

# Washington Update

CBMS

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Karen Saxe, Director

American Mathematical Society Washington Office



# Budget FY2017

- Congress and the president are supposed to enact 12 appropriations bills by October 1 each year to fund all discretionary spending programs. We've been on "CR" since, which prevents government shutdown. Want more? <http://blogs.ams.org/capitalcurrents/>
- On Monday the House Appropriations Committee released the fiscal year 2017 Omnibus Appropriations bill.
  - Includes full Appropriations legislation and funding for the remaining 11 annual Appropriations bills through the end of the fiscal year, September 30, 2017.
  - Meets the base discretionary spending caps provided by the Bipartisan Budget Act of 2015, and provides additional funding for national defense, border security, and other emergency needs.

# Budget FY2017 – what's in it?

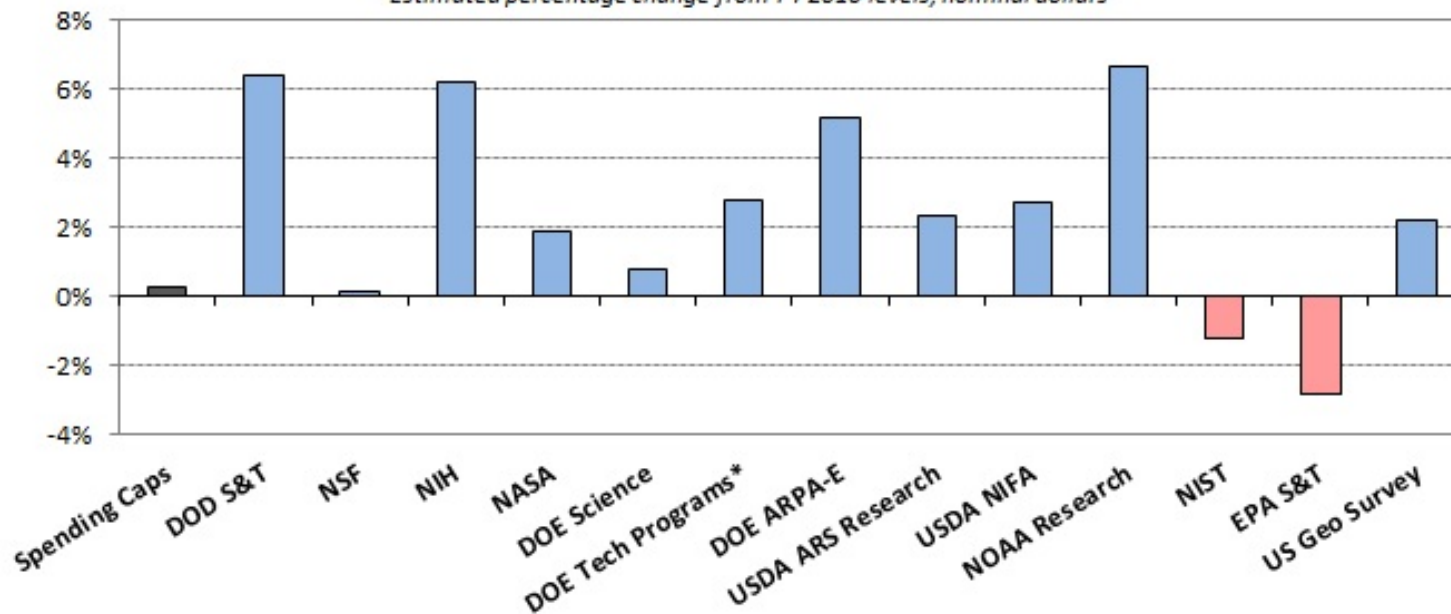
- *NSF gets \$7.47 billion*; this is a small increase of roughly \$8 million
  - NSF targets funding to programs that foster innovation and U.S. economic competitiveness, including funding for research on advanced manufacturing, physics, mathematics, cybersecurity, neuroscience and STEM education.
  - \$6 billion for Research and Related Activities (NSF decides how to divvy up); ~\$880 million for EHR
- *Department of Education gets \$68 billion*; \$1.2 billion below FY16 enacted level and \$2.3 below Obama request for FY17
  - Includes language to restore year-round Pell grants

