University of California FY 2021 Appropriations

PROGRAM / AGENCY	FY 2020 Enacted	FY 2021 UC Request	FY 2021 President's Budget Request	Negotiated Package December 2020		
All numbers in millions of dollars, with the exception of Pell Grant maximum award, which is as presented  Agriculture, Rural Development, Food and Drug Administration, and Related Agencies						
Agriculture and Food Research Initiative (AFRI)	425	460	600	435		
USDA Capacity Grants Programs:	120	100		1.00		
- Hatch Act	259	280	243.2	259		
- Smith-Lever 3(b)-3(c)	315	341	299.4	315		
- McIntire-Stennis Expanded Food and Nutrition Education Program (EFNEP)	36 70	39 73.5	28.8 69	36 70		
Commerce, Justice, Science, and Related Agencies	170	173.3	[09	170		
NASA Science Mission Directorate	7,138	7,250	6,306	7,301		
- NASA Earth Science program	1,971	2,020	1,768	2,000		
NASA Space Technology Programs	1,100	1,578	1,578	1,100		
NASA Space Grant College and Fellowship Program  National Science Foundation (NSF)	48 8,278	50 9,000	0 7,741.40	51 8,487		
-Research and Related Activities	6,737	7,600	6,213.02	6,910		
-Education and Human Resources	940	1,050	930.93	968		
-Major Research Equipment & Facilities Construction	243	350	229.75	241		
National Oceanographic and Atmospheric Administration (NOAA),	548.3	592	326.7	570.6		
Office of Oceanic and Atmospheric Research (OAR)  - Regional Climate Data and Information Program	40	41.5	13.6	42.5		
- Climate Laboratories and Cooperative Institutes	66.5	74	70.3	75.5		
- Sustained Ocean Observations and Monitoring	45	55	37.1	45.4		
- Integrated Ocean Acidification Program	14	20	8.22	15.5		
- National Sea Grant College Program	74	93.5	0	75		
NOAA Office of Marine and Aviation Operations, Aviation Operations and Aircraft Services, Operations, Research and Facilities	37.75	39.25	28.2	32		
NOAA Regional Integrated Ocean Observing System in the National Ocean Service	39	44.1	19.44	40.5		
Defense						
Department of Defense S&T	16,073	17,037	13,910	16,873		
Basic Research (6.1)	2,603	2,759	2,319	2,671		
Applied Research (6.2) Advanced Development Research (6.3)	6,069 7,400	6,433 7,844	5,260 6,331	6,446 7,756		
Defense Advanced Research Projects Agency	3,458	3,665	3,566	3,501		
National Defense Education Program	144.074	152.718	100	137.241		
Energy and Water Development, and Related Agencies						
Office of Science	7,000	7,400	5,760.000	7,026		
The Office of Energy Efficiency and Renewable Energy (EERE)  Advanced Research Projects Agency-Energy (ARPA-E)	2,790 425	2,790 497	720 0	2,864 425		
Homeland Security Research, Development and Innovation, Science and Technology	423	491	1	1420		
(S&T) Directorate	737.275	780	643.729	765.55		
University Programs, S&T Directorate	40.5	45.5	21.7	22.7		
Interior, Environment and Related Agencies	T					
U.S. Geological Survey (USGS), Earthquake Hazards Program	1010					
	84.9	87.9	60.3	85.4		
USGS, State Water Resources Research institutes, Water Resources Research Program	<sup>3</sup> 10	11	0	11		
Research Program National Endowment for the Humanities (NEH)	3 10 162.3	11 170	0 33	11 167.5		
Research Program	<sup>3</sup> 10	11	0	11		
Research Program National Endowment for the Humanities (NEH) National Endowment for the Arts (NEA) Environmental Protection Agency (EPA), S&T Labor, Health and Human Services, Education and Related Ager	10 162.3 162.3 716.4	11 170 170 748	0 33 30 484.7	11 167.5 167.5 729.3		
Research Program National Endowment for the Humanities (NEH) National Endowment for the Arts (NEA) Environmental Protection Agency (EPA), S&T Labor, Health and Human Services, Education and Related Ager Pell Grant Maximum Award	10 162.3 162.3 716.4 163.45	11 170 170 748 7,000 Sums necessary to	0 33 30 484.7 6,345	11 167.5 167.5 729.3		
Research Program National Endowment for the Humanities (NEH) National Endowment for the Arts (NEA) Environmental Protection Agency (EPA), S&T Labor, Health and Human Services, Education and Related Ager	10 162.3 162.3 716.4	11 170 170 748  7,000 Sums necessary to reach maximum	0 33 30 484.7	11 167.5 167.5 729.3		
Research Program National Endowment for the Humanities (NEH) National Endowment for the Arts (NEA) Environmental Protection Agency (EPA), S&T Labor, Health and Human Services, Education and Related Ager Pell Grant Maximum Award	10 162.3 162.3 716.4 163.45	11 170 170 748 7,000 Sums necessary to	0 33 30 484.7 6,345	11 167.5 167.5 729.3		
Research Program National Endowment for the Humanities (NEH) National Endowment for the Arts (NEA) Environmental Protection Agency (EPA), S&T Labor, Health and Human Services, Education and Related Ager Pell Grant Maximum Award  Pell Grant Discretionary Appropriations  Supplemental Educational Opportunity Grant Federal Work-Study	10 162.3 162.3 716.4 1cies 6,345 24,520 865 1,180	11 170 170 748 7,000 Sums necessary to reach maximum award of \$7,000 1,050 1,467	0 33 30 484.7 6,345 22,475 0 500	11 167.5 167.5 729.3 6,495 22,475 880 1,190		
Research Program National Endowment for the Humanities (NEH) National Endowment for the Arts (NEA) Environmental Protection Agency (EPA), S&T Labor, Health and Human Services, Education and Related Ager Pell Grant Maximum Award Pell Grant Discretionary Appropriations Supplemental Educational Opportunity Grant Federal Work-Study TRIO Programs	6 10 162.3 162.3 716.4 1cicies 6,345 24,520 865 1,180 1,090	11 170 170 748 7,000 Sums necessary to reach maximum award of \$7,000 1,050 1,467 1,150	0 33 30 484.7 6,345 22,475 0 500 950	11 167.5 167.5 729.3 6,495 22,475 880 1,190 1,097		
