Defense Innovation Unit (DIU) outreach in new regions through collaboration with industry and communities “to accelerate the adoption of commercially developed advanced technology in modernization priority areas and such other key technology areas.”

• The bill would authorize a five-year Technology Transition Pilot Program to transition projects “from the research, development, pilot, and prototyping phases into acquisition activities and operation use.” The program would match technology developers with the appropriate DOD entities, provide technical assistance on acquisitions and procurement processes, and identify solutions to challenges like accessing secure facilities and information. Small businesses, research institutions, and institutions of higher education would be prioritized.

Microelectronics

The bill would direct the Department facilitate a competition for the National Network for Microelectronics Research and Development, prioritizing geographic diversity. Congress would authorize $250 million for this network. Congress emphasized the need and urgency for such a network, stating that the Secretary of Defense has not prioritized implementing a microelectronics manufacturing strategy enough, and encouraged clarifying interagency roles and responsibilities in the strategy’s execution, as established through the Creating Helpful Incentives to Produce Semiconductors (CHIPS) for America Act, which was enacted via the FY 2021 NDAA. Further signaling preparation for CHIPS Act implementation, Congress would authorize additional funds for ERI 2.0, including $36 million for applied research (6.2) and $24 million for advanced technology development (6.3), in addition to the $20 million for basic research (6.1) previously mentioned.

Cybersecurity

The bill would require the Secretary of Defense to submit plans on the Cybersecurity Maturity Model Certification (CMMC) program and report on the impact of the CMMC requirements on small businesses. Additionally, Congress would authorize $35.4 million for cybersecurity research, a $20 million increase relative to the President’s budget request.

Other provisions of interest to the research community would include:

• $10 million increase for the Air Force quantum network testbed
• $10 million for hypersonics advanced manufacturing
• $10 million increase for the National Security Innovation Network, totaling $31.3 million
- Directives to establish pilot programs for the “deployment of passive telecommunications infrastructure to facilitate the deployment of 5G wireless telecommunications on military installations”
- $50 million for Defense-wide 6G and beyond experimentation efforts
- $100 million for quantum computing acceleration
- Establishing a National Security Commission on Emerging Biotechnology within the Legislative Branch that includes representation from Congress, as well as civilians with biotechnology experience and/or related expertise
- $200 million for biotechnology innovation within the Defense-Wide Manufacturing Science and Technology Program
- Commitment to national security climate resiliency through the Climate Resilience Infrastructure Initiative
- $15 million increases to the Strategic Environmental Research Programs (SERDP) for per-and polyfluoroalkyl substances (PFAS) remediation and disposal technology and Aqueous film forming foams (AFFF) replacement, disposal, and cleanup technology, respectively
- $89 million for the Environmental Security Technical Certification Program, including $5 million and $10 million for AFFF and PFAS relate-technology, respectively
- Establishment of a DOD “cross-functional team to address national security challenges posed by anomalous health incidents...and ensure that individuals affected...receive timely and comprehensive healthcare,” as well as establish an interagency coordinator
- Authorizing the Department of Homeland Security to conduct research and development to identify and evaluate threats to economic and homeland security due to disruption, corruption, exploitation, or dysfunction

While often debated through NDAA, the FY 2022 bill would not include research security training requirements for federal research grant personnel. Also of interest to the higher education community, NDAA would not include the House provision to extend eligibility for educational assistance through the G.I. bill in situations of temporary or permanent closure of an educational institution.

Sources and Additional Information:

### National Defense Authorization Act, FY 2022

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<tr>
<th>FY 2021 NDAA Enacted</th>
<th>FY 2022 President’s Budget Request</th>
<th>FY 2022 NDAA</th>
<th>NDAA vs. Enacted</th>
<th>NDAA vs. PBR</th>
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UMN Washington Update
Prepared by Lewis-Burke Associates LLC
December 10, 2021
<table>
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<tr>
<th>Category</th>
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Prepared by Lewis-Burke Associates LLC
December 10, 2021
Defense
Wide 6.3 3,732,334 4,007,596 4,920,571 1,188,237 (31.8%) 912,975 (22.8%)

| Defense | 567,465 | 630,680 | 630,680 | 63,215 | -- |
| Health R&D* | | | | (11.1%) | |

*NDAA Defense Health R&D does not include funds for the Congressionally Directed Medical Research Programs (CDMRP)

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**Funding Opportunities and Agency Updates**

**Agency Update: National Space Council Hosts Inaugural Meeting of the Biden-Harris Administration**

On December 1, 2021, Vice President Kamala Harris convened the first meeting of the White House National Space Council (NSpC) under the current administration. The NSpC – reconstituted in 2017 under President Trump after being disbanded in 1993 – is a White House council tasked with developing policy and fostering collaboration on cross-agency civil, commercial, national security, and international space issues.

