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CONGRESSIONAL SCHEDULE  NEW
The House did not meet today and will reconvene in pro forma session on Monday, September 19. The major issue for both the House and Senate next week is to approve an FY12 continuing resolution (CR) to keep the government operating into the new fiscal year. (See item below on the CR.) Both chambers are expected to be out of session the last week of September for the Jewish holiday.

The House next week also is expected to take up a bill (H.R. 2401) requiring the President to establish a committee to review the cumulative impact of rules issued by the Environmental Protection Agency (EPA).

The Senate met today, with no roll call votes. When the Senate reconvenes on Monday, it will hold a procedural vote on a bill to provide assistance to unemployed workers affected by trade issues (H.R. 2832).

BUDGET & APPROPRIATIONS

HOUSE REPUBLICANS INTRODUCE FY12 CONTINUING RESOLUTION  NEW
With Fiscal Year 2012 just two weeks away, House Republicans on September 14 introduced a continuing resolution (CR) to extend federal funding through November 18 while work continues in Congress on the FY12 appropriations bills. Congressional leaders hope to approve a CR by next Friday, September 23, because both chambers are scheduled to be out of session the last week of September for the Jewish holiday.

The stopgap funding bill (H.J. Res. 79) would fund government programs at their FY11 enacted levels, reduced by 1.409 percent across-the-board. This would bring funding down to the $1.043 trillion discretionary spending level set by the Budget Control Act (BCA), which was enacted in August. The BCA funding level for FY12 is $7 billion below FY11.

A major issue in the CR will be how to pay for new disaster aid. The House CR includes $1 billion in FY11 spending for immediate aid, and $2.65 billion for disaster relief programs in FY12. The BCA allows disaster funding in FY12 without offsets, but the House CR would offset the FY11 aid with funds provided in FY09 for advanced vehicle technology. Senate Democrats oppose offsetting the disaster relief funding, with Senator Mary Landrieu (D-LA), chair of the Senate Homeland Security Appropriations Subcommittee, threatening to block any stopgap spending bill that provides too little in disaster aid and is encumbered by offsets.

Meanwhile, the Senate yesterday approved a separate $6.9-billion disaster relief bill (H. J. Res. 66) that has no offsets and which Democrats are urging the House to pass.

So far, the House Appropriations Committee has approved 11 out of 12 of its FY12 funding bills, with just the Labor-HHS-Education bill still to be considered. The panel has not announced a date for subcommittee consideration of that final bill. Six of the Committee’s funding bills have been approved by the full House.

SENATE APPROPRIATIONS COMMITTEE SPEEDS ACTION ON FY12 BILLS  NEW

Since the August approval of the FY12 top-line discretionary spending total in the Budget Control Act, the Senate Appropriations Committee has been speeding through its FY12 appropriations bills. The full committee has marked up seven of its 12 bills, with subcommittee markup of the Labor-HHS-Education bill scheduled for next Tuesday, September 20.

SENATE FUNDING BILL WOULD CUT NSF, NASA SCIENCE, FUND WEBB TELESCOPE  UPDATED

The Senate Appropriations Committee approved its version of the FY12 Commerce-Justice-Science (C-J-S) bill on September 15, providing a 2.4-percent cut for the National Science Foundation (NSF) and a 2.8-percent cut for NASA. The vote was 29 to 1.

For NSF, the Committee bill provides $6.7 billion overall, which is $162 million below the FY 11 enacted level. Within that total, the bill allocates:

- $5.4 billion to Research and Related Activities, a cut of $120.8 million from FY11;
- $829 million to Education and Human Resources, a cut of $32 million from FY11; and
- $117 million for Major Research Equipment and Facilities Construction, equal to the FY11 level.
The Committee report endorses NSF’s prioritization of multi-disciplinary, high-risk research, including investments in advanced manufacturing, cyber-infrastructure, and robotics. As expected, report language strongly supports innovative science, technology, engineering, and mathematics (STEM) education programs across all levels of education.

NASA would receive $17.9 billion, which is $509 million below the FY11 enacted level. The measure provides $5.1 billion for the Science Directorate, which is $165 million above the FY11 level. Within that total, the bill allocates $1.7 billion for Earth Science, $1.5 billion for Planetary Science, $682 million for Astrophysics, and $622 for Heliophysics.

The bill also includes $530 million for the James Webb Space Telescope, an amount that would allow sufficient progress to aim for launch of the space telescope by 2018. (The House-passed bill includes no funding for the telescope.)