Research Program National Endowment for the Humanities (NEH) National Endowment for the Arts (NEA) Environmental Protection Agency (EPA), S&T Labor, Health and Human Services, Education and Related Ager Pell Grant Maximum Award  Pell Grant Discretionary Appropriations  Supplemental Educational Opportunity Grant Federal Work-Study TRIO Programs GEAR UP	6 10 162.3 162.3 716.4 1626 6,345 24,520 865 1,180 1,090 365	11 170 170 748 7,000 Sums necessary to reach maximum award of \$7,000 1,050 1,467 1,150 400	0 33 30 484.7 6,345 22,475 0 500 950 0	11 167.5 167.5 729.3 6,495 22,475 880 1,190 1,097 368		
Research Program National Endowment for the Humanities (NEH) National Endowment for the Arts (NEA) Environmental Protection Agency (EPA), S&T Labor, Health and Human Services, Education and Related Ager Pell Grant Maximum Award  Pell Grant Discretionary Appropriations  Supplemental Educational Opportunity Grant Federal Work-Study TRIO Programs GEAR UP Aid for Hispanic-Serving Institutions - Title V, Part A	6 10 162.3 162.3 716.4 162.8 6,345 24,520 865 1,180 1,090 365 143	11 170 170 748 7,000 Sums necessary to reach maximum award of \$7,000 1,050 1,467 1,150	0 33 30 484.7 6,345 22,475 0 500 950	11 167.5 167.5 729.3 6,495 22,475 880 1,190 1,097		
Research Program National Endowment for the Humanities (NEH) National Endowment for the Arts (NEA) Environmental Protection Agency (EPA), S&T Labor, Health and Human Services, Education and Related Ager Pell Grant Maximum Award  Pell Grant Discretionary Appropriations  Supplemental Educational Opportunity Grant Federal Work-Study TRIO Programs GEAR UP	6 10 162.3 162.3 716.4 1626 6,345 24,520 865 1,180 1,090 365	11 170 170 170 748  7,000 Sums necessary to reach maximum award of \$7,000 1,050 1,467 1,150 400 170	0 33 30 484.7 6,345 22,475 0 0 500 950 0	11 167.5 167.5 729.3 6,495 22,475 880 1,190 1,097 368 148.7		
Research Program National Endowment for the Humanities (NEH) National Endowment for the Arts (NEA) Environmental Protection Agency (EPA), S&T Labor, Health and Human Services, Education and Related Ager Pell Grant Maximum Award  Pell Grant Discretionary Appropriations  Supplemental Educational Opportunity Grant Federal Work-Study TRIO Programs GEAR UP Aid for Hispanic-Serving Institutions - Title V, Part A Aid for Hispanic-Serving Institutions - Title V, Part B Supporting Effective Instruction State Grants in Title II Child Care Access Means Children in Schools	6 10 162.3 162.3 716.4 162.8 6,345 24,520 865 1,180 1,090 365 143 12.8 2,131 53	11 170 170 170 170 170 170 170 170 170 1	0 33 30 484.7 6,345 22,475 0 500 950 0 0 0	11 167.5 167.5 729.3 6,495 22,475 880 1,190 1,097 368 148.7 13.8 2,141 55		
Research Program National Endowment for the Humanities (NEH) National Endowment for the Arts (NEA) Environmental Protection Agency (EPA), S&T Labor, Health and Human Services, Education and Related Ager Pell Grant Maximum Award Pell Grant Discretionary Appropriations Supplemental Educational Opportunity Grant Federal Work-Study TRIO Programs GEAR UP Aid for Hispanic-Serving Institutions - Title V, Part A Aid for Hispanic-Serving Institutions - Title V, Part B Supporting Effective Instruction State Grants in Title II Child Care Access Means Children in Schools Teacher Quality Partnerships	6 10 162.3 162.3 716.4 162.8 6,345 24,520 865 1,180 1,090 365 143 12.8 2,131 53 50	11 170 170 170 170 170 170 170 170 170 1	0 33 30 484.7 6,345 22,475 0 500 950 0 0 0 0	11 167.5 167.5 729.3 6,495 22,475 880 1,190 1,097 368 148.7 13.8 2,141 55 52		
Research Program National Endowment for the Humanities (NEH) National Endowment for the Arts (NEA) Environmental Protection Agency (EPA), S&T Labor, Health and Human Services, Education and Related Ager Pell Grant Maximum Award  Pell Grant Discretionary Appropriations  Supplemental Educational Opportunity Grant Federal Work-Study TRIO Programs GEAR UP Aid for Hispanic-Serving Institutions - Title V, Part A Aid for Hispanic-Serving Institutions - Title V, Part B Supporting Effective Instruction State Grants in Title II Child Care Access Means Children in Schools Teacher Quality Partnerships Title VI International Education Programs	6 10 162.3 162.3 716.4 162.8 6,345 24,520 865 1,180 1,090 365 143 12.8 2,131 53 50 76	11 170 170 170 748  7,000 Sums necessary to reach maximum award of \$7,000 1,050 1,467 1,150 400 170 35 2,600 150 80 106.1	0 33 30 484.7 6,345 22,475 0 500 950 0 0 0 0 0	11 167.5 167.5 729.3 6,495 22,475 880 1,190 1,097 368 148.7 13.8 2,141 55 52 78		
Research Program National Endowment for the Humanities (NEH) National Endowment for the Arts (NEA) Environmental Protection Agency (EPA), S&T Labor, Health and Human Services, Education and Related Ager Pell Grant Maximum Award  Pell Grant Discretionary Appropriations  Supplemental Educational Opportunity Grant Federal Work-Study TRIO Programs GEAR UP Aid for Hispanic-Serving Institutions - Title V, Part A Aid for Hispanic-Serving Institutions - Title V, Part B Supporting Effective Instruction State Grants in Title II Child Care Access Means Children in Schools Teacher Quality Partnerships Title VI International Education Programs Graduate Assistance in Areas of National Need (GAANN)	6 10 162.3 162.3 716.4 162.8 6,345 24,520 865 1,180 1,090 365 143 12.8 2,131 53 50 76 23	11 170 170 170 748  7,000 Sums necessary to reach maximum award of \$7,000 1,050 1,467 1,150 400 170 35 2,600 150 80 106.1 28	0 33 30 484.7 6,345 22,475 0 0 0 0 0 0 0 0 0 0 0	11 167.5 167.5 729.3 6,495 22,475 880 1,190 1,097 368 148.7 13.8 2,141 55 52 78 23.5		
