March 25, 2011

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CONGRESSIONAL SCHEDULE NEW

Congress will return from its early spring recess next week: the Senate on Monday, March 28, the House on Tuesday, March 29.

On Monday, the Senate will resume consideration of S. 493, legislation to reauthorize two small business research programs. (See the March 18 edition of the AAU Weekly Wrap-up for more information on the small business bill.) At this writing, no legislative program has been announced for the House.

BUDGET & APPROPRIATIONS

STATUS OF NEGOTIATIONS ON FY11 BUDGET REMAINS UNCLEAR NEW

With the current FY11 continuing resolution (CR) set to expire on April 8, it is still unclear if Republican and Democratic negotiators are making progress in reaching agreement on how to fund the government through the remaining six months of FY11. Many Members of the House and Senate have said the current short-term funding bill should be the last, but finding a compromise that can pass both chambers and be signed by the President remains a daunting task.

News reports indicate that conservative Republicans are pressing House Speaker John Boehner (R-OH) to hold fast on the House-approved cuts of $61 billion, even though the House measure
(H.R. 1) failed to pass the Senate on March 9. (The plan offered that day by the Senate Democratic leadership cutting $4.7 billion also failed to pass.) Further complicating negotiations are several hot-button policy riders added to the House bill, including ones to defund Planned Parenthood and curtail the Environmental Protection Agency’s ability to monitor air and water. A clearer picture may emerge next week when Congress returns from its recess.

GROUP OF HOUSE DEMOCRATS URGES $32 BILLION BUDGET FOR NIH IN FY12

A group of 117 Democratic Members of the House, led by Rep. Edward Markey (D-MA), sent a letter to House Appropriations Committee leaders on March 21 calling for increased funding for the National Institutes of Health (NIH) in FY12. The letter requests a funding level for the agency of $32 billion, a level consistent with President Obama’s FY12 budget request.

COALITION REQUESTS $7 BILLION INCREASE FOR PUBLIC HEALTH PROGRAMS IN FY12 NEW

Some 470 organizations, including AAU, and six former Surgeons General have written to leaders in Congress and the Administration urging them to increase discretionary funding for public health programs to $65 billion in FY12, an increase of $7 billion over the FY10 level. The programs comprise Budget Function 550.

The letter, spearheaded by the Coalition for Health Funding, focuses on the importance to the nation’s health and productivity of the work performed by such agencies as NIH, the Food and Drug Administration, the Centers for Disease Control, and the Agency for Healthcare Research and Quality.

OTHER CONGRESSIONAL ISSUES

HOUSE JUDICIARY COMMITTEE TO INTRODUCE PATENT REFORM BILL NEW

The House Judiciary Committee is expected to introduce its version of patent reform legislation on Monday, March 28, continuing the progress made by the Senate in approving its patent bill (S. 23) on March 8. The six higher education associations that have been working together on patent reform strongly support the Senate bill.

The House bill is expected to track the Senate bill in many areas, including adoption of a first-inventor-to-file system, which would harmonize the U.S. patent system with that of major U.S. trading partners, and expanded resources for the U.S. Patent and Trademark Office. However, two provisions expected to be included in the House bill raise serious concerns for universities. These are 1) expansion of the prior user rights defense, and 2) elimination of the elevated threshold for instituting an inter partes review that the Senate Judiciary Committee included in S. 23. More detailed information has been provided to AAU campuses.

The group of six higher education associations today issued a statement expressing strong opposition to any expansion of the prior user rights defense. The associations are AAU, the American Council on Education, the Association of American Medical Colleges, the Association
of Public and Land-grant Universities, the Association of University Technology Managers, and the Council on Governmental Relations.

**EXECUTIVE BRANCH**

**NIH EXTENDS DEADLINE FOR COMMENTS ON NEW GUIDE TO USE OF ANIMALS IN RESEARCH**

NIH announced on March 18 that it would extend by 30 days the deadline for comments on adoption and implementation of the latest edition of the *Guide for the Care and Use of Laboratory Animals*. The *Guide* is a National Academies’ publication on which NIH bases its policies on the use of animals in research. The new deadline for comments is April 24, 2011. AAU will submit comments.

AAU and the Association of Public and Land-grant Universities had requested a deadline extension to allow member institutions adequate time to assess the consequences of complying with the new *Guide*. Some of the new requirements, such as standards for cage sizes, could create significant costs for institutions if implemented too quickly.

**CRS ISSUES REPORT ON NIH HISTORY AND CURRENT ISSUES**

The Congressional Research Service (CRS) has published a concise guide to NIH that includes the agency’s history, particularly in regard to funding, as well as the current organizational and policy issues that it is facing.


The CRS report states,

> “Challenges facing the agency and the research enterprise, all aggravated by restrained budgets, include attracting and keeping young scientists in research careers; improving the translation of research results into useful medical interventions through more efficient clinical research; creating opportunities for trans-disciplinary research that cuts across institute boundaries to exploit the newest scientific discoveries; and managing the portfolio of extramural and intramural research with strategic planning, openness, and public accountability.”

**OTHER**

**AAU PUBLISHES SECOND EDITION OF “SCIENTIFIC ENQUIRER”**

AAU has published the second edition of its tabloid-style handout, “Scientific Enquirer.” The series highlights examples of “funny-sounding” scientific research that have led to important advances in many areas, including health, national security, and agriculture.
The new edition focuses on the use of model organisms, such as fruit flies and zebrafish, to help identify disease pathways, chart human development, and apply the efficiencies of living nervous systems to computer processing and networking. The publication also shows how research on the mother-of-pearl lining in abalone shells has led to lighter, stronger materials that are being used in such applications as armor plating on military aircraft and dental implants.

These and other materials on the benefits of research are available on AAU’s webpage, “Societal Benefits of Research Illustrated.”

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