About this update

This is the second in a series of monthly updates about recent federal activities. Like the first update, information in this one has been compiled from multiple sources including AAU, APLU and UCOP. If you have suggestions about the content and/or format of future updates, I’d welcome them as I’d like to make these updates as useful as possible. In addition, if I can assist you in connecting with senior federal agency officials or with Congressional offices, please let me know.

Congress currently in recess – returning September 13

The House and Senate have now both adjourned for their summer recess.

The Senate initially adjourned on August 5 after taking up a number of legislative issues, including the nomination of Elena Kagan as associate justice of the Supreme Court as well as legislation to provide emergency aid to states.

On August 5, the Senate passed HR 1586, legislation to provide emergency aid to states. The bill includes a UC-supported amendment that provides a six-month extension through June 2011 of Medicaid's temporary enhanced Federal Medical Assistance Percentage (FMAP) for states, which was approved under the American Recovery and Reinvestment Act of 2009 (ARRA). In addition, the legislation includes $10 billion to help states prevent teacher layoffs at the K-12 level. California is projected to receive about $1.2 billion in funding to support K-12 education from passage of the bill and could receive as much as $1.5 billion over six months in additional federal funds to support the state’s Medicaid program.

The House had initially adjourned on July 30. Upon Senate passage of HR 1586, Speaker Pelosi called the House back into session and on August 10 the House passed the emergency state aid bill. In addition, the House passed a $600 million bill to increase security along the U.S.-Mexico border. On August 12, the Senate was called back into session and they too passed the border security measure.

Both Houses are now scheduled to return to the Capitol for legislative business the week of September 13. Congress has targeted October 8 as the adjournment date prior to the mid-term elections. It is being reported that following the November election, Congress will return to session again on November 15 for a “lame duck” session.

Upon return from the current recess, Congress will face a significant number of issues. With just three weeks between their return and the next recess prior the November election, they will have a very narrow window of time and opportunity to complete action. Outstanding legislative issues of greatest interest to the University community include: (1) FY2011 appropriations, (2) reauthorization of the COMPETES and NASA Acts, (3) passage of tax extenders – including allowing individuals to continue to make non-taxable charitable donations from their IRA accounts, (4) cell phone legislation, (5) energy and oil spill legislation, (6) immigration reform, and (7) the defense authorization bill.
President Obama’s speech concerning higher education

On August 9, at the University of Texas, Austin, President Obama discussed his higher education agenda and urged the United States to recapture the world lead in college graduation rates by 2020. The President called education “the issue of our time” and emphasized the connection between a well-educated workforce and American global competitiveness.

Among 25- to 34-year-old Americans, slightly more than 40 percent have associate’s degrees or higher, placing the United States 12th of the 36 countries studied in a recent College Board report. The President said this ranking is not acceptable. “We know how important an education is in the 21st century,” he said. “It is a prerequisite to prosperity.” The President’s complete speech can be viewed online at: http://www.whitehouse.gov/the-press-office/2010/08/09/remarks-president-higher-education-and-economy-university-texas-austin.

Total federal funding supporting UC Davis students and research surpasses $600 million annually

Total federal funding supporting both UC Davis students and research now surpasses $600 million. On August 4, the campus’s Office of Research announced that, in 2009-10, our research funding had surpassed $678 million from all fund sources, with about two-thirds of that total ($437 million) from federal agencies. In terms of student support, UC Davis students received over $165 million in student financial aid from the federal government in the form of grants, loans, and work-study funds in 2008-09.

Federal innovation programs: an area of likely growth and opportunity

Officials in the President’s Administration have indicated they will continue their efforts to secure Congressional support and funding for federal innovation ecosystem programs and initiatives. In additional to the Small Business Innovation Research (SBIR) program -- now in place at numerous federal agencies, including NSF and NIH -- other existing federal innovation ecosystem programs include:

- At NSF: Partnerships for Innovation, Engineering Research Centers, Industry/University Cooperative Research Centers, and Grant Opportunities for Academic Liaison with Industry;
- At NIH (in conjunction with the FDA): the Microscope to Marketplace program;
- At SBA: the Regional Innovation Clusters program; and

New federal innovation programs on the horizon include: NSF’s Innovation Ecosystems program and the Cures Acceleration Network at NIH. Please let me know if you’d like additional information about any of these federal initiatives designed to advance innovation as well as our nation’s overall competitiveness.

Senators Coburn and McCain release report attacking ARRA funding, including university research

In early August, Senators Coburn (R-OK) and McCain (R-AZ) released a report, “100 stimulus projects that give taxpayers the blues report” of American Recovery and Reinvestment Act (ARRA) projects they deem “wasteful, mismanaged, and overall unsuccessful in creating jobs.” The report includes, among the 100 examples, over 20 university-based projects, largely in the social and health sciences, that were ARRA funded. The report is available online at: http://coburn.senate.gov/public//index.cfm?a=Files.Serve&File_id=e1e0624e-d02a-42d4-9dbb-f5b9f21b3572.

Federal advisory committees

Did you know that there are more than 1,000 official federal advisory committees established by federal agencies to help inform their work and decisions? These committees span all subject areas from agriculture to zoology and nearly every subject in between. About 30 UC Davis faculty and campus leaders currently serve on such committees.
If you’d be interested in serving on one of these federal committees to share your expertise and to help raise the campus’s overall visibility, please let me know and I’d be pleased to work with you to identify relevant committees in your area of expertise and to develop a strategy to secure your appointment. If you’re interested in exploring the breadth of these committees on your own, you might want to visit this website and search for committees in your area of interest: http://fido.gov/facdatabase/search.asp.