# Budget FY2017 – what's in it for all science?

- DOE Office of Science: \$5.392 billion, a 0.8% increase above the FY16 level
- NASA Science: \$5.765 billion, 3.1% increase
- **NSF: \$7.472 billion, 0.1% increase**
- DOD S&T: \$14.011 billion, 7.5% increase
- NIST: \$954 million, 1.0% decrease
- NOAA: \$5.675 billion, 1.6% decrease
- NIH: \$34.084 billion, 6.2% increase
- USGS: \$1.085 billion, 2.2% increase

### Science & Tech Agencies and Offices in the FY 2017 Omibus

*Estimated percentage change from FY 2016 levels, nominal dollars*



\*Includes renewables and efficiency, nuclear, fossil, grid research. Based on first look at the FY 2017 omnibus package posted May 1. | AAAS

5/5/2017



# Science Fares Well in Appropriations Deal

“Late Sunday, April 30, Congress [reached an appropriations deal](#) to avert a government shutdown and fund the government through September (the rest of FY17). This omnibus appropriations bill still needs to be approved by both chambers of Congress and signed by the President this week (the current continuing resolution expires on Friday, May 5). Despite the draconian cuts proposed by the Trump administration, scientific programs actually [fared reasonably well](#). The National Institutes of Health (NIH) will see a \$2 billion increase (Trump had proposed a cut of over \$1 billion). The Advanced Research Projects Agency-Energy (ARPA-E) will see a \$16 million increase (Trump has proposed eliminating ARPA-E). Read more about scientific programs in the appropriations deal [here](#), and more about what's in it more broadly [here](#) and [here](#).”

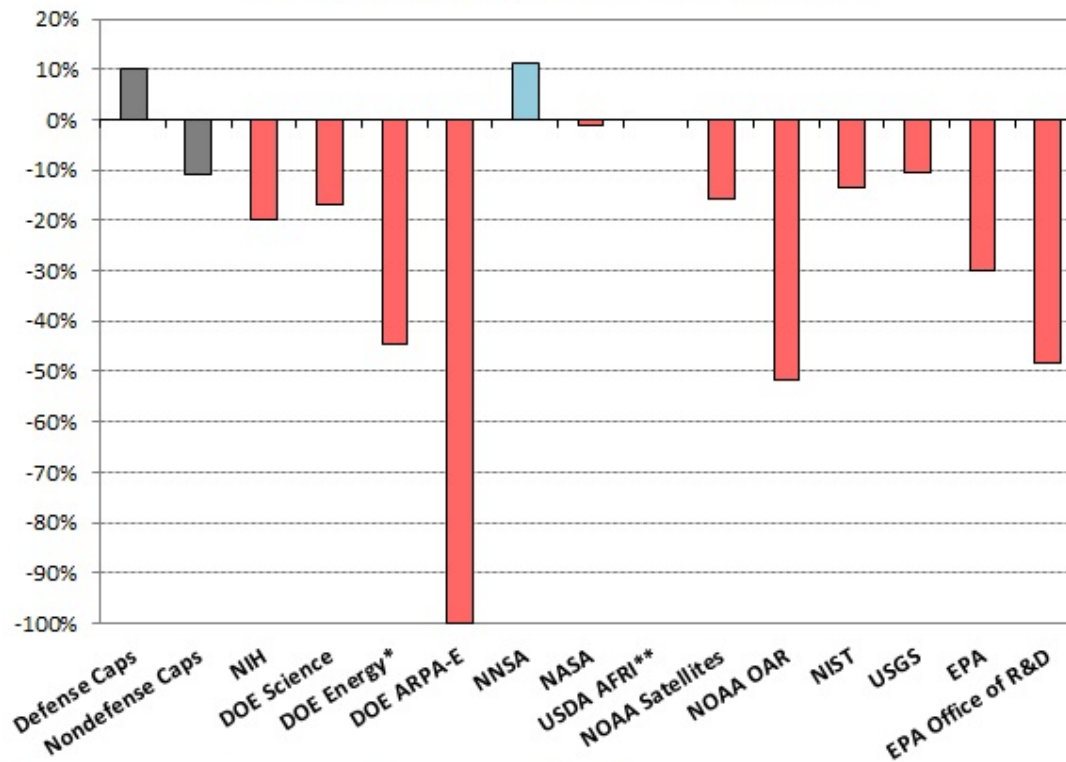
<https://www.risestronger.org/newsroom?tags%5B%5D=Science+and+Technology>