Research Program National Endowment for the Humanities (NEH) National Endowment for the Arts (NEA) Environmental Protection Agency (EPA), S&T Labor, Health and Human Services, Education and Related Ager Pell Grant Maximum Award  Pell Grant Discretionary Appropriations  Supplemental Educational Opportunity Grant Federal Work-Study TRIO Programs GEAR UP Aid for Hispanic-Serving Institutions - Title V, Part A Aid for Hispanic-Serving Institutions - Title V, Part B Supporting Effective Instruction State Grants in Title II Child Care Access Means Children in Schools Teacher Quality Partnerships Title VI International Education Programs	6 10 162.3 162.3 716.4 162.8 6,345 24,520 865 1,180 1,090 365 143 12.8 2,131 53 50 76	11 170 170 170 748  7,000 Sums necessary to reach maximum award of \$7,000 1,050 1,467 1,150 400 170 35 2,600 150 80 106.1	0 33 30 484.7 6,345 22,475 0 500 950 0 0 0 0 0	11 167.5 167.5 729.3 6,495 22,475 880 1,190 1,097 368 148.7 13.8 2,141 55 52 78		
Research Program National Endowment for the Humanities (NEH) National Endowment for the Arts (NEA) Environmental Protection Agency (EPA), S&T Labor, Health and Human Services, Education and Related Ager Pell Grant Maximum Award  Pell Grant Discretionary Appropriations  Supplemental Educational Opportunity Grant Federal Work-Study TRIO Programs GEAR UP Aid for Hispanic-Serving Institutions - Title V, Part A Aid for Hispanic-Serving Institutions - Title V, Part B Supporting Effective Instruction State Grants in Title II Child Care Access Means Children in Schools Teacher Quality Partnerships Title VI International Education Programs Graduate Assistance in Areas of National Need (GAANN) Institute of Education Sciences	6 10 162.3 162.3 716.4 162.8 6,345 6,345 24,520 865 1,180 1,090 365 143 12.8 2,131 53 50 76 23 623.4	11 170 170 170 748  7,000 Sums necessary to reach maximum award of \$7,000 1,050 1,467 1,150 400 170 35 2,600 150 80 106.1 28 670	0 33 30 484.7 6,345 22,475 0 500 950 0 0 0 15 0 0 0 0 0 0 0 0 0 0 0 0 0	11 167.5 167.5 729.3 6,495 22,475 880 1,190 1,097 368 148.7 13.8 2,141 55 52 78 23.5 642.5		
Research Program National Endowment for the Humanities (NEH) National Endowment for the Arts (NEA) Environmental Protection Agency (EPA), S&T Labor, Health and Human Services, Education and Related Ager Pell Grant Maximum Award  Pell Grant Discretionary Appropriations  Supplemental Educational Opportunity Grant Federal Work-Study TRIO Programs GEAR UP Aid for Hispanic-Serving Institutions - Title V, Part A Aid for Hispanic-Serving Institutions - Title V, Part B Supporting Effective Instruction State Grants in Title II Child Care Access Means Children in Schools Teacher Quality Partnerships Title VI International Education Programs Graduate Assistance in Areas of National Need (GAANN) Institute of Education Sciences National Institutes of Health (NIH) Title VIII Health Professions Training Title VIII Nursing Workforce Development	6 10 162.3 162.3 162.3 716.4 162.8 6,345 24,520 865 1,180 1,090 365 143 12.8 2,131 53 50 76 23 623.4 41,684 424.5 259.9	110 170 170 170 170 170 170 170 170 170	0 33 30 484.7 6,345 22,475 0 500 950 0 0 0 15 0 0 0 565.4 38,000 167.3 83.1	11 167.5 167.5 167.5 729.3  6,495  22,475  880 1,190 1,097 368 148.7 13.8 2,141 55 52 78 23.5 642.5 42,934 489.5 264.5		
Research Program National Endowment for the Humanities (NEH) National Endowment for the Arts (NEA) Environmental Protection Agency (EPA), S&T Labor, Health and Human Services, Education and Related Ager Pell Grant Maximum Award  Pell Grant Discretionary Appropriations  Supplemental Educational Opportunity Grant Federal Work-Study TRIO Programs GEAR UP Aid for Hispanic-Serving Institutions - Title V, Part A Aid for Hispanic-Serving Institutions - Title V, Part B Supporting Effective Instruction State Grants in Title II Child Care Access Means Children in Schools Teacher Quality Partnerships Title VI International Education Programs Graduate Assistance in Areas of National Need (GAANN) Institute of Education Sciences National Institutes of Health (NIH) Title VII Health Professions Training Title VIII Nursing Workforce Development Centers for Disease Control and Prevention (program level)	6 10 162.3 162.3 162.3 716.4 162.8 6.345 24,520 865 1,180 1,090 365 143 12.8 2,131 53 50 76 23 623.4 41,684 424.5 259.9 7,694	110 170 170 170 170 170 748  7,000 Sums necessary to reach maximum award of \$7,000 1,050 1,467 1,150 400 170 35 2,600 150 80 106.1 28 670 44,684 512 278 8,300	0 33 30 484.7  6,345  22,475  0 500 950 0 0 0 0 15 0 0 0 565.4 38,000 167.3 83.1 7,001	11 167.5 167.5 167.5 729.3  6,495  22,475  880 1,190 1,097 368 148.7 13.8 2,141 55 52 78 23.5 642.5 42,934 489.5 264.5 7,874		
Research Program National Endowment for the Humanities (NEH) National Endowment for the Arts (NEA) Environmental Protection Agency (EPA), S&T Labor, Health and Human Services, Education and Related Ager Pell Grant Maximum Award  Pell Grant Discretionary Appropriations  Supplemental Educational Opportunity Grant Federal Work-Study TRIO Programs GEAR UP Aid for Hispanic-Serving Institutions - Title V, Part A Aid for Hispanic-Serving Institutions - Title V, Part B Supporting Effective Instruction State Grants in Title II Child Care Access Means Children in Schools Teacher Quality Partnerships Title VI International Education Programs Graduate Assistance in Areas of National Need (GAANN) Institute of Education Sciences National Institutes of Health (NIH) Title VIII Health Professions Training Title VIII Nursing Workforce Development	6 10 162.3 162.3 162.3 716.4 162.8 6,345 24,520 865 1,180 1,090 365 143 12.8 2,131 53 50 76 23 623.4 41,684 424.5 259.9	110 170 170 170 170 170 170 170 170 170	0 33 30 484.7 6,345 22,475 0 500 950 0 0 0 15 0 0 0 565.4 38,000 167.3 83.1	11 167.5 167.5 167.5 729.3  6,495  22,475  880 1,190 1,097 368 148.7 13.8 2,141 55 52 78 23.5 642.5 42,934 489.5 264.5		

