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CONGRESSIONAL SCHEDULE  NEW

Congress has been out of session this week for the Memorial Day recess. The Senate will return on Monday, June 7; the House will return on Tuesday, June 8.

At this writing, no legislative program has been announced for either chamber, but the Senate next week is expected to consider the unemployment and tax benefit extenders bill. (See the May 28 AAU Weekly Wrap-up for information on the House-approved version of the bill.)

According to CongressDaily, Senate Majority Leader Harry Reid (D-NV) said Thursday that he hopes to take a comprehensive energy bill to the Senate floor in July and has asked committee chairs to provide legislative language relating to the oil leak in the Gulf of Mexico for inclusion in the measure.

The House next week may consider the FY10 supplemental appropriations bill to support the wars in Iraq and Afghanistan and disaster relief (H.R. 4899). The Senate approved its version of the measure on May 27, but the House bill awaits mark-up in the Appropriations Committee.

The Senate bill does not include the $23 billion education jobs package or $5.6 billion to cover the projected shortfall in the Pell Grant program. The measure being developed by House Appropriations Committee Chairman David Obey (D-WI) is expected to include both provisions, but public higher education would not be included in the education jobs bill, nor would the state maintenance of effort (MOE) provision apply to higher education. As pointed out in a May 27 higher education association letter to Mr. Obey, the latter provision could leave public institutions vulnerable to cuts as states strive to meet the K-12 MOE requirement.

OTHER CONGRESSIONAL ISSUES

HOUSE APPROVES AMERICA COMPETES ACT REAUTHORIZATION  NEW
After two previous failed attempts, the House of Representatives on May 28 approved the America COMPETES Act reauthorization bill (H.R. 5116). The vote was 262 to 150, with all Democrats and 17 Republicans voting in favor of the measure.

The Senate Commerce Committee is expected to take up its own version of the bill later this month, with the goal of Senate floor action before the July 4 recess. In order to secure Republican support, the measure is likely to be a streamlined reauthorization without the additional provisions in the House bill.

H.R. 5116 is a five-year, $84 billion bill that authorizes significant funding increases for the National Science Foundation, the National Institute of Standards and Technology, and the Department of Energy Office of Science. It also reauthorizes the Advanced Research Projects Agency-Energy and increases support for undergraduate and graduate education programs in science, technology, engineering, and mathematics. The bill follows on the original America COMPETES Act—which expires at the end of FY10—which was approved with bipartisan support and signed into law in 2007. The original legislation was prompted by recommendations from the National Academies’ report, “Rising Above the Gathering Storm.”

When H.R. 5116 was first considered by the House on May 13, Republicans offered a motion to recommit that eliminated funding increases and a number of other provisions and included an anti-pornography provision. Many Democrats voted for the motion only because they felt they could not vote against the anti-pornography provision. When the motion passed, Democratic leaders pulled the bill from the floor. On May 19, Democrats tried again, this time with a three-year reauthorization bill on the suspension calendar. Not unexpectedly, the smaller bill failed to achieve the two-thirds vote needed to pass under this expedited process. On May 28, Democrats brought H.R. 5116 back to the floor with the amendments that had been approved during the original consideration of the bill and under a procedure that required separate votes on the various elements of the Republican motion to recommit. The procedure enabled Democrats to support the anti-pornography measure while opposing the other elements of the motion.

The research university community is concerned about the impact on research of an amendment in the bill that was offered by House Education and Labor Committee Chairman George Miller (D-CA). The provision links public universities’ compliance with labor union information requests to their receipt of facilities and administrative cost reimbursements for federal research grants. The research university community hopes that the provision can be eliminated in the final bill.

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