The Council is chaired by the Vice President and membership consists of secretaries of cabinet-level departments, leadership of independent agencies, and White House advisors to the President. Since 2017 the Council included the Administrator of the National Aeronautics and Space Administration, the Secretary of Defense, the Secretary of Commerce, and the Secretary of Transportation, among others. Ahead of the first meeting, President Biden signed an Executive Order (EO) adding the Secretaries of Agriculture, Interior, Labor, and Education and the National Climate Advisor to its roster. The EO also granted the NSpC the authority to develop budget recommendations that align with the President’s space policy strategy. The White House released a new “U.S. Space Priorities Framework” that outlined the Administration’s approach to foreign and domestic space policies in the hours before the first meeting as well.

Discussion was led by Vice President Harris, with input from other members of the council, and was focused on three topics: the norms and rules of space, space and the climate crisis, and Science, Technology, Engineering, and Math (STEM) education. Topics on human exploration and the commercialization of space were not an emphasis or recurring theme in the discussion, a notable departure from the priorities of the previous administration and past NSpC focus areas.

**Norms of Behavior and Rules of Space**

Members were highly critical of last month’s Russian anti-satellite weapon test (ASAT), the results of which will have long term impacts on satellites and astronaut safety due to resulting debris. The NSpC used the event as evidence for why international norms of behavior and rules are needed to preserve the space environment. The U.S. is focused on developing international consensus on these issues through the bi-lateral Artemis Accords, which outline basic principles to guide sustainable exploration of outer space and have been signed on to by thirteen countries thus far. The U.S. is also involved in a United Nations (UN) General Assembly resolution to create a UN-led process to develop ideas for national security space norms and behaviors. The Department of Defense (DOD) and the National Security Council (NSC) are continuing to engage with international defense counterparts to reduce the risks of military escalation and maintain a shared understanding of best practices based on the new Tenets of Responsible Behavior in Space released by DOD in July 2021. The NSpC did not discuss specific defense space issues and instead chose to focus on the international cooperation aspects of space national security.
Domestically, the Council noted it will explore ways to strengthen the federal regulatory regime governing commercial space operations. The Department of Commerce Office of Space Commerce (OSC) highlighted continued efforts towards a prototype Space Situational Awareness system to support civil and commercial space operations. OSC is now working with relevant agencies and commercial stakeholders to upgrade the prototype system to an operational capability in the next few years. Vice President Harris charged OSC to accelerate this development timeline. In addition, the Department of Transportation is building on new launch and reentry regulations implemented in March 2021, and plans to release a new rule on orbital debris mitigation to ensure the safety and sustainability of space.

**Space and the Climate Crisis**

Vice President Harris set the imperative to utilize space exploration and capability to directly mitigate climate change on Earth. Although NASA and other agencies collect large amounts of Earth science data, the NSpC highlighted the need to increase access to the data and provide the tools necessary for its application, especially for groups that have historically lacked access to data and relevant capabilities. The Vice President charged the Climate Policy Office (CPO), along with the Office of Science and Technology Policy (OSTP) and NSpC staff, to establish a baseline of available space climate data and decision-making tools needed to tackle the climate crisis, especially for disadvantaged and vulnerable communities. CPO will create an action plan to increase access to space-based data and decision-making tools. In tandem, the State Department is charged with developing a diplomatic approach to expand U.S. global leadership in satellite data and analysis tools.

**Science, Engineering, Technology, and Mathematics Education**

The Biden Administration continues to push STEM education and workforce development as a high-priority issue and NSpC members announced plans to leverage the inspirational aspect of space to grow the student pipeline for STEM education and careers. The Director of National Intelligence highlighted the National Reconnaissance Office (NRO) Cadre Internship program where students to work directly on national security space systems and gain practical experience before entering the workforce. Additionally, NRO recently partnered with the NASA’s Pathways Internship Program to provide opportunities to students who do not have a security clearance. The U.S. Space Force also recently launched the University Partnership Program to work directly with academia. Going forward, the NSpC and National Security Council have agreed to examine existing and proposed STEM education initiatives, including the potential to modernize the National Defense Education Act, which funded national security workforce development at universities, to help develop a skilled space workforce.