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University of California FY 2021 Appropriations

PROGRAM / AGENCY	FY 2020 Enacted	FY 2021 UC Request	FY 2021 President's Budget Request	Negotiated Package December 2020		
All numbers in millions of dollars, with the exception of Pell Grant maximum award, which is as presented						
Agency for Healthcare Research and Quality (AHRQ)	338	471	0	338		
State, Foreign Operations and Related Programs						
Global Health Security Program	100	150	115	190		
Higher Education Institutional Capacity Development Partnerships	35	40	35	Not Available		
Feed the Future Food Security Innovation Labs	55	60	0	55		
Transportation, Housing and Urban Development, and Related Agencies						
University Transportation Research Center Program	67.5	77.5	77.5	Not Available		

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# Summary of UC Priorities in Final FY 2021 Legislative Package – FY 2021 Omnibus Appropriations and COVID-19 Supplemental

On Dec. 21, Congress released a nearly 6,000-page omnibus package that included appropriations for fiscal year (FY) 2021 and COVID-19 supplemental appropriations, as well as a number of pieces of legislation that were rolled into the final package. In addition to the spending levels contained in the federal fiscal year (FY) 2021 chart, this companion document highlights funding level and policy provisions of interest to the University of California. Earlier this year, Congress approved several emergency spending packages to address the COVID-19 pandemic. With passage of the latest COVID-19 supplemental, UC is on track to receive \$1.5 billion in support of our students, our campuses and to provide health care; in addition, University of California Health (UCH) has accessed an additional \$1.08 billion through advance payments from the Centers for Medicare and Medicaid Services.

