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NOTE:  This is the last AAU Weekly Wrap-up of the year.  Publication will resume in mid-January.  The AAU staff wishes all of our readers a joyful and safe holiday.

CONGRESSIONAL SCHEDULE  NEW

Congress had adjourned for the holidays.  The Senate will reconvene on Monday, January 6; the House will reconvene on Tuesday, January 7.

BUDGET & APPROPRIATIONS

CONGRESS APPROVES TWO-YEAR BUDGET DEAL  UPDATED

The Senate on December 18 voted 64 to 36 to give final congressional approval to the two-year federal budget legislation, which the President supports and is expected to sign. The House approved the package December 12 on a vote of 332 to 94.

AAU issued a statement supporting the budget agreement on December 11, and joined with several other higher education associations in sending letters to all members of the House and then to all members of the Senate urging them to approve the package (see story below).

The Bipartisan Budget Act of 2013 (H.J. Res. 59) should avert the threat of a government shutdown when the current FY14 continuing resolution expires on January 15.
The budget measure increases discretionary spending in FY14 by $45 billion over the FY14 sequester level, evenly divided between defense and nondefense programs. It provides another $18 billion of sequester relief in FY15. The sequester cuts are replaced by a combination of user fees, policy changes, higher pension contributions for federal workers, and modified benefits for certain military retirees. The package also extends the two-percent cut to Medicare providers an additional two years, through FY23.

HIGHER EDUCATION ASSOCIATIONS URGE CONGRESS TO APPROVE BUDGET AGREEMENT

As noted above, a group of 18 higher education associations, including AAU, sent a letter to all Senators on December 17 expressing support for passage of the Bipartisan Budget Act of 2013. The letter said that the measure “is a sensible, balanced and bipartisan approach that helps to address our nation’s fiscal challenges. It would allow Congress to begin to undo the damage caused to federal student aid and research programs imposed by sequestration.” The letter is the same as the letter the associations sent Members of the House on December 12.

CONGRESSIONAL APPROPRIATORS WORKING TO ALLOCATE FY14 SPENDING

With the expectation that Congress would approve the budget measure, House and Senate Appropriations Committee leaders began working soon after the agreement was reached on a spending package for the remainder of FY14. The two committee chairs, Rep. Hal Rogers (R-KY) and Senator Barbara Mikulski (D-MD), have already agreed on how to allocate the FY14 discretionary spending total of $1.012 trillion among their 12 respective subcommittees, reports CQ.com. None of the subcommittee totals has been made public. Under terms of the law, defense discretionary programs will receive a total of $520 billion, while non-defense programs will receive $492 billion.

As described by Roll Call, the House and Senate appropriations subcommittees will work on their funding bills over the holiday recess, with the goal of reporting them back to their full committees on January 2. Any disagreements over funding levels or policy will be addressed by the top four appropriators: Senator Mikulski and Ranking Member Richard C. Shelby (R-AL) and Rep. Rogers and Ranking Member Nita Lowey (D-NY).

The four lead appropriators will meet early the week of Jan. 6, says the publication, with the aim of agreeing on a final package that can be considered in the House by Friday, January 10. That would allow the Senate to begin consideration of the measure by Monday, January 13, in order to send it to the President to be signed into law before the continuing resolution expires at midnight on January 15.

ENERGY SCIENCES COALITION URGES APPROPRIATORS TO SUPPORT DOE RESEARCH PROGRAMS

The Energy Sciences Coalition, a group in which AAU participates, sent a letter to House and Senate appropriators today asking them to give high priority to the Department of Energy (DOE)
Office of Science and the Advanced Research Projects Agency-E (ARPA-E) in their FY14 funding bill.

The letter notes that the DOE Office of Science is the nation’s primary supporter of basic physical sciences research, and that its programs also help ensure U.S. leadership in such fields as the biological sciences, advanced materials, computing, and engineering. It adds that ARPA-E has funded more than 350 high-risk, high-reward energy projects across 38 states since 2009. Of those, 17 projects alone have attracted more than $450 million in private sector capital from an initial investment of $70 million.

OTHER CONGRESSIONAL ISSUES

SENATE JUDICIARY COMMITTEE HEARS VIEWS ON BILLS TO CURB ABUSIVE PATENT LITIGATION *NEW*

The Senate Judiciary Committee held a hearing December 17 to review legislative proposals for curbing abusive patent litigation practices (or, more colloquially, reining in patent trolls). The core legislation under consideration was Chairman Patrick Leahy’s (D-VT) Patent Transparency and Improvements Act of 2013 (S. 1720), co-sponsored by Senator Michael Lee (R-UT).

Over the course of the hearing, committee members also discussed provisions in other patent litigation bills in the Senate: those introduced by Senators Orrin Hatch (R-UT) (S. 1612), John Cornyn (R-TX) (S. 1013), and Charles Schumer (D-NY) (S. 866). Senators also reviewed provisions in the House-passed Innovation Act (H.R. 3309).

During the hearing, several Senators expressed concern that a number of these legislative proposals, while intended to counter abusive litigation practices, could have the unintended consequence of impairing the ability of patent owners legitimately to enforce their patent rights, thus damaging the nation’s innovative capacity. Several Senators specifically mentioned universities in expressing their concerns about the impact of proposals on the patent system and innovation. Some Senators also called for an additional hearing to hear the views of universities, small businesses, independent inventors, and venture capitalists.

Last week, the six higher education associations that have been working together on patent reform, including AAU, sent a letter to Chairman Leahy, thanking him and his Senate co-sponsors for their effective work in addressing this “costly and corrosive problem.” The associations suggested modifications to S. 1720.

The associations noted in their letter that they generally support S. 1720 but are concerned that it could be modified with provisions from the other Senate bills that are substantially similar to provisions of concern in the House-passed version of the bill. In a statement about H.R. 3309 on December 2, the associations wrote, “Although we strongly support the goals of this legislation to reduce abusive patent litigation practices, the cumulative impact of a number of the provisions of this bill would seriously undermine the ability of legitimate patent holders to enforce their patent rights.”

SENATE HELP COMMITTEE APPROVES CORDOVA AS NSF DIRECTOR *NEW*
The Senate Health, Education, Labor, and Pensions (HELP) Committee on December 18 approved the nomination of former Purdue University President France Cordova as director of the National Science Foundation. Her nomination now awaits confirmation by the full Senate.

CNSF COMMENTS ON FIRST ACT DISCUSSION DRAFT  NEW

The Coalition for National Science Funding (CNSF), a group in which AAU participates, sent a letter on December 19 to the chairman of the House Science, Space, and Technology Committee providing recommendations for changes to his draft bill, the Frontiers in Innovation, Research, Science, and Technology Act of 2013 (FIRST Act).

The letter to Chairman Lamar Smith (R-TX) noted that earlier in the year, “leading representatives of the business, higher education, and scientific and engineering communities, with support from numerous scientific societies and universities” shared with the Committee guiding principles for reauthorizing key federal research agencies. It added that the organizations “continue to support these principles as the best way to grow the nation’s science and technology enterprise and welcome the opportunity to work with the Committee to incorporate them into the draft legislation.”

OTHER

AAU ISSUES STATEMENT OPPOSING BOYCOTT OF ISRAELI UNIVERSITIES  NEW

Earlier today, the AAU Executive Committee issued a statement opposing a boycott of Israeli academic institutions, strongly rejecting the call for a boycott by three U.S. scholarly organizations. The AAU statement said, “Any such boycott of academic institutions directly violates academic freedom, which is a fundamental principle of AAU universities and of American higher education in general.”

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