



July 13, 2023

The Honorable Patty Murray
Chair
Committee on Appropriations
United States Senate
Washington, DC 20510

The Honorable Susan Collins
Vice Chair
Committee on Appropriations
United States Senate
Washington, DC 20510

Dear Chair Murray and Ranking Member Collins:

As the Committee prepares to mark up the Fiscal Year 2024 Commerce, Justice, Science, and Related Agencies Appropriations bill, the U.S. Chamber of Commerce urges you to fully fund the Manufacturing Extension Partnership program, the Census Bureau and Bureau of Economic Analysis, National Institute of Standards and Technology, the International Trade Administration, and the National Aeronautics and Space Administration. The Chamber also offers comments below on funding for specific activities led by the Federal Bureau of Investigation and the Department of Justice.

The Hollings Manufacturing Extension Partnership (MEP) Program: The MEP program which helps manufacturers become more competitive by improving their productivity, leveraging private sector investments, and assisting the U.S. industrial base in maintaining its status as an innovative high-tech global competitor.

Census Bureau: Census Bureau funding would ensure that 2020 decennial census products are made available to community planners and American Community Survey (ACS) products can move forward. Unreliable census data would have harmful effects on businesses and the American economy. Businesses planning to grow and expand into new markets would be faced with making decisions on where to invest based on poor data.

Bureau of Economic Analysis (BEA): The BEA's work is critical to improving the quality and depth of important economic data, improve the accuracy of GDP (Gross Domestic Product) estimates, speed up the release of regional statistics, and provide business investment data on an annual basis.

National Institute of Standards and Technology (NIST): The Chamber supports funding for NIST's implementation of the National Artificial Intelligence Initiative Act of 2020. The Chamber is concerned by any potential reduction in NIST funding for the industry-government efforts on cybersecurity and other emerging technologies. This includes artificial intelligence (AI), the Cybersecurity Framework, Internet of Things (IoT) security, Face Recognition Vendor Test (FRVT), and the "U.S. Leadership in AI: A Plan for Federal Engagement in Developing Technical Standards and Related Tools." The Department of Commerce, especially NIST, has done an admirable job convening many organizations to work on key cyber and emerging technology issues. The Chamber appreciates that NIST has been actively meeting with foreign parties, such as the European Union, to press them to embrace an IoT security capabilities baseline.

NIST Cybersecurity and Privacy Program: The resources NIST needs to undertake industry-government efforts on cybersecurity come from the Cybersecurity and

Privacy Program. Initiatives such as the Cybersecurity Framework have been a remarkable success. Cyber stakeholders may not agree with the administration and NIST on every information security standard, guideline, or practice that they develop. Yet, NIST has proven a valuable partner in helping businesses strengthen their cybersecurity in collaborative ways.

Standards and best practices relevant to cybersecurity and emerging technologies are typically led by the private sector and adopted on a voluntary basis; they are optimal when developed and recognized globally. Such approaches avoid burdening IoT cyber and emerging technology stakeholders with requirements coming from multiple, and often conflicting, jurisdictions. The Chamber urges the administration to work with international partners and believes that these discussions should be multi stakeholder driven and occur routinely. We also want to ensure that NIST facilities are at the appropriate caliber to continue world-class research and partner with industry. In addition, the Chamber recommends that Congress encourage the administration and NIST to develop an AI risk management framework in collaboration with relevant stakeholders to advance U.S. leadership in trustworthy AI.

International Trade Administration (ITA): The U.S. Department of Commerce's International Trade Administration provides essential technical and regional expertise relating to trade promotion, enforcement, and foreign market access issues.

National Aeronautics and Space Administration (NASA): The Chamber strongly supports NASA funding and supports the approach presented in the December 2021 National Space Council Space Priorities Framework, which outlined areas of focus for the U.S. space mission. These include maintaining U.S. leadership in space exploration and space science, and fostering a regulatory environment that enables U.S. industry to build a global space economy and improve quality of life in America.