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# Budget FY2018 – Blueprint (March); full in mid-May

Figure 1: Science & Tech Agencies and Offices:  
Preliminary Estimates of the FY 2018 Request vs. FY 2016  
 Estimated percentage change from FY 2016 levels, nominal dollars



5/5/2017

\*Includes renewables and efficiency, nuclear, fossil, grid research. \*\*Flat-funded in FY18 request.  
 NOTE: FY 2016 is used as a baseline given lack of final FY 2017 appropriations.  
 Based on initial AAAS assessment of the FY 2018 budget summary and past agency budget data. March 16, 2017 | AAAS



# What else?

- Legislation
  - *American Innovation and Competitiveness Act (AICA)* signed into law by President Obama
    - New version of COMPETES, sets policy for NSF, NIST, and STEM education
    - No directorate level funding
    - Affirms NSF's mission, highlights the importance of the peer review process, and encourages NSF to continue new initiatives to increase transparency in the awarding of individual grants
  - Watching for movement on: *OPEN Data Government Act*, *Fair Access to Science and Technology Research (FASTR) Act*, other legislation around open access and publishing; *Higher Education Act (HEA)*
- White House Appointments and other activity
  - Secretary of Education – Betsy DeVos
  - Office of Science and Technology Policy (OSTP) – not yet
  - NSF Director – France Córdoba staying
  - Annual Science Fair to continue; Ivanka Trump “stepping up” as STEM advocate
  - Executive orders
    - immigration, travel, H1B visas (including Buy American and Hire American)
    - Establishing American Tech Council (May 1)



- Department of Education
  - The Department of Education [released](#) a memo last month on how state and local education agencies and private sector partners can leverage federal funds to support Pre-K–12 STEM education programs and activities. The document provides examples of how funds from the *Every Student Succeeds Act*, the *Individuals with Disabilities Education Act*, and the *Carl D. Perkins Career and Technical Education Act of 2006* can be leveraged to support instruction in STEM fields.
- March for Science/Grassroots Advocacy
  - AAAS convening multidisciplinary teams to conduct district visits over the Memorial Day recess with a focus on the importance of R&D funding in the FY18 budget

# Questions?

5/5/2017



# Education discussion topic

WH is very interested in K-12 STEM ed, and they believe that good ideas can come from anywhere.

“Incubator” ideas.

“A few solid priorities summarized would be welcome.”

# The Trump administration may change the way H-1B visas are allocated

## How Trump’s “hire American” EO may impact the H-1B visa program

“*Right now, H-1B visas are awarded in a totally random lottery, and that’s wrong.*”

- President Trump at the executive order signing in Kenosha, Wisconsin, 4/18/17

What the EO actually says:

- The order is directed at the Depts. of **Labor, Justice, Homeland Security and State**
- The agencies are instructed to study existing employment immigration laws and recommend changes to promote a “**hire American**” policy
- In the case of H-1B, the order directs agencies to **ensure that visas are awarded to the most skilled, best-paid immigrant workers**



Trump signs executive order in Wisconsin, via CNN

- What to expect:**
- So far Trump’s administration has been vague about changes for H-1B
  - **Officials have said on background that they were considering changing the wage levels that would qualify for visas**
  - They also mentioned raising fees for H-1B visa applications and steering more visas to immigrants with advanced degrees
  - Many in Congress support changing the H-1B lottery system to give preference to the highest-paying jobs
  - This would favor established U.S. tech companies, which tend to pay high wages
  - It would hurt the outsourcing companies, which hire immigrants to do more basic work at lower wages



Source: Vinu Goel, “How Trump’s ‘hire American’ order may affect tech worker visas,” New York Times, April 18, 2017.

