



FEDERAL UPDATE

March 2017

The Report on Congressional & Administration Activities

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WASHINGTON UPDATE

On Feb. 28, President Donald Trump gave his first joint address to Congress. In his address he stated that education “is the civil rights issue of our time.” He did not directly address higher education. The remarks as prepared for delivery are available online [here](#).

On Feb. 27, the White House directed federal agencies to prepare their Fiscal Year (FY) 2018 budgets. President Trump’s “skinny” budget outline is expected in mid-March, with a full budget request sent to Congress in May. As part of its advocacy strategy, University of California (UC) Office of Federal Governmental Relations (FGR) is in the process of preparing its FY 2018 budget priorities, while still closely monitoring the status of the current FY 2017 Continuing

Resolution (CR), which is set to expire on April 28. Additional information is included below.

Confirmation hearings for President Trump’s cabinet nominees began on Jan. 11 and two cabinet level nominees still await confirmation. The status of the remaining cabinet-level nominees is included below.

February marked the beginning of the winter and spring advocacy events. UC President Janet Napolitano was in Washington, DC, as well as student leaders from two UC campuses. Detailed information is available below.

BUDGET AND APPROPRIATIONS

The federal government is operating under an FY 2017 CR until April 28. It remains unclear whether Congress and President Trump will enact a detailed package of “regular” appropriations before then, or choose to extend the CR with limited funding and policy changes to the previous year’s law – for a limited period or through the end of the fiscal year.

On Feb. 27, the White House directed federal agencies to prepare their FY 2018 budgets with new defense and non-defense targets that would break the parity principle established by the Budget Control Act (BCA) of 2011. President Trump will request a \$54 billion increase in defense spending, to be offset by reductions in funding for non-defense programs. The administration plans to release a “skinny” budget outline in mid-March, and to send a full budget request to Congress in May. Officials have also signaled that the administration does not intend to change entitlement programs, such as Social Security and Medicare.

After two years of partial relief enacted under the Bipartisan Budget Act of 2015, the full impact of the lower BCA sequestration caps returns for FY 2018. New changes to the underlying BCA budget law would have to be enacted to alter the overall FY 2018 discretionary spending cap (\$1.064 trillion), and to revise the caps for the defense and non-defense categories as proposed by the president.

Budget and Appropriations Advocacy

In February, FGR again shared with members of the California delegation the University's [FY 2017 federal funding priorities](#), and urged members of the California congressional delegation to testify in support of vital federal education, research and health programs during [House Appropriations Committee Member Hearing Days in February and March](#).

FGR continues to advocate, in partnership with our campus and lab colleagues, for the University's research, education and health care priorities through the budget and appropriations processes. In addition to these efforts, we will also continue to work with partners and coalitions. UC signed onto a [letter](#) lead by the NDD (Non-Defense Discretionary) United coalition, along with 2,000 national, state and local organizations, urging Congress to oppose additional cuts to NDD programs.

For additional information, please contact Marjorie Duske at Marjorie.Duske@ucdc.edu or 202-974-6306; Carolyn Henrich at Carolyn.Henrich@ucdc.edu or 202-974-6308; or Julie Clements at Julie.Clements@ucdc.edu or 202-974-6309.

CONGRESSIONAL LEGISLATIVE ACTIVITY

Affordable Care Act

Throughout February, UC worked to actively coordinate a response to Republican proposals for repealing the Affordable Care Act (ACA). UC representatives met with numerous members of Congress influential to the trajectory of the ACA repeal debate. Additionally, leadership representing UC Health system's five academic medical centers engaged in efforts both in Washington, DC and in congressional districts to express concerns with repealing the ACA, specifically proposals to repeal the Medicaid expansion and restructure Medicaid delivery.

As the UC Health system weighs into legislative discussions concerning the future of the ACA, it prioritizes two policy principles: ensuring the continuation of comprehensive affordable coverage and preserving the capacity of academic medical centers to serve as vital safety nets to vulnerable patient populations.

