September 27, 2017

The Honorable Mac Thornberry  
Chair 
U.S. House Armed Services Committee 
Washington, DC 20515

The Honorable Adam Smith  
Ranking Member 
U.S. House Armed Services Committee 
Washington, DC 20515

Dear Chairman Thornberry and Ranking Member Smith:

On behalf of Research!America, the nation’s largest not-for-profit public education and advocacy alliance working to accelerate medical progress and strengthen our nation’s public health system, thank you for your leadership and the commitment you and your staff members demonstrate, day in and day out, to the well-being of our nation’s military personnel and their families. In that context, we write to express deep concerns about provisions and report language in the Senate version of the Fiscal Year 2018 National Defense Authorization Act (NDAA) that would stifle life-saving medical progress.

Sections 733, 891, 892, and 893 of the Senate NDAA would add months of needless delay and layer after layer of administrative requirements on DOD-conducted and funded medical research, undercutting successful efforts to ensure this research is advanced with optimal efficiency and timeliness. Further, these sections place new restrictions on the types of research DOD can fund, excluding, for example, research into childhood diseases that affect military families across the nation.

The language also appears to prohibit any form of basic research, which would slam the door shut on new knowledge and the progress that arises from it, shortchanging future generations of American warfighters and their families.

The Senate NDAA report language includes language that would direct DoD to evaluate the “list” prices of medical products licensed, through a technology transfer agreement, to an academic or industry partner, and void the agreement if the Department deems a price to be too high. Research!America firmly believes that this language subverts the intent of the Bayh-Dole Act, which provides the framework for government technology transfer programs, and would dis-incentivize such transfers at the expense of life-saving medical progress.
Medical progress produces positive change that conveys not just to one generation, but to those that follow. By compromising the pace of that progress, the bill and report language discussed above would shortchange our nation’s warfighters, military families, and ultimately, every American. We urge you to strongly oppose this language when the conference process moves forward.

Thank you again, Chairman Thornberry and Ranking Member Smith, for your dedication and hard work. We appreciate your willingness to consider our views and stand ready to assist your efforts going forward.

Sincerely,

Mary Woolley
President and CEO