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CONGRESSIONAL SCHEDULE  NEW

Neither the House nor Senate met today. Both will meet next on Monday, June 25, the House for a pro forma session, the Senate to resume consideration of the Flood Insurance bill (S. 1940) and take further action on the Food and Drug Administration bill (S. 3187).

BUDGET & APPROPRIATIONS

HOUSE APPROPRIATORS APPROVE THREE MORE FY13 BILLS  NEW

The House Appropriations Committee this week approved three FY13 appropriations bills—Agriculture, Financial Services, and Transportation-HUD—bringing its total to 10 out of 12 FY13 bills. The Interior-Environment bill was marked up in subcommittee on Wednesday (see item below); subcommittee markup of the Labor-HHS-Education appropriations bill has been postponed, with no new date specified. The House has approved five of the committee bills.

As reported previously, the Senate Appropriations Committee has approved nine of its 12 bills. Still pending in subcommittee are Defense, Interior-Environment, and Legislative Branch.

HOUSE SUBCOMMITTEE Cuts Humanities Endowment Funding  UPDATED
The House Interior-Environment Appropriations Subcommittee approved a significant cut in the National Endowment for the Humanities its FY13 funding bill on June 20, working with an allocation that was $1.2 billion below the FY12 level and $1.7 billion below the President’s request. The full Appropriations Committee is scheduled to mark up the bill on June 27. The Senate Appropriations Committee has not yet marked up its companion bill.

The House bill includes $132 million for the National Endowment for the Humanities (NEH), a reduction of $14 million, or nearly 10 percent, from the FY12 level of $146 million. Program level details are not yet available. The President’s FY13 request and the AAU request were both $154 million, an increase of about five percent.

The National Endowment for the Arts was also funded at $132 million.

SENATE APPROVES FARM BILL WITH PROVISION ON SEQUESTER IMPACT REPORTS NEW

The Senate has approved an amendment to the farm bill (S. 3240) that would require the Administration to provide detailed reports on the potential impact of a budget sequester on defense and non-defense discretionary spending. The bipartisan amendment resulted from an agreement between Senators Patty Murray (D-WA) and John McCain (R-AZ). CQ.com reports that the provision would require three reports: one from the White House Office of Management and Budget (OMB) on the topline budget numbers under a sequester; a second from the Department of Defense on the defense impact, and a third from President Obama on how he would implement a sequester and what the effects would be, including on non-defense areas.

Last year’s Budget Control Act required that if Congress was unable to find $1.2 trillion in additional savings over 10 years by last December, an across-the-board sequester would be implemented on January 2, 2013, split evenly between defense discretionary spending and non-defense discretionary and certain mandatory spending. CQ.com reports that OMB has been reluctant to offer details on implementation of a potential sequester, but officials have said that it would apply to both war funding and the base defense budget.

AAU joined a number of other research organizations and scientific societies in a letter opposing another amendment to the farm bill that would have designated 5% of annual funding for the Agriculture and Food Research Initiative (AFRI) to be used for classical breeding focused on public cultivar and breed development. The letter, addressed to Senate Agriculture Committee Chair Debbie Stabenow (D-MI) and Ranking Member Pat Roberts (R-KS), urged them to “resist attempts to carve-out specific requirements that would divert research dollars” from competitive research funding. The amendment, which was introduced by Senator Tester (D-MT), ultimately was not considered by the Senate before it passed the measure June 21 on a vote of 64 to 35.

OTHER CONGRESSIONAL ISSUES

SENATE RESOLUTION COMMEMORATES MORRILL ACT 150TH ANNIVERSARY NEW
The Senate, on June 20, passed by unanimous consent a resolution (S. Res. 502) commemorating the 150th anniversary of the signing of the First Morrill Act. The legislation signed into law by President Abraham Lincoln on July 2, 1862, established a federal program to help states establish land-grant colleges. The measure was spearheaded by Senator Patrick Leahy (D-VT). The text of the resolution can be found in the Congressional Record here. It reads in part:

“Whereas the genesis of the national focus on public higher education in the United States is attributed to the establishment of the land-grant institutions under the First Morrill Act…Whereas the 37th Congress sought to energize the vital intellectual resources of the United States by enacting legislation to make higher education accessible to the public and thereby apply those intellectual resources to stimulate the national economy, which at the time was based in agriculture and the mechanical arts…Whereas the First Morrill Act opened the doors of colleges and universities to all people with the ability and will to learn, irrespective of heredity, occupation, or economic status; …the Senate…affirms the continuing importance and vitality of the land-grant institutions, which are the fruitful product of the extraordinary commitment to higher education in the United States that the First Morrill Act represents…”

EXECUTIVE BRANCH

AAU AND COGR OPPOSE ECONOMIC SECRECY PROPOSAL FOR PATENTS

AAU and the Council on Governmental Relations (COGR) have submitted a letter to the U.S. Patent and Trademark Office (USPTO) that expresses opposition to a proposal for placing economically significant patents under secrecy orders. The USPTO published the proposal in the Federal Register for public comment in response to a directive to study the issues surrounding economically significant patents contained in the committee report on the FY12 Commerce-Justice-Science appropriations bill.

In responding to the notice on June 19, the two associations noted that the proposed approach would have the federal government “identify and bar from publication and issuance certain patent applications as detrimental to the nation’s economic security.” This “would undermine the patent system,” they said.

Broadening patent secrecy orders from national security—where they are used only in limited circumstances—to economic significance “would deprive U.S. inventors and innovators of new technical information vital to U.S. economic progress and competitiveness in today’s knowledge economy,” said the letter. “We also believe that the concept of determining what patent applications might be detrimental to U.S. economic security is fraught with problems. Typically only in hindsight is the economic significance of new innovations clear.”

ASSOCIATIONS RESPOND TO EXECUTIVE ORDER ON PRINCIPLES FOR SERVING SERVICE MEMBERS

Under the leadership of the American Council on Education and the National Association of College and University Business Officers (NACUBO), a group of higher education associations, including AAU, has submitted detailed comments on an executive order that lays out “principles
of excellence” for higher education institutions that educate service members, veterans, and their family members.

The comment letter expresses the associations’ “strong belief in the fundamental tenets” of the principles, but asks the federal agencies that will implement them to provide greater clarity on how they plan to do so and what colleges and universities would be committing to by notifying the Department of Veterans Affairs (VA) of their intention to comply with the principles. The VA sent institutions a letter on May 31 asking them to provide notification of their intention to comply by Saturday, June 30.

NACUBO has sent its member institutions a communication advising them on responding to the VA’s letter.

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