Highlights of the FY 2021 Omnibus Appropriations Bill (including additional legislative bills that were attached)

#### Education

- Increase in the maximum Pell Grant to \$6,495, the first of four targets reached to achieve UC's goal of doubling the maximum Pell Grant in four years.
- Creation of a UC-requested pilot program to help address the basic needs of postsecondary education students. The bill provides \$5 million for competitive grants to be awarded to at least four institutions of higher education to support programs that help students address basic needs.

#### Research

Energy Act of 2020- The legislation includes an energy package that covers a range of
energy-related matters, including energy efficiency; nuclear; renewable energy research
and development; fusion energy; water and power research and development; high
performance computation collaborative research; energy storage; carbon management;
grid modernization; a Department of Energy (DOE) Innovation title, including language
related to technology commercialization; and other provisions.

# The bill:

- Includes \$7.5 billion in authorized funding for research to advance cutting edge renewable energy technologies, out of which \$2.5 billion is authorized for DOE's Sustainable Transportation programs.
- Establishes programs to accelerate the development of energy storage and industrial emissions reduction technologies.
- Authorizes nearly doubling the budget for ARPA-E over five years.
- Authorizes \$25 million per year for five years for inertial fusion energy research and \$50 million per year for five years for innovative fusion energy research and encourages increased national laboratories and university collaborations.

- Authorizes significant funding for renewable energy research, including hydropower, wind and solar innovation.
- Develops a comprehensive research agenda that addresses both long- and short-term research needs and opportunities for carbon capture utilization and storage technologies relevant to minimizing net greenhouse gas emissions.

The funding increases are important for the UC research community as they create additional funding opportunities in areas that UC researchers are both making important breakthroughs and are competitive for grant proposals

Unfortunately, the package does not include an extension of the 20 percent cost share waiver for universities, but congressional stakeholders expressed support for including the provision in future energy legislation.

- Intellectual Property- The bill includes the Copyright Alternative in Small Claims Enforcement Act of 2020 (the CASE Act), which establishes a new Copyright Small Claims Board designated to hear copyright infringement claims within the U.S. Copyright Office. The bill raised concerns among libraries and other entities that have been concerned it will increase opportunities for copyright infringement claims to be mounted, but it has been supported by copyright rights holder organizations, including photographers and other groups which have argued that the CASE Act is needed to provide additional remedies to address copyright infringement, without filing a lawsuit in federal court. The bill also includes language to enhance penalties for the unauthorized streaming of copyrighted works.
- Intelligence Authorization legislation-The bill includes a legislative package related to intelligence authorization. There are provisions included in this section which focus on finding ways to improve education in science, technology, engineering, arts, and mathematics to support the intelligence community.
- Water Resources Development Act of 2020- The package includes language reauthorizing the Water Resources Development Act, which includes funding for various water infrastructure needs as well as provides funding for water related programs.
- American Compete Act- The legislation includes language related to promoting the emerging technology sector for artificial intelligence (AI) and other areas. The Department of Commerce and the Federal Trade Commission (FTC) are directed to conduct a study of the state of AI.
- Specialty Crop Research Initiative (SCRI)- The agreement includes language in Sec. 752 allowing the secretary of agriculture to waive the matching funds requirement under Section 412(g) of the Agriculture Research, Extension and Education Reform Act of 1998, which will allow the secretary to waive the matching funds requirement for the SCRI program through the remainder of FY 2021.
- Agriculture Advanced Research and Development Authority (AGARDA)- The
  agreement directs the Office of the Chief Scientist at the USDA to complete a strategic
  plan for AGARDA that was authorized in the 2018 Farm Bill.
- **NOAA Climate Research-** NOAA is slated to receive \$182 million for climate-related research which represents an increase from prior levels.
- Federal Emergency Management Agency (FEMA)- FEMA is slated to receive \$21.67 billion in funding for FY 2021, which is a decrease of over \$600 million from the FY 2020 enacted level.
- The U.S. Centers for Disease Control (CDC)- The CDC will receive \$12.5 million for Firearm Injury and Mortality Prevention Research.

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- The National Institutes of Health (NIH)- The NIH will receive \$12.5 million for Firearm Injury and Mortality Prevention Research.
- **Foreign Threats to Research-** The NIH is directed to continue to prioritize investigations into foreign threats to research.
- Humane Research Alternatives- The NIH is directed to provide a report on progress related to determining whether alternatives to non-animal research methods exist and to encourage grantees to consider alternatives.
- **Primate Research-** The NIH is directed to commission a study by the National Academies to explore uses of nonhuman primates in research.