In its report on the bill, the Committee expressed support for the Tier I Earth Science Missions included in the Earth Science Decadal Survey. The panel supports continued funding for the Soil Moisture Active and Passive (SMAP) mission, the Ice, Cloud and Land Elevation Satellite (ICESatII), and the Climate Absolute Radiance and Refractivity Observatory (CLARREO). The Committee also recommends that the Deformation, Ecosystem Structure and Dynamics of Ice mission (DESDnyl) continue at the FY11 level.

The press release also notes that the bill provides $2.7 billion for the U.S. Patent and Trademark Office, “allowing the agency to spend all of its expected fee revenue for FY2012.” The measure also “adopts the new reserve fund authorized by the landmark America Invents Act.”

**BASIC RESEARCH FARES WELL IN SENATE DEFENSE FUNDING BILL**

While the Senate Appropriations Committee voted to freeze the Defense Department’s base FY12 budget at the FY11 level of $513 billion, the panel provided a near-seven percent increase for 6.1 basic research. (The freeze in the agency’s overall discretionary budget is consistent with the level approved in the Budget Control Act but $26 billion below the Administration’s FY 12 request.)

The Committee press release says: “The bill fully funds “6.1” Basic Research programs across the Services and DARPA; provides $200 million for the Rapid Innovation Fund authorized by the Senate Armed Services Committee; and includes increases in the areas of nanotechnology, cybersecurity, and alternative energy.”

The committee report shows that 6.1 basic research would receive a total of $2.082 billion, or about 6.9 percent above FY11. The quick numbers show:

- Army: $436.92 million, same as request
- Navy: $587.37 million, $10 million above the request
- Air Force: $533.86 million, $15 million above the request
- Defense Wide: $523.32 million, $22 million below the request

The Minerva Initiative did not fare as well with respect to new studies. The report states:

“Minerva.—The fiscal year 2012 budget request includes $24,700,000 to continue the Minerva program, an increase of $6,700,000 over amounts appropriated in fiscal year 2011. The
Committee recommends fully funding the proposed expansion of Minerva Chairs at Defense education institutions, as well as the continuation of ongoing studies; however, the Committee notes the limited value of long-term studies for the warfighter and recommends no funding to initiate new studies.”

SUPERCOMMITTEE HEARS FROM CBO DIRECTOR ON DEFICIT CHALLENGES

The Joint Select Committee on Deficit Reduction, called the “Supercommittee,” held its first public hearing on September 13 to hear from Congressional Budget Office Director Douglas Elmendorf on the history and drivers of the nation’s debt and the nature of their deficit-reduction challenge. A summary of Director Elmendorf’s testimony, along with his full statement and a set of economy-budget slides, is available here on the committee’s website.

CBO REPORTS ON POTENTIAL IMPACT OF BUDGET CONTROL ACT SEQUESTER

At the request of Congress, the Congressional Budget Office (CBO) has prepared a report that estimates how automatic budget cuts potentially required by the Budget Control Act could affect specific areas of federal spending. Such an automatic reduction in both discretionary and mandatory spending (with several programs exempted) would be required beginning in January, 2013 if no deficit-reducing legislation is approved by Congress based on recommendations from the Joint Select Committee on Deficit Reduction.

CBO says in a note to congressional staff that the estimates are “consistent with the agency’s most-recent baseline projects, which were published in August 2011,” but that “the amount of any automatic reductions in spending that might be triggered under the Budget Control Act would be determined by the Office of Management and Budget.”

Among its findings, CBO estimates that a sequester could lead to “reductions ranging from 7.8 percent (in 2013) to 5.5 percent (in 2021) in the caps on new discretionary appropriations for nondefense programs, resulting in outlay savings of $294 billion.”

OTHER CONGRESSIONAL ISSUES

AAU, APLU, AND COGR EXPRESS CONCERNS ABOUT DATA ACT

AAU, the Association of Public and Land-grant Universities (APLU), and the Council on Governmental Relations (COGR) yesterday sent a letter to Rep. Darrell Issa (R-CA), Chairman of the House Committee on Oversight and Government Reform, expressing concerns about the unintended impacts on research universities of the Digital Accountability and Transparency Act (DATA Act).