Other White House-level work to promote new opportunities at the nexus of STEM education and space include a new OSTP-led fellowship program that would offer experiences in civil, commercial, national security, and international space issues. Vice President Harris charged OSTP to lead an effort to address how the U.S. can strengthen STEM education and career opportunities via student interest in space and how to better identify and reduce barriers to entering and staying in the space workforce. OSTP is also working to increase space education and workforce opportunities by advancing equity, increasing early and mid-career support for scientists from all backgrounds including MSI’s and community colleges, and building cooperative opportunities that bridge educational and national service initiatives.

**National Space Council Users’ Advisory Group**
The NSpC Users’ Advisory Group (UAG) is the independent advisory body for the NSpC which ensures that the interests of industry, academia, and other non-Federal entities are represented in federal space policy discussions and development. NASA and the NSpC solicited nominations for membership on the UAG in September 2021 but have yet to announce the UAG’s membership. During the meeting, Admiral Jim Ellis, the current UAG chair, highlighted the actions of the previous UAG including:

- Reviewing proposed lunar and Mars exploration architecture;
- Analyzing the economic and security aspects of near-Earth operations and follow-on capabilities;
- Exploring critical space technologies roadmaps, space traffic management proposals, and the security of and confidence in space derived and space related data;
- Improving the U.S. education system to enable the country’s preeminence in space;
- How best to sustain and advance U.S. leadership in the global space enterprise.

Sources and Additional Information:

- The full recording of the December 1st, 2021 meeting of the National Space Council can be found at https://www.youtube.com/watch?v=o9vAwU4S8rg.
- The Executive Order on the National Space Council can be found at https://www.whitehouse.gov/briefing-room/statements-releases/2021/12/01/executive-order-on-the-national-space-council/.
- More information about the National Space Council UAG can be found at https://www.nasa.gov/content/national-space-council-users-advisory-group
- Department of Defense Tenets of Responsible Behavior in Space can be found at https://media.defense.gov/2021/Jul/23/2002809598/-1/-1/0/TENETS-OF-RESPONSIBLE-BEHAVIOR-IN-SPACE.PDF
- Federal Aviation Administration updated launch and reentry regulations can be found at https://www.faa.gov/space/streamlined_licensing_process/
- Additional information on the National Reconnaissance Office student opportunities can be found at https://www.nro.gov/Careers-and-Internships/Student-Opportunities/

Agency Update: NIH Approves New Climate Change and Health Initiative

The National Institutes of Health (NIH) held a special meeting of the National Institute of Environmental Health Sciences (NIEHS) advisory council to present a formal framework for NIH’s new Climate Change and Health (CCH) Initiative. This meeting follows a series of discussions held at previous NIEHS advisory council meetings this year, in which council members discussed how NIEHS could play a leading role in revitalizing efforts across NIH to expand research and training focused on climate change and human health. These discussions have been spurred by increased interest from the Biden Administration and Congress in all aspects of climate change, including a proposed increase of $100 million to existing climate change and health programs at NIH in fiscal year (FY) 2022. These programs are currently funded at just $10 million.

At the special council meeting, NIEHS staff presented a concept clearance for the CCH Initiative, which lays out the motivation behind the program, its governance structure and leadership team, and its research goals. Importantly, staff noted that while NIEHS will play a leading role in organizing the program, the CCH Initiative will be an NIH-wide effort given the complexity and wide-ranging impacts of climate change on human health. Institutes and Centers whose Directors will be included as part of the CCH Initiative Executive
Committee include the Fogarty International Center (FIC), National Institute of Minority Health and Health Disparities (NIMHD), National Institute of Mental Health (NIMH), National Institute of Nursing Research (NINR), Eunice Kennedy Shriver National Institute of Child Health and Human Development (NICHD), and National Heart, Lung, and Blood Institute (NHLBI).