#### **Health Care**

- Postpones Medicaid Payment Cuts for Three Years- Safety net providers, such as
  University of California Health, have assumed a great share of responsibility for treating
  the sickest COVID-19 patients. UCH, its peer institutions and safety net and academic
  health center associations pushed hard for at least a two-year postponement of
  statutorily planned Medicaid Disproportionate Share Hospital (DSH) payment cuts and
  secured a three-year postponement, for FY 2021-23.
- Requires reporting of Medicaid supplemental payments- By Oct. 1, 2021, states must submit reports to the Department of Health and Human Services (HHS) secretary on supplemental payments data as a condition precedent to a Medicaid State plan or State plan amendment providing for supplemental payment.
- Revises "Medicaid Shortfall" Definition to Exclude Third Party Payments—Beginning Oct. 1, 2021 and in subsequent fiscal years, the calculation of "Medicaid shortfall" will exclude third party payments when Medicaid is the primary payer. Standalone children's hospitals and the Children's Hospital Association pushed for this provision, while UCH, along with California Association of Public Hospitals (CAPH) and California Hospital Association (CHA) advocated against it. Absent a technical amendment being made to this provision's language construction, California public hospitals and health system stand to lose protection they uniquely have in federal statute, permitting them to draw down Medicaid DSH up to 175 percent of their costs.
- Funds Additional Medical Residency Slots- The bill will add 1,000 new Medicare-Graduate Medical Education (GME) slots, with preferences and priorities given to rural hospitals, hospitals training residents above their GME caps, hospitals in states with new medical schools and hospitals that serve people living in Health Professional Shortage Areas (HPSAs). This provision includes important reforms to the rural training track program to make it more workable for both rural and urban or community hospitals, as well as a fix for hospitals with artificially low GME caps.
- **Delays Medicare "Sequester" Provider Cut-** The bill delays for three more months, beginning on Jan. 1, 2021 through March 31, 2021, the implementation of a 2 percent Medicare provider payment cut.
- Boosts Medicare Physician Fee Schedule Payment Rates for calendar year (CY)
   2021- The bill injects an additional \$3 billion into the Medicare program to boost payment for services delivered under the Physician Fee Schedule in CY 2021, so no physician groups will incur a payment cut for services covered by the Medicare Physician Fee Schedule delivered next year. This payment increase will help the full range of physician specialties and other Medicare providers working at UCH whose Medicare payment rates are set by the Physician Fee Schedule.
- Temporarily Freezes Advanced Alternative Payment Model (APM) Thresholds- The bill freezes the current payment and patient count thresholds for physicians and other eligible clinicians participating in Advanced Alternative Payment Models (APMs) to

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- receive a 5 percent incentive payment in payment years 2023 and 2024 for performance years 2021 and 2022. It also freezes the Partial Qualifying APM participant payment threshold and the patient count threshold at current levels for performance years 2021 and 2022 and payment years 2022 and 2023.
- Alters Medicare GME Treatment of Hospitals Establishing New Medical Residency Training Programs After Hosting Medical Resident Rotators for Short Durations— The bill allows hospitals to host a limited number of medical residents for short-term rotations without being negatively impacted by a set permanent full time equivalent (FTE) resident cap or a Per Resident Amount (PRA).
- **Delays Implementation of Radiation Oncology Model-** Provides for a statutory sixmonth additional delay, beyond CMS's initial delay until July 2021, making the radiation oncology model's effective date now Jan. 1, 2022.
- Holds Patients Harmless from Surprise Medical Bills- The bill prohibits health care
  providers from unfairly billing patients for emergency services or medical care the patient
  reasonably expected to be in-network for their commercial health plans and does not
  allow patients to be charged more than the in-network cost-sharing amount.
  - The proposal includes a 30-day period for health plans and providers to negotiate reimbursement, prior to using an independent dispute resolution (IDR) process to resolve the payment dispute, if an agreement is not reached. Should the parties choose IDR, the approved mediator would be required to consider a given area's commercial median benchmark payment rate for a specified service excluding Medicaid or Medicare payment rates -- but not necessarily apply it. The mediator would also be required to consider the contracting history between the insurer and provider, the provider's education and training, the acuity of the medical services provided, and the provider's market share. Many of the factors that would be considered by the mediator would benefit UCH. The bill also includes several provisions meant to ensure patients understand cost-sharing they will assume prior to receiving any out-of-network services, and that insurers keep their provider directories current.
  - The surprise billing agreement would allow an estimated \$16 billion in savings generated from the surprise medical billing provisions to fund certain expiring public health programs, including Community Health Centers, National Health Service Corps, Teaching Health Centers and the Special Diabetes Programs. Because the UC facilities and physicians largely contract with the same insurance issuers, UC has limited instances of surprise medical billing. We support this bill taking patients out of the middle and allowing an IDR process that allows for the consideration of multiple factors to resolve payment disputes.

