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CONGRESSIONAL SCHEDULE  NEW

The Senate met today but held no roll call votes. The Senate returns to session on Monday, September 12. Next week’s legislative schedule has not yet been announced.

The House also met today and approved the FY12 intelligence authorization bill (H.R. 1892) and a resolution commemorating the September 11 terrorist attacks and honoring the victims. Next week’s legislative schedule has not been announced.

BUDGET & APPROPRIATIONS

CONGRESS WILL NEED ONE OR MORE SHORT-TERM FUNDING EXTENSIONS FOR FY12  NEW

With the new fiscal year rapidly approaching on October 1, CQ.com reports that Congress is expected to vote to extend funding seven weeks into the new fiscal year to provide additional time to work out a year-long deal for FY12. CQ.com says that the vote is likely to happen the week of September 19, because Congress will be out of session the last week of September.

Between now and the end of this fiscal year, no additional FY12 appropriations bills will be considered on the House or Senate floors, the publication adds. However, the House and Senate appropriations committees will try to approve all of their respective 12 bills in time to negotiate a final FY12 omnibus appropriations package. As discussed below, the House has approved six of its 12 FY12 funding bills; the Senate has approved one.
After a long delay, the Senate Appropriations Committee on September 7 allocated funding among its 12 subcommittees, using the discretionary spending caps contained in the Budget Control Act, and then approved three FY12 appropriations bills: Energy & Water, Homeland Security, and Agriculture. The Senate has approved just one of the FY12 funding bills, Military Construction-Veterans.

The Senate subcommittee allocations reflect both Senate Democrats’ priorities and the fact that the Senate Appropriations Committee had considerably more discretionary spending to work with than the House committee. The Senate panel used the discretionary spending total Congress agreed to in the Budget Control Act, which at $1.043 trillion is about $23 billion more than the original FY12 House-approved level and about $7 billion less than FY11.

Signaling Senate Democrats’ priorities, the panel’s allocation to the Labor-HHS-Education subcommittee is $157 billion, which is about $300 million less than the FY11 level but about $18 billion above the House allocation. The Senate committee also provided $52.7 billion for Commerce-Justice-Science, which is about $600 million below the FY11 level but $2.5 billion below the House-approved level. Conversely, the allocation would freeze Defense at its FY11 level, compared to a $17 billion increase in the House-approved bill.

The Senate FY12 Energy and Water appropriations bill approved in subcommittee and considered September 7 in full committee would freeze Department of Energy Office of Science funding at its FY11 level of $4.84 billion. According to a committee press release, this is $42 million above the House-approved FY12 level. The measure would provide $250 million for the Advanced Research Projects Agency-Energy (ARPA-E), which is $70 million more than FY11 funding and $70 million above the House FY12 level.

The Senate measure also would freeze funding for Energy and Efficiency and Renewable Energy programs at the FY11 level of $1.8 billion, which is $498 million above the House FY12 level. Funding for Nuclear Energy would be reduced to $584 million, which is $142 million below the FY11 level and about $150 million below the House-approved FY12 level. Fossil Energy funding would be reduced to $259 million, which is $186 million below FY11 funding and $218 million below the House level.

The House Appropriations Committee announced yesterday that it was postponing subcommittee markup of the FY12 Labor-HHS-Education appropriations bill, which had been scheduled for today. No new markup date was announced.

AAU, APLU Urge Administration to Make Student Aid and Research FY13 Budget Priorities
AAU and the Association of Public and Land-grant Universities sent a letter to Office of Management and Budget Director Jacob Lew on September 6 urging the Administration to continue to make federal student aid and basic research priorities for investment in its FY13 budget. Noting the valuable role of basic research and student aid to the nation’s competitiveness, economy, and security, the letter said:

“Given their importance, we urge the Administration to maintain its strong commitment to these programs by recommending funding levels that, at a minimum, keep pace with inflation and create a pathway for sustained growth.

Some may say that our nation cannot afford to invest more or continue spending as much as it does for scientific research and higher education. We believe, however, that our nation cannot afford to reduce such investments if we are to continue to thrive, lead, and build a better America in the 21st century.”

OTHER CONGRESSIONAL ISSUES

SENATE VOTES FINAL PASSAGE OF PATENT REFORM BILL NEW

The Senate last night passed patent reform legislation, the Leahy-Smith America Invents Act (H.R. 1249), by a margin of 89 to 9. The measure now goes to the President, who has said he will sign it.

The six higher education associations that have been working together on patent reform, including AAU, released a statement last evening applauding final passage of the bill. They said, “The nation’s research universities and medical colleges applaud the Senate for approving the Leahy-Smith America Invents Act, which reforms the U.S. patent system. It is a thorough, balanced measure that will bring that system, which is vital to innovation and competitiveness, into the 21st century.”

The vote on final passage came after the Senate defeated three amendments: the Sessions amendment on patent term extensions by a vote of 47 to 51; the Cantwell amendment on business method patents by a vote of 13 to 85; and the Coburn amendment on Patent Office funding by a vote of 48 to 50.

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