The investments Congress has made into NASA have had a substantial impact on the U.S. economy, and ensured the United States remains the world leader in science, technology, innovation, and discovery. Following the success of the Artemis I mission, NASA has reasserted American leadership in space, unified the nation around returning Americans to the Moon, and sending future crewed missions to Mars. Furthermore, the economic impact generated by NASA has stimulated the growth of a domestic space industry that employs nearly 420,000 people in the United States today. It is estimated that the global space industry could generate revenue of more than \$1 trillion by 2040 and employ more than 1.5 million Americans in well-paying jobs by 2050.

Funding NASA's budget at a time when China is aggressively investing in its own space technology programs will ensure the United States and its allies maintain leadership in space technology and exploration. For the first time in our history, China has a fully crewed space station in low-Earth orbit and is rallying other nations to join its efforts to establish a permanent research station on the lunar surface. It is in the economic and national security interests of the United States to ensure that we are the partner of choice for other nations that are being aggressively lobbied by China to join their efforts.

FBI (Federal Bureau of Investigation) Cyber Assistant Legal Attachés: The Department of Justice and the Federal Bureau of Investigation (FBI) are on the front lines in the fight against ransomware, cybercrime, terrorism, and espionage. The Chamber supports increased appropriations for the FBI Cyber Assistant Legal Attachés stationed internationally from the current level of 10 to a number appropriate to meet current

demand. Increased federal law enforcement cooperation and coordination with international partners on information sharing, cyber investigations, and cyber operations is vital. Congress and the executive branch should enhance international efforts to combat cybercrime, including training cleared foreign law enforcement officers at U.S. federal computer and forensics institutes.

Department of Justice (DOJ) International Law Enforcement Tools: DOJ's international law enforcement tools include the Mutual Legal Assistance Treaty (MLAT) and Mutual Legal Assistance Agreement (MLAA) process, and the Clarifying Lawful Overseas Use of Data Act (CLOUD Act) bilateral agreements. These tools are essential to enhancing international law enforcement cooperation and preserving the movement of data across borders.

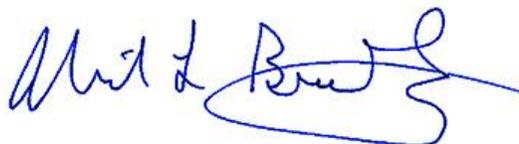
Department of Justice Intellectual Property Theft Enforcement Program: The Chamber supports DOJ's intellectual property enforcement programs, including prosecution, prevention, training, and technical assistance as authorized by section 401 of Public Law 110-403. The Intellectual Property Theft Enforcement Program (IPEP) is designed to build the capacity of state, local, tribal, and territorial criminal justice systems to address IP enforcement through increased prosecution, prevention, training, and technical assistance. This includes initiatives to combat counterfeit crimes.

Department of Justice and Civil Settlements: The Chamber supports prohibiting the Department of Justice from entering civil settlements that require donations to organizations that are not parties to the litigation. This practice raises serious separation of powers concerns and undermines Congress's exclusive appropriations authority. Congress alone has the power of the purse, and agencies should not be allowed to circumvent the appropriations process to fund special interest groups.

Further, the Antitrust Division of the Department of Justice should be prohibited from using funds or supplying any staff to engage with foreign enforcers to support the development, implementation, or enforcement of the laws of the European Union or a country that is a member of the G-20. Nor shall it use funds to engage with foreign enforcers as part of any merger related investigation or enforcement action without first seeking a waiver from the merging parties.

The Chamber appreciates your consideration of these recommendations as you prepare to mark up the Fiscal Year 2024 Commerce, Justice, Science, and Related Agencies Appropriations bill.

Sincerely,



Neil L. Bradley
Executive Vice President, Chief Policy Officer,
and Head of Strategic Advocacy
U.S. Chamber of Commerce

cc: Members of the Senate Committee on Appropriations