# Highlights of the COVID-19 Supplemental Appropriations

#### Education

- Provides \$22.7 billion for the Higher Education Emergency Relief Fund, allocated to all public and private not-for-profit institutions of higher education. The formula used to allocate the share of funding that will be used to provide direct payment to students is a compromise between the earlier Pell FTE- and Pell Headcount-based formulas.
  - \$20 billion distributed to all public and private non-profit institutions of higher education.
  - o \$908 million to for-profit colleges to provide financial aid grants to students.
  - Includes set-asides of an additional \$1.7 billion for Historically Black colleges and Universities (HBCUs), tribal colleges and Minority-Serving Institutions and \$113.5

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- million for institutions with the greatest unmet needs or those not served by the primary formula, such as independent graduate schools.
- Simplifies the Free Application for Federal Student Aid by reducing total questions on the FAFSA from 108 to a maximum of 36, including by removing questions on Selective Service registration and drug-related offenses.
- Simplifies the Department of Education's financial data verification process by instead using data from the Internal Revenue Service through a data sharing agreement with privacy inclusions.
- Expands eligibility for the maximum Pell Grant award, by ensuring that all families
  who make under 175 percent of the federal poverty level, and single parents who make
  under 225 percent of the federal poverty level, will receive a maximum Pell Grant
  (current poverty guidelines).
- Increases support for working students and families, by reducing the "work penalty" that many students face when working to support themselves and pay for the rising costs of college. The legislation enacts a 35 percent increase for working students and 20 percent increase for families to the <a href="income protection allowance">income protection allowance</a> (IPA), shielding more of their income from being considered in the determination of financial aid.
- Extends supplemental nutrition aid to certain college students. Allows college students with work-study or an expected family contribution of zero to qualify for the Supplemental Nutrition Assistance Program (SNAP).
- Notifies students of basic needs support eligibility. Supports students with low-incomes and student parents by requiring the Secretary of Education to notify students of their eligibility of programs that support students' basic needs, including housing, food and access to child care.
- Removes barriers to financial aid for students experiencing homelessness and students formerly in foster care by easing the application and determination process for becoming eligible for aid.
- Restores Pell Grant eligibility for defrauded students by resetting the clock on a student's eligibility if they are defrauded by predatory for-profit colleges and successfully receive a borrower defense discharge.
- Restores Pell Grant eligibility for students with drug-related offenses by repealing a 1998 prohibition on federal financial aid for college students convicted of a drug offense, which disproportionately disqualifies and has affected generations of students of color and students with low income from receiving aid.
- Restores Pell Grant eligibility for incarcerated individuals by removing a prohibition that has encouraged recidivism and limited incarcerated individuals' ability to support themselves upon release.

#### Research

- Federal Contractor Reimbursement- The legislation includes a provision that extends Section 3610 of the CARES Act allowing federal agencies to reimburse contractors for extraordinary and unanticipated costs arising from the pandemic.
- Agriculture- The legislation includes funding related to agriculture programs, primarily to support agricultural producers; growers; distributors; and industries. The SNAP program received additional funding, including increasing the monthly SNAP benefit level by 15 percent through June 30, 2021. Pandemic-related unemployment benefits would not be considered in SNAP eligibility determinations. Work requirements for college students would also be waived in determining SNAP benefits for a period of time. Additional funding was also provided to support child nutrition and emergency food assistance

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- programs; research to be conducted by the Agriculture Research Service (ARS); as well as for the Specialty Crop Block Grant program, which supports specialty crop farmers.
- **Transportation-** \$45 billion is provided in the COVID-relief package to provide aid to transportation service providers, including airlines, transit agencies, state level departments of transportation, AMTRAK and other transportation services.
- **Broadband-** The bill includes \$7 billion in funding for broadband related activities. Of this amount, \$3.2 billion is provided in emergency funds to assist low-income families with obtaining access to broadband services through a program administered by the FCC; \$250 million would be provided in funding for telehealth related services. Additional funding is provided through a grant program for rural broadband services.
- **NIH biomedical research-** \$1.25 billion is provided to the NIH for research and clinical trials related to COVID-19.
- **FEMA-** An additional amount of funds authorized under the Federal Emergency Management Agency Disaster Relief Fund of \$2 billion is to remain available until expended. Funds provided related to the emergency declaration for COVID issued by the President on March 13, 2020 shall remain available for expenses incurred through Dec. 31, 2020.
- National Bio and Agro-Defense Facility Act of 2020- Provides for the creation of a
  national security laboratory to provide research and development designed to improve
  capabilities to respond to harms resulting from animal related diseases. The secretaries
  of agriculture and homeland security along with the heads of other agencies will
  coordinate activities.

#### **Health Care**

- **Funding for Vaccine Development-** The agreement provides \$66 billion for vaccine procurement, distribution, testing and tracing, community health and health care provider support, including:
  - \$9 billion to the Centers for Disease Control and Prevention;
  - \$4.5 billion to support mental health;
  - \$3 billion for the strategic national stockpile;
- Funding for Provider Relief- Provides an additional \$3 billion to the Public Health and Social Services Emergency Fund for COVID-19 provider relief (an additional \$6 billion was directed to helping providers achieve a three-month delay in the Medicare "sequester" provider cut valued at \$3 billion, and \$3 billion to prevent cuts for one year to physician payments made under budget neutrality adjustments for the Medicare Physician Fee Schedule).
- Extends Relief Funding Availability- Extends the Coronavirus Relief Fund availability until Dec. 31, 2021 for states and localities.