On March 7, House Republicans introduced the [American Health Care Act](#), which is billed as legislation to repeal and replace the ACA. UC Health, in coordination with UC FGR, is in the process of reviewing the legislation and its impact on the University's health system. Highlights of the bill include:

- continuing to require insurers to cover people regardless of preexisting medical conditions;
- allowing children to stay on their parents' insurance policies until age 26;
- eliminating the individual and employer health care coverage mandates;

- phasing out the full federal match for the newly expanded Medicaid population by lowering the federal matching rate for new Medicaid enrollees meeting the expansion eligibility criteria and/or enrollees already grandfathered into the Medicaid expansion program having more than a month discontinuation in coverage.
- restructuring the delivery of Medicaid services through the federal government paying each state a specific amount per person by coverage category (ie, disabled, elderly, children) enrolled in the state's Medicaid program; and,
- repeal most taxes enacted under the ACA with the exception of the "Cadillac" tax on high value employer-sponsored plans. The "Cadillac" tax would be maintained, though delayed from taking effect until 2025.

Currently, the House Energy and Commerce Committee and the House Way and Means Committee are scheduled to markup their respective portions of the legislation on March 8. The legislation is then expected to move to the House Rules Committee and the House floor. Republican leadership in the House and Senate are hoping that the Senate can complete action on the bill and have it on the President's desk by mid-April.

UC Health system is advocating, in conjunction with other academic medical centers across the country, to express concerns about how elements comprising health care proposals alternative to the ACA could adversely affect overall health care coverage and UC hospitals' capacity to serve the sickest patients and those in greatest need. In coordination with UC Health, FGR is partnering with national and state health care provider groups and patient advocacy groups to promote health care legislation that will preserve current coverage levels without diminishing the breadth and depth of health care benefits offered. For additional information, please contact Julie Clements at Julie.Clements@ucdc.edu or 202-974-6309.

Cabinet Nominations (as of March 3)

On Feb. 8, the Senate voted 52-47 to confirm **Sen. Jeff Sessions** (R-AL) as attorney general. Sens. Dianne Feinstein (D-CA) and Kamala Harris (D-CA) voted against the nomination.

On Feb. 10, the Senate voted 52-47 to confirm **Rep. Tom Price** (R-GA) as secretary of the Department of Health and Human Services. Sens. Feinstein and Harris voted against the nomination.

On Feb. 16, **Seema Verma** appeared before the Senate Finance Committee for a hearing on her nomination to be administrator of the Centers for Medicare and Medicaid Services. The Senate has not voted on the nomination.

On Feb. 13, the Senate voted 53-47 to confirm **Steven Mnuchin** as secretary of the Department of the Treasury. Sens. Feinstein and Harris voted against the nomination.

On Feb. 13, the Senate voted 100-0 to confirm **David Shulkin** as secretary of the Department of Veterans Affairs.

On Feb. 14, the Senate voted 81-19 to confirm **Linda McMahon** as administrator of the Small Business Administration. Sen. Feinstein voted in favor of and Sen. Harris voted against the nomination.

On Feb. 16, the Senate voted 51-49 to confirm **Rep. Mick Mulvaney** (R-SC) as director of the Office of Management and Budget. Sens. Feinstein and Harris voted against the nomination.

On Feb. 17, the Senate voted 52-46 to confirm **Scott Pruitt** as administrator of the Environmental Protection Agency. Sens. Feinstein and Harris voted against the nomination.

On Feb. 15, **Andrew Puzder** withdrew his nomination to be secretary of the Department of Labor. On Feb. 16, President Trump announced **Alexander Acosta** as his new nominee. As of Feb. 28, congressional hearings have not been scheduled for the nomination.

On Feb. 27, the Senate voted 72-27 to confirm **Wilbur Ross** as secretary of the Department of Commerce. Sen. Feinstein voted in favor of and Sen. Harris voted against the nomination.

On Feb. 28, former **Sen. Dan Coats** (R-IN) appeared before the Senate Select Intelligence Committee for a hearing on his nomination to be director of national intelligence. The Senate has not voted on the nomination.