The letter says, “While we recognize and appreciate the need to standardize and centralize government reporting to ensure government accountability and transparency, as currently written, H.R. 2146 fails to require federal agencies to eliminate and replace other similar reporting requirements they already require of our universities with the new DATA Act reporting requirements.”
The associations express their full endorsement of recommendations made by the National Governors Association and the National Association of State Chief Information Officers to ensure that reporting requirements in the bill replace, and do not duplicate, existing reporting requirements. AAU and COGR further request that the Chairman consider allowing universities and other nonprofit recipients to set aside a portion of the federal funds they receive to cover the administrative costs of complying with the DATA Act reporting requirements.

**EXECUTIVE BRANCH**

**PRESIDENT SIGNS PATENT BILL, HIGHLIGHTS NEW UNIVERSITY ECONOMIC DEVELOPMENT EFFORTS**

Earlier today, President Obama signed into law the patent reform legislation, the Leahy-Smith America Invents Act (H.R. 1249), at an event at the Thomas Jefferson High School for Science and Technology in Fairfax, Virginia.

The President also used the event to highlight university efforts to promote technology commercialization and regional economic development, as pledged in the letter sent to then-Secretary of Commerce Gary Locke on April 19 that was signed by 140 university presidents and endorsed by AAU.

Today, in an action coordinated by AAU and APLU, 44 universities released statements outlining their recent and planned economic development activities that will help fulfill their April 19 pledge. A joint AAU-APLU press release lists the institutions and notes, “Research universities across the nation today revealed details about how they are working to promote innovation, entrepreneurship, and commercialization of research results.”

The Commerce Department released a lengthy statement about the university efforts, and AAU and APLU were specifically mentioned in the official White House press release on the event. The White House also discussed the signing of the patent reform bill and the university economic development efforts in its blog.

**CAMPUSES ENCOURAGED TO SUBMIT NOMINEES FOR PRESIDENTIAL STEM MENTORING AWARDS**

AAU campuses are encouraged to submit nominees for the Presidential Awards for Excellence in STEM Mentoring, a program managed by the National Science Foundation that recognizes outstanding mentors and mentoring programs in STEM fields. The deadline for submissions is Wednesday, October 5.

Award recipients will receive Presidential recognition, a $10,000 honorary award, and a trip to Washington D.C. to participate in recognition events, meetings with policy leaders, and professional development workshops.

**AAU AND COGR COMMENT ON PROPOSED CHANGES IN EXPORT CONTROL RULES**
AAU and the Council on Governmental Relations (COGR) on September 13 submitted comments to the U.S. Department of Commerce on proposed revisions to the Export Administration Regulations. The letter expresses full support for the Administration’s export control reform initiative, but raises specific concerns about the new proposed rule.

OTHER

AAU ANNOUNCES UNDERGRADUATE STEM EDUCATION INITIATIVE

AAU announced on September 14 that the association would undertake a five-year initiative to improve undergraduate teaching and learning in science, technology, engineering, and mathematics (STEM) fields at its member institutions. The announcement, a two-page summary of the plan, and a more detailed discussion draft are available here on the AAU website.

Announcing the effort, AAU President Hunter R. Rawlings said:

“In recent years, researchers, many of them at our universities, have learned a great deal about the most effective methods of teaching specific STEM subjects. We now need to disseminate these methods widely among universities so that more faculty members will adopt the best teaching practices in their classrooms. AAU is not conducting another study or research project on STEM education. We are moving to implement the results of the latest research into science and math pedagogy. To be sure, a number of our universities are already leading the way in developing and implementing these new ways of teaching. But there is a long way to go, and there is an urgent need to accelerate the process of reform.”

A blog by the White House Office of Science and Technology Policy termed the AAU initiative “a clarion call to transform the higher education culture with regard to STEM teaching.” The blog urged all two-year and four-year institutions “to join in this effort and implement the policies and strategies called for in the AAU Initiative: widespread adoption of the best teaching practices, attention to educational outcomes, and establishment of incentive systems that recognize and reward contributions to educational improvement.”

ACE MEMO DETAILS FEDERAL RULES ON POLITICAL CAMPAIGN-RELATED ACTIVITIES ON CAMPUS

The American Council on Education (ACE) has released a memo designed to educate campus staff on the appropriate ways to become involved in federal elections. The document, Political Campaign-Related Activities of and at Colleges and Universities, which is based on federal regulations and judicial rulings, offers guidelines for both individuals and institutions in participating in political activities and includes concrete examples of what is and is not acceptable practice.

End of document

Please visit AAU at www.aau.edu and follow us on Twitter @AAUniversities.