# The H-1B visa program provides limited employment authorization for educated workers

## Key elements of the H-1B visa program



### Specialty degree required

Organizations seeking to hire foreign workers through the H-1B visa program usually must hire a candidate with a bachelor's degree or higher, in a field substantially related to the job in question and for a job that requires that degree.



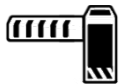
### Limited stay

Visa holders can initially stay in the U.S. for three years with the possibility of an additional three-year extension; exceptions can be granted for visa holders who apply for a green card before their fifth year of holding a visa.



### Wage equity and labor protection

Corporations hiring H-1B visa workers must hire workers at or above the "prevailing wage" in the area of employment in question, and may not hire workers to replace or fill in positions of striking workers.



### Annual limits on total amount

There is a cap of 65,000 H-1B visas each fiscal year, with an additional 20,000 visas issued to immigrants who hold a master's degree or above from a U.S. university; universities, university-affiliated non-profit research facilities, and government research facilities are exempt from this cap.



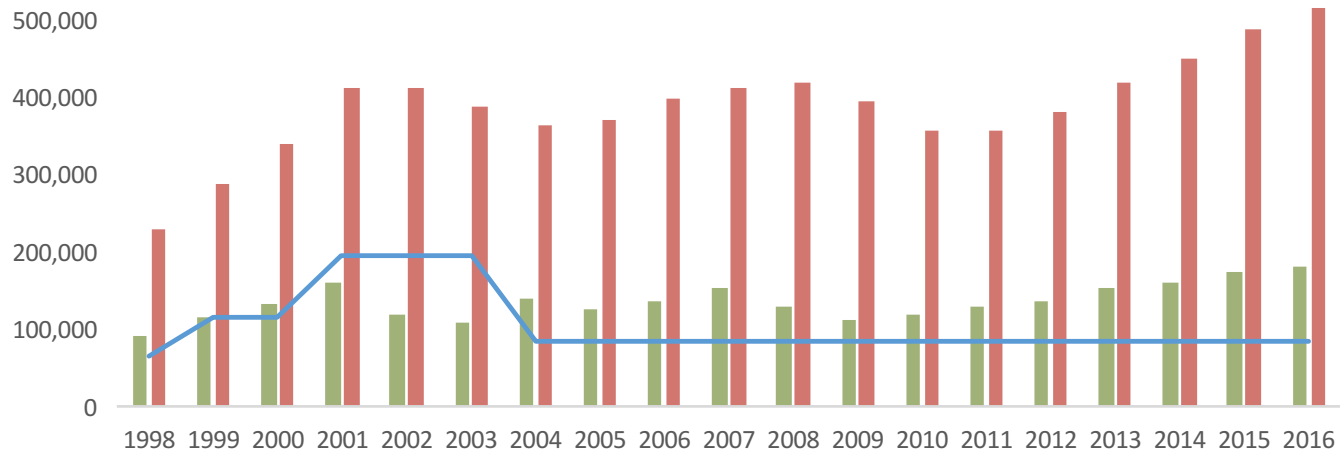
Sources: Emily Kendall, "How Long an H-1B Worker Can Stay in the United States," *NOLO Law*, 2015; U.S. Citizenship and Immigration Services, "H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models," 2015.