The concept clearance named four core tenets around which the program will be structured:

- Health effects research of climate change influences on health outcomes and vulnerability risks across the lifespan;
- Health equity awareness to assess and respond to the needs of populations most at risk of climate change health impacts;
- Intervention research to prevent disease and disability and promote health and resilience; and
- Training and capacity-building for scientists and community members to translate findings and facilitate understanding of climate change effects on health.

In presenting the concept for the new CCH Initiative, NIH staff acknowledged the feedback provided by the research community through a request for information (RFI) published by the agency earlier this year on this topic. The most common responses to the RFI focused on innovative research, scientific infrastructure, community partnerships to address environmental injustice and build resilience, translation and dissemination of research findings, rapid research response capacity, and workforce diversity to address human health and climate change. NIH staff noted that this feedback, along with analysis of NIH’s past and current portfolio on this topic, was incorporated into the concept clearance and will influence the directions of the program moving forward.

NIH staff outlined their intention to use the proposed FY 2022 funding increase for climate change and human health research as a catalyst to expand funding for CCH research across the agency. NIH will expand funding for investigator-initiated grants across NIH to grow the agency’s portfolio of CCH research through existing programs and mechanisms, as well as issue Notices of Special Interest (NOSIs) to advertise NIH’s interests in this area. Over the longer-term, NIH will develop a new CCH Centers of Excellence program that supports team science approaches grounded in community engagement and will create a small business innovative research/small business technology transfer (SBIR/STTR) program focused on CCH research.

Given that funding for most aspects of the CCH program is dependent on completion of the FY 2022 appropriations process, new funding opportunities will not be available until the FY 2022 NIH appropriations bill is finalized. In the interim, NIH will continue planning efforts for the official start of the CCH Initiative and may move forward with components of the program that do not depend on new funding, such as the release of NOSIs.

Sources and additional information:

- The CCH Initiative concept clearance is available at https://www.niehs.nih.gov/about/boards/naehsc/agenda/nov2021/concept_nih_climate_change_and_health_initiative_508.pdf.
- A recording of the NAEHSC meeting is available at https://www.youtube.com/watch?v=0vRfkwNuKOs&t=5457s.
- The NAEHSC meeting agenda is available at https://www.niehs.nih.gov/about/boards/naehsc/agenda/index.cfm.
Funding Opportunity: ONR Releases BAA for Science & Technology for Advanced Manufacturing Projects (STAMP)
The Department of Defense (DOD) Office of Naval Research (ONR) released a broad agency announcement (BAA) for Science & Technology for Advanced Manufacturing Projects (STAMP) on behalf of DOD’s Manufacturing Technology Program (ManTech). DOD ManTech is tasked with developing technologies and processes for the manufacturing and sustainment of defense systems, including finding affordable low-risk manufacturing solutions to support DOD. ManTech’s STAMP BAA is seeking proposals that “advance the systems engineering approach needed for the design, fabrication, and manufacture of structural components to address challenges in system weight, performance, affordability, and/or survivability.” Proposals may include basic and applied research, technology and component development, and prototyping as well as manufacturing supply-chain technical support and integration, workforce development, and manufacturing education.

Industry and academia, including Minority Institutions (MIs) and Historically Black Colleges and Universities (HBCUs), are eligible to apply. University Affiliated Research Centers (UARCs) are also eligible to apply unless restricted in their DOD UARC contract. Proposers are encouraged to contact the ONR Technical POCs to discuss interest in the program and questions regarding submissions: Dr. William Mullins, Program Officer, william.m.mullins@navy.mil, and Dr. Richard Fonda, Program Officer, richard.fonda@navy.mil. Award amounts depend on the research proposal and timeframe. The solicitation is open through November 30, 2022. The full solicitation can be found on www.grants.gov under solicitation number “N00014-21-S-B0002”.

Funding Opportunity: NSF Social, Behavioral, and Economic Sciences Directorate Releases Build and Broaden 3.0
The National Science Foundation (NSF) Social, Behavioral, and Economic Sciences (SBE) Directorate will hold an informational webinar on December 17 from 3:00 – 4:00 PM ET for its Build and Broaden 3.0 program (B2 3.0). This webinar will provide insight into the proposal process for B2 3.0 and allow potential proposers to ask questions. NSF Assistant Director Arthur Lupia will also give remarks regarding priorities of the program. Registration is required for this event. Interested individuals can register here.

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