## Tax and Business

- Rescission of Unobligated Amounts Allocated for Federal Reserve Lending
   Facilities Under the CARES Act- The agreement rescinds unobligated amounts
   designated under the CARES Act for use by the Federal Reserve in creating lending
   facilities to respond to the COVID-19 pandemic. Dec, 31, 2020 is set as the termination
   date of the Federal Reserve's ability to make new loans through lending facilities created
   under the CARES Act. The Federal Reserve retains its authority to create lending tools
   under the Federal Reserve Act.
- Charitable Giving- The agreement extends the non-itemizer deduction for 2021 and increases the total amount that may be deducted regardless of whether a tax filer files

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- itemized returns to \$600 for couples filing joint returns, or \$300 for individuals or tax filers filing separate returns.
- Coronavirus Relief Fund Extension- The agreement includes language extending the availability until Dec. 31, 2021 of funds provided to states and localities within the Coronavirus Relief Fund included in the CARES Act.
- Unemployment Insurance COVID Extensions and Phase Out- The package includes language extending the Pandemic Unemployment Assistance (PUA) to provide additional federal unemployment compensation benefits of \$300 per week (in addition to any state level benefits), from Dec. 26, 2020 through March 14, 2021. The agreement also includes language providing additional weeks of unemployment for individuals who would otherwise have already exhausted benefits by extending PUA from 39 to 50 weeks of availability through April 5, 2021.
- **Direct Payments to Individuals and Families-** The COVID-relief package includes direct payments to individuals earning up to \$75,000 per year of \$600. Joint filers would receive payments of \$1,200 if earning under \$150,000 per year. Additional payments of \$600 per child dependent would also be given.
- Child Care-The bill includes \$10 billion in emergency funding for child care related expenses that would be administered through the Child Care and Development Block Grant (CCDBG) program. States would maintain flexibility provided in the CARES Act to use funding to assist families and child care providers.
- Employee Retention Tax Credit- The employee retention tax credit created under the CARES Act is extended to allow certain employers to take a credit for certain amounts paid of qualified wages. The agreement allows certain public instrumentalities to claim the credit. Further examination of the language is needed to determine whether entities such as UC would be included.
- Temporary Special Rule for Health and Dependent Care Flexible Spending
   Arrangements- The agreement allows taxpayers to rollover unused amounts in their
   health and dependent care flexible spending accounts from 2020 to 2021 and from 2021
   to 2022. Employers would also be allowed to make changes to contribution accounts in
   2021.
- Extension of Medical Expenses Deduction- The ability of tax filers to deduct medical expenses totaling more than 7.5 percent of the tax filers Adjusted Gross Income (AGI) is included. The deduction floor was reduced from 10 to 7.5 percent.
- Above the Line Deduction for Tuition and Related Expenses- The agreement includes an extension of the above the line deduction for tuition and related expenses of \$4,000 per individual with Adjusted Gross Income not more than \$65,000 per individual or \$130,000 for joint filers.
- Transition from Deduction for Qualified Tuition and Related Expenses to Increased Income Limitation for Lifetime Learning Credit- The agreement includes language providing that after 2020 the qualified tuition deduction is repealed and instead there is an increase in the phase out income levels for the Lifetime Learning credit.
- Fix for IRS and Department of Education Data Sharing- The bill includes language that clarifies data sharing between the IRS and the Department of Education related to taxpayer information concerning student loan programs.
- Extension of Exclusion from Income for Amounts Paid by Employers Toward Student Loans-The legislation includes a 5-year extension of the exclusion from income of up to \$5,250 per year in student loan repayments made by employers.
- **New Markets Tax Credit-** The New Markets Tax Credit, which provides credits for investing in distressed areas was extended for 5 years.

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- Family and Medical Leave Tax Credit for Employers- The bill includes tax credits for Family and Medical Leave benefits for up to 12 weeks if employers pay certain amounts of an employees' salary. Further examination of the bill text is needed to determine whether this section would be applicable to UC.
- Energy Efficient Commercial Buildings Deduction/Energy Tax Incentives- The agreement includes language allowing for an increased deduction for buildings meeting energy efficiency standards as well as energy-related tax incentives to promote solar and wind energy, carbon capture, fuel cell vehicles and fuel cell charging infrastructures, among other provisions.

## Other

- Extends Moratorium on Evictions Through January 2021, previously set to expire at the end of December 2020.
- Excludes Pandemic Unemployment Compensation from being counted toward household income for SNAP. Extends SNAP eligibility to college students who are eligible for a federal or state work study program or has an expected family contribution of zero.
- Invests \$400 million in the Emergency Food Assistance Program through Sept. 30, 2021. Allows up to 20 percent of these funds to be used for commodity distribution.
- Provides \$13 million to the Commodity Supplemental Food Program, 20 percent of which may be used for administrative costs through Sept. 30, 2021.

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