# The cap on H-1B visas is not close to the actual number of valid H-1B visas in the U.S.

## Evolution of the H-1B visa program

■ H-1B visas currently valid ■ H-1B visas issued\* ■ H-1B visa cap

\* Includes visas not subject to cap



**Details:**

- Although H-1B visas are capped, the number of visas issued has been growing because the cap doesn't apply to renewals or to visas for academic institutions, government research organizations, and certain nonprofits
- H-1B visas are valid for three years

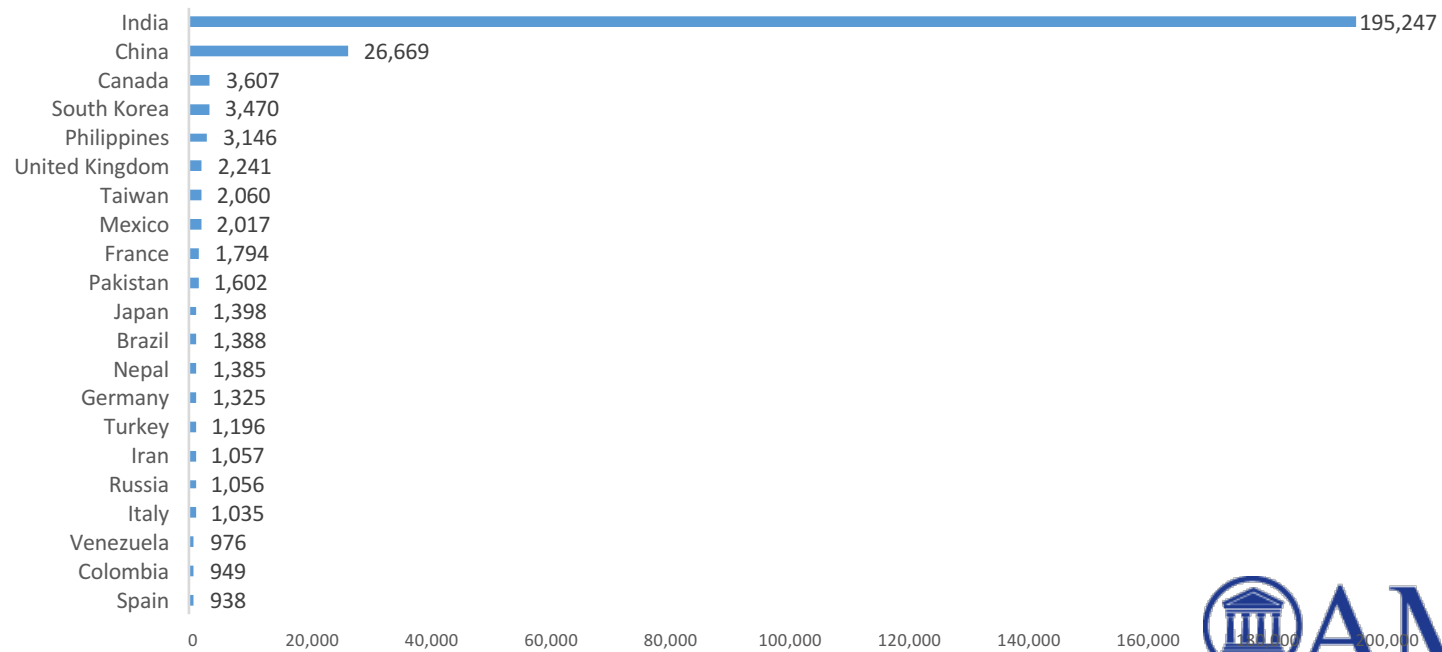


Source: Gideon Lichfield, "The H-1B visa cap tells you very little about how many H-1B visas there are," Quartz, April 5, 2017; "Report of the Visa Office 2016," State Dept.

# Most H-1B workers come from India and China

H-1B petitions approved by country of birth of beneficiary in FY 2015

*Including both initial and continuing employment*



Source: "Characteristics of H-1B specialty occupation workers," US Citizenship and Immigration Services, March 17, 2016.

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