On March 1, the Senate voted 68-31 to confirm **Rep. Ryan Zinke** (R-MT) as secretary of the Department of Interior. Sens. Feinstein and Harris voted against the nomination.

On March 2, the Senate voted 62-37 to confirm former **Gov. Rick Perry** (R-TX) to be secretary of the Department of Energy. Sens. Feinstein and Harris voted against the nomination.

On March 2, the Senate voted 58-41 to confirm **Ben Carson** to be secretary of the Department of Housing and Urban Development. Sens. Feinstein and Harris voted against the nomination.

Additionally, as of Feb. 28, congressional hearings for the following nominees had not been scheduled: former **Gov. Sonny Perdue** (R-GA), nominee for secretary of the Department of Agriculture, and **Robert Lighthizer**, nominee for U.S. trade representative.

POLICY AND REGULATORY UPDATE

Immigration Update

Comprehensive Immigration Reform

President Trump suggested to the media prior to his joint address to Congress that he would be open to legislation overhauling immigration laws that could provide legal status to millions of undocumented individuals who have not committed serious crimes. He said he would not necessarily support a path to citizenship for these individuals, except possibly for “DREAMers,” who were brought to the U.S. as children.

However, at the joint session of Congress, President Trump made no mention of DREAMers in his speech. He did state, “the time is right for an immigration bill as long as there is compromise on both sides” and he urged Congress to enact reforms that move the nation’s legal immigration system more towards a “merit-based” system. The speech did not contain any specifics about which reforms he favored or how a compromise would be reached.

This new announcement by President Trump—in support of overall immigration reform—differs significantly from his previous speeches that centered on deporting undocumented individuals, or outlined the dangers posed by illegal immigrants, as well as from the release last week by the Department of Homeland Security of new guidelines that expand the categories of immigrants who could be targeted for deportation.

Revised executive order restricting travel and entry into the United States by individuals from designated countries

On March 6, President Trump signed a revised executive order, "[Protecting The Nation From Foreign Terrorist Entry Into The United States](#)", which restricts entry into the U.S. for 90 days for individuals from six countries, among other provisions. The new travel ban does not apply to:

- Lawful permanent residents of the U.S. (those with "green cards");
- A dual national of a country identified above who is traveling on a passport from a non-designated country;
- A foreign national who has a document other than a visa, valid on March 16, 2017, that permits him/her to travel to the United States and seek entry or admission (such as an advance parole document);
- Foreign nationals from designated countries who have been granted asylum or have already been admitted to the U.S. as refugees or granted withholding of removal, advance parole or protection under the Convention Against Torture; and
- Foreign nationals from Iraq.

The UC Office of the President issued [guidance](#) to all the campuses regarding the newly revised executive order. The University's guidance also included background on the executive order itself.

The Department of Justice expects that the revised executive order will withstand the legal challenges that have stymied the first executive order, in part by prospectively only blocking issuance of new visas and exempting individuals who already have visas.

Deferred Action for Childhood Arrivals (DACA)

Since the election, President Trump and representatives of his administration have made statements about finding some future accommodation for DACA recipients. However, a draft executive order that would end the DACA program was leaked to media in early February.

In anticipation of a possible action, legislation has been introduced in the [House](#) and [Senate](#) – the Bar Removal of Individuals who Dream and Grow our Economy (BRIDGE) Act – which would codify the protections provided in DACA, and prevent sharing of information from DACA applications with immigrations and customs officials.

The University of California supports immediate passage of the BRIDGE Act to help relieve the uncertainty many young people now face, but UC will continue to urge passage of broader legislation, including comprehensive immigration reform and the "DREAM" Act, which would help all the undocumented students enrolled at UC and at colleges across the country.

For additional information, please contact Carolyn Henrich at Carolyn.Henrich@ucdc.edu or 202-974-6308.

ADVOCACY UPDATE

UC President Janet Napolitano Visits Washington, DC

In late February, President Napolitano traveled to Washington, DC to participate in a roundtable hosted by the Center for Strategic and International Studies. Additionally, President Napolitano met with Sen. Kamala Harris (D-CA) as well as select editors and reporters at the Chronicle of Higher Education and The Washington Post.

