March 16, 2012

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CONGRESSIONAL SCHEDULE  NEW

The Senate did not meet today; the House met in pro forma session with no votes.

Both chambers will reconvene on Monday, March 19. The Senate next week will resume consideration of House-passed legislation to ease securities regulations on small businesses (H.R. 3606). The House has issued no floor schedule for next week at this writing, but the focus of attention is likely to be on the House Republican leadership’s release of its proposed FY13 budget resolution (see next item below).

BUDGET AND APPROPRIATIONS

HOUSE FY13 BUDGET RESOLUTION WILL SHOW POLITICAL DIFFERENCES  NEW

When House Republicans release their FY13 budget resolution next week, the plan is expected to call for a discretionary spending cap that is at least $20 billion below the FY13 spending cap established by the Budget Control Act (BCA), enacted last August. The BCA set the FY13 discretionary spending cap at $1.047 trillion, or $4 billion above the FY12 enacted level.

Despite House Republican leaders’ support for the BCA last year, House Budget Committee Chairman Paul Ryan (R-WI) plans to use the FY13 budget resolution to show the voters the “stark differences between the Republican and Democratic agendas,” reports NationalJournal.com. Rep. Ryan told the publication, “We’re going to advance things, meaning a solution for the country’s fiscal problems.” The publication reports that the measure also may seek to protect defense spending from the scheduled year-end sequester that would cut an
additional $97 billion in defense and non-defense discretionary spending in FY13. (The defense portion of the sequester would be about $54 billion in FY13.) Chairman Ryan is expected to offer reductions in entitlement programs, particularly in health care, to offset the defense sequester.

House Democrats say they will introduce their own version of the budget resolution, based on the President’s FY13 request. Senate Democratic leaders do not plan to move an FY13 budget resolution, in part because the BCA already has set the discretionary spending level.

The real point of these dueling budget plans, says NationalJournal.com, is to allow the parties to lay down their “philosophical markers” on fiscal and economic issues for the post-election, lame-duck session. The budgets “set the boundaries before the lame-duck session, when Congress will be forced to cut deals on trillions of dollars of expiring tax provisions, including the Bush-era tax cuts, as well as the impending across-the-board cuts mandated by sequestration and scheduled to take effect in January.”

902 ORGANIZATIONS URGE HIGH FY13 ALLOCATION FOR LABOR-HHS-EDUCATION FUNDING NEW

A group of 902 organizations, including AAU, sent a letter to House and Senate appropriations committee leaders urging them to provide the “largest possible FY2013 302(b) allocation to the Labor-HHS-Education Subcommittee within the discretionary spending cap established by the Budget Control Act.”

The letter said, “The programs and services administered by these Departments serve a broad range of constituencies and needs, but they all share a common, fundamental goal of strengthening this nation by improving Americans’ lives.”

EXECUTIVE BRANCH

OMB AGREES TO 30-DAY EXTENSION OF ANPR COMMENT PERIOD NEW

The White House Office of Management and Budget (OMB) has agreed to extend by 30 days the deadline for comments on the Advanced Notice of Proposed Guidance (ANPG) on grant reform that it published on February 28.

The extension follows the request for a 30-day extension sent March 7 by a group of research and higher education associations, including AAU. The anticipated extension would move the deadline from the current date of March 29 to around the end of April. OMB is expected to publish a notice in the Federal Register in the next couple of weeks that provides specifics on the extension, including the actual deadline for comments.

Among other changes, the ANPG proposes to consolidate existing OMB grant circulars, such as A-21 and A-87, which guide federal assistance and grants to universities, other nonprofit organizations, and states and localities. The ANPG includes specific modifications to current cost principles and administrative requirements for university research grants under OMB Circular A-21. Within those provisions, OMB proposes such changes as taking a more risk-based
approach to auditing, exploring alternatives to time and effort reporting, extending the utility cost adjustment to research at more institutions, and allowing grantees to direct charge certain administrative support and computer costs. (See AAU Weekly Wrap-up, March 9, 2012, for additional background.)

OMB also requests comments on both an optional and a mandatory discounted flat indirect (F&A) cost rate for universities instead of their negotiated rate. OMB argues that a discounted flat rate might appeal to institutions because it would "reduce administrative burdens on recipients associated with documenting, justifying, negotiating, and maintaining support for a negotiated rate."

Given the complexity of these proposals, several associations and institutions were concerned that a 30-day comment period was too short for careful review, analysis, and effective comment by stakeholders. The request for the extension, sent by AAU, the Association of Public and Land-grant Universities, the Council on Governmental Relations, and the Association of Independent Research Institutes, asked for the additional comment period “to allow our associations and the institutions we represent sufficient time to analyze fully and effectively comment on the proposals put forward in the ANPG.”

OTHER

ASSOCIATIONS SUBMIT AMICUS BRIEF AGAINST CHALLENGE TO ANIMAL ENTERPRISE TERRORISM ACT

AAU has joined 10 other organizations in submitting an amicus brief in opposition to a federal lawsuit that challenges the constitutionality of the Animal Enterprise Terrorism Act (AETA).

As described by the National Association for Biomedical Research (NABR), which is spearheading the associations’ effort, “the brief urges the United States District Court for the District of Massachusetts to uphold the constitutionality of the AETA and argues the law is a measured and important response to threats, bombings, arson, and vandalism committed by animal rights extremists against research facilities and scientists who conduct life-saving research with laboratory animals.”

The other associations participating in the amicus brief are the Association of American Medical Colleges, the Association of American Veterinary Medical Colleges, the Association of Public and Land-grant Universities, the Federation of American Societies for Experimental Biology, the Massachusetts Biotechnology Council, the Massachusetts Society for Medical Research, the General Hospital Corporation d/b/a Massachusetts General Hospital, the Brigham & Women’s Hospital, Inc., and the McLean Hospital Corporation.

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