**Smithsonian collections accessible by university faculty and researchers**

You may also be interested in knowing that the Smithsonian Institution, the world's largest museum and research organization composed of 19 museums, nine research centers, and the National Zoo -- funded in part by the federal government -- has more than 136 million articles and specimens in its ever-growing collection. And, the majority of this collection is accessible by university faculty and researchers. If you or other campus researchers are interested in accessing certain materials from the Smithsonian’s collection, let me know and I’d be pleased to assist in connecting you with the appropriate Smithsonian representatives.

**U.S. Department of Energy seeks comments on its future Energy Education and Workforce Development activities**

On August 6, the U.S. Department of Energy (DOE) issued a Request for Information (RFI) to solicit public input on its future energy education and technical training efforts. The information sought under the RFI is intended to assist DOE in further defining the scope and priorities of its education and workforce development activities. DOE indicates that the information obtained through this solicitation may be used to assist in internal planning and decision-making; aligning future education and workforce development activities with the Administration's goals for leading the world in science, technology and engineering; building a competitive, low-carbon economy; securing America’s energy future; and creating domestic jobs. UC Davis Professor Bryan Jenkins is providing leadership in preparing a campus response to the Department’s request.

**Higher education associations send letter related to student health care**

On August 12, the American Council on Education (ACE) and 12 other higher education organizations sent a letter to Health and Human Services Secretary Kathleen Sebelius and White House Office of Health Reform Director Nancy-Ann DeParle seeking regulatory clarification to ensure that institutions of higher education can continue to provide students with low-cost, high-quality health coverage under provisions of the recent major health reform law. The letter seeks to ensure that student health plans would satisfy the individual mandate to purchase health insurance under the new federal law as well as clarification about the application of certain insurance market reforms to these plans. ACE and the other organizations expressed their hope to receive needed regulatory clarification before many institutions begin their contract negotiations for future student health plans this fall.

**USDA finalizes research misconduct regulations for extramural research**

On August 13, the U.S. Department of Agriculture (USDA) published final regulations on research misconduct; the regulations took effect immediately. The regulations define misconduct for USDA’s extramural research program and establish basic requirements for fair and timely investigations of alleged or suspected infractions. The regulations also include instructions on USDA administrative action when research misconduct is found. An interim USDA research misconduct policy has been in effect since July 2006.

**Higher education associations submit financial conflict of interest comments to NIH**

On August 17, four higher education associations submitted comments to the National Institutes of Health (NIH) in response to the agency’s May 20th Notice of Proposed Rulemaking (NPRM) on financial conflicts of interest. The letter -- sent by AAU, the Association of American Medical Colleges, APLU, and ACE -- also includes comments on the amendment to the NPRM that NIH released on July 21.
The associations’ letter states, “[a]dvancing the interests of the public and providing them the information they need to make informed judgments in assessing the research record and the scientific basis of clinical decisions should be at the core of federal regulations on financial conflicts of interest.” It adds, however, “[t]here is a paucity of evidence that the disclosure and management of financial conflicts of interest affect objectivity and integrity. In the absence of such evidence, onerous regulations are not only unwarranted, but could create a glut of policies that increase activity without adding protections and at the same time erode the trust between the regulators and those being regulated.”

The associations also point out that the proposed regulations will carry added costs for universities that institutions will not be able to recover because of the 26 percent cap on administrative costs imposed through OMB Circular A-21. The letter urges HHS to work with OMB “to lift the administrative cap so that the federal government can more readily fund the true cost of federally sponsored research and help restore vitality to the federal-academic research partnership.” The associations also recommend that HHS create an institutional grant program—similar to one created when HHS imposed new regulations on human subjects’ research—to assist in implementation of the new compliance requirements associated with the proposed regulations.

Public access to federally funded research

On July 29, the House Committee on Oversight and Government Reform’s Subcommittee on Information Policy, Census and National Archives held a hearing to discuss current issues related to “Public Access to Federally-Funded Research.” The hearing highlighted a range of opinions and issues concerning public access. Witnesses were invited from the scientific and legal community, patient groups, the federal government, and the publishing industry. The hearing did not focus on pending legislation which would make it mandatory for federal agencies to institute public access policies.

UC Davis faculty and leadership in Washington, DC

• On August 16th, UC Davis Professor & Tahoe Environmental Research Center (TERC) Director Geoff Schladow had an opportunity to have lunch with Senator Dianne Feinstein (D-CA) to brief her on the findings from this year’s TERC report on the clarity of Lake Tahoe. The briefing preceded the 13th annual Lake Tahoe Summit, an annual event involving local, state, and federal elected officials and community leaders from both Nevada and California who are concerned about preserving Lake Tahoe.
• On September 1-2, Chevron Chair Nicole Biggart and Ben Finkelor from the campus’s Energy Efficiency Center will be in Washington to meet with Department of Energy officials and others to discuss upcoming energy efficiency funding opportunities and to build relationships with potential future funders.
• On September 7, Chancellor Katehi will be in Washington to meet with senior federal agency officials to discuss research funding opportunities as well as to solidify the campus’s visibility and positive relationship with them.

Federal officials on campus

• On August 25, Congressman Dan Lungren (R-CA) will be visiting with us. His schedule includes a presentation by the Congressman to one of our political science classes concerning recent Congressional activities. In addition, we will brief the Congressman on our One Health Institute and our West Village Project, and provide him with an opportunity to learn about and meet with students from our Biology Undergraduate Scholars Program.
• Congressman George Miller (D-CA) – a UC Davis alum of our School of Law – has been invited to speak at the September 2nd Grand Opening Celebration of the King Hall Expansion. We are awaiting his response to our invitation.

Questions or need assistance

If you have questions, need additional information about any of the above items, or would like assistance in connecting with senior federal officials, please let me know. I can be reached at kmengelbach@ucdavis.edu or at 530-752-9795.