Student Advocacy

UC FGR works with UC students and student organizations on mutual legislative priorities and recently met with students from two UC campuses. Students government leaders from UCLA and UC Santa Barbara were in Washington, DC in February to advocate to Congress on the following issues:

- Student access and college affordability;
- Student debt reduction and ways to make graduate loans more affordable;
- Increased federal funding for scientific research;
- Student visa reforms to help international students who come to the U.S. to study; and
- Maintain protection from deportation for eligible students provided through the DACA program.

FGR coordinated with the groups in advance and provided materials for the meetings. For additional information, please contact Carolyn Henrich at Carolyn.Henrich@ucdc.edu or 202-974-6308.

FEDERAL CAMPUS ENGAGEMENT

- On Feb. 13, W. Russell Callender, assistant administrator at the **National Ocean Service at the National Oceanic and Atmospheric Administration (NOAA)**, visited **Scripps Institution of Oceanography at UC San Diego**. Callender visited several NOAA funded programs and met with James Eckman, director of the California Sea Grant Director at Scripps.
- On Feb. 14, Steve Walker, acting director of the **Defense Advanced Research Projects Agency (DARPA)**, met with Sandra Brown, vice chancellor for research at **UC San Diego**.
- On Feb. 17, Rear Admiral Tim Gallaudet, U.S. Navy, oceanographer and navigator of the **Navy/Commander, Naval Meteorology and Oceanography Command**, visited **Scripps Institution of Oceanography at UC San Diego**. He met with Margaret Leinen, director of Scripps, and Office of Naval Research funded researchers.
- The week of Feb. 15, Ed Kearns, director of Big Data Partnership at **NOAA**, visited **Scripps Institution of Oceanography at UC San Diego**. Kearns was briefed by several principal researchers for big data cooperative research and development agreements.
- The week of Feb. 15, Alan Leonardi, director of the Office of Ocean Exploration and Research at **NOAA**, visited **Scripps Institution of Oceanography at UC San Diego**, to tour laboratories and meet with multiple NOAA funded researchers.
- The week of Feb. 15, Guillermo Auad, senior oceanographer for the environmental studies program at the **Bureau of Ocean Energy Management (BOEM)**; Donna Schroeder, marine ecologist at **BOEM**; and Jennifer Miller, geophysicist at **BOEM**, visited **Scripps Institution**

of **Oceanography at UC San Diego** and participated in a panel question and answer session with graduate students in conjunction with BOEM's science education outreach initiative.

- On Feb. 22, **Rep. Jim Costa** (CA-16) visited **UC Merced** and met with members of the Associated Students of UC Merced, the Muslim Student Association, Student Advocating Law & Education and the Black Student Union to discuss various federal issues, including the Deferred Action for Childhood Arrivals (DACA) program and President Donald Trump's immigration executive orders.
- On Feb. 22, Amy Walker, director of environment air compliance and suitability policy at the **U.S. Navy**, met with Office of Naval Research funded researchers and toured both the Birch Aquarium and the Nimitz Marine Facility at **Scripps Institution of Oceanography at UC San Diego**.
- On Feb. 23, Admiral Michael Rodgers, director of the **National Security Agency**, met with Peter Cowhey, interim executive vice chancellor at UC San Diego, at **UC San Diego**.
- On Feb. 23, **Rep. Susan Davis** (CA-53), participated in a roundtable discussion with UC San Diego Chancellor Pradeep Khosla at **UC San Diego**.
- On Feb. 23, **Rep. Ted Lieu** (CA-33) met with student groups at **UCLA**.
- The week of Feb. 27, Rick Murray, division director of the Division of Ocean Sciences at the **National Science Foundation (NSF)** visited **Scripps Institution of Oceanography at UC San Diego**. He visited several labs funded by NSF's Division of Ocean Sciences programs and met with Scripps Director Margate Leinen. Murray gave a "State of Ocean Sciences/NSF" address followed by a question and answer session with graduate students, fellows, assistant professors and assistant researchers.

Federal Update

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