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CONGRESSIONAL SCHEDULE  NEW

The Senate was not in session today. The House held a pro forma session.

The Senate will reconvene on Monday, June 16, when it will debate and vote on the cloture motion to move to reconsideration of the tax extenders bill (H.R. 6049) (see below). The Senate also may consider the FY08 Defense authorization bill (S. 3001).

The House will reconvene on Tuesday, June 17, when it is expected to complete work on the NASA reauthorization bill (H.R. 6063). House leaders also plan to take up the FY08 emergency supplemental appropriations bill (H.R 2642) (see below). Bills dealing with paid parental leave for federal employees (H.R. 5781) and stopping abuse of teens at residential treatment facilities (H.R. 5876) may also be considered.

BUDGET & APPROPRIATIONS

DISAGREEMENTS DELAY APPROVAL OF FY08 SUPPLEMENTAL FUNDING BILL  UPDATED

Congressional Democratic leaders say they plan to send the President the FY08 emergency supplemental appropriations bill (H.R. 2642) before the July 4 recess, but major sticking points remain. Chief among them is how to craft expansion of veterans’ education benefits. CQToday reports that House Democratic leaders and White House officials “have been working to resolve
differences so that House leadership can unveil a bill that has the assurance of winning Bush’s signature.”

The publication adds that House leaders hope to take their latest version of the bill to the House floor next week. If it passes, the measure will be sent back to the Senate, which would be expected to make additional changes before returning it to the House. The Senate, for example, would likely add back the extension of unemployment benefits. The House approved the extension as a separate bill (H.R. 5749) this week because it is one of the items over which the President has threatened to veto the supplemental funding package.

It appears unlikely that the final bill will retain any of the $10 billion in extra domestic spending added by the Senate, including the $1.2 billion package for four science agencies. CQToday reports, “Several Senate Democrats said they were still frustrated that many of the domestic spending priorities they included in their version of the bill, which passed by a vote of 75-22 on May 22, might not be in the latest iteration. Still they seemed resigned to the fact that the shuffling of the bill back and forth between the two chambers must end.”

The Senate’s $1.2 billion package for the science agencies would provide $400 million for the National Institutes of Health (NIH), $200 million for the National Science Foundation, $200 million for NASA, and $400 million for the Department of Energy ($100 million for the DOE Office of Science and $300 million for environmental remediation.)

**SENATE TO TRY AGAIN TO APPROVE TAX EXTENDERS BILL**  
*UPDATED*

The Senate will try again next week to approve the tax extenders bill (H.R. 6049), after Senate leaders failed this week to reach the 60 votes needed to invoke cloture and move to consideration of the bill. (The vote was 50 to 44, 10 votes short.) At issue is Republican Senators’ opposition to including revenue-raising offsets in the package. A similar disagreement blocked approval of an extenders bill last year. According to CongressDaily, Senate Democratic leaders hope that pressure from business groups and a threat by House Democratic leaders to kill the bill if it does not include offsets “will be enough to turn the tide.”

The measure would extend a number of expired and expiring tax provisions, including the tuition tax deduction, the IRA charitable rollover, and the research and development tax credit.

The higher education community sent a letter last month to Chairman Baucus and Ranking Member Charles Grassley (R-IA) expressing support for renewal of the higher education provisions.

**HOUSE APPROPRIATIONS SUBCOMMITTEE ADDS FUNDS FOR SCIENCE AGENCIES**

The House Commerce-Justice-Science Appropriations Subcommittee yesterday approved its FY09 funding bill, apparently providing close to the President’s request for the National Science Foundation (NSF) and additional funds for NASA. The measure will be marked up in full committee next Thursday, June 19. Subcommittee Chairman Alan Mollohan’s (D-WV) opening statement about the bill is available on the full Committee’s Web site.

According to the statement, the measure would fund NSF at $6.9 billion; the President requested $6.85 billion. NASA would receive $17.8 billion, which appears to be about $200 million above
the President’s request of $17.61 billion. Chairman Mollohan’s statement indicates that the increase for NASA above the President’s request is “spread nearly evenly” between science and aeronautics.

Additional information about the bill will provided when it becomes available.

**HOUSE INTERIOR SUBCOMMITTEE VOTES INCREASE FOR NEH  UPDATED**

The House Interior Appropriations Subcommittee voted June 11 to fund the National Endowment for the Humanities (NEH) at $160 million in FY09. This represents an increase of $15.6 million, or 10.8 percent, above the Administration’s FY09 request, and $15.3 million, or 10.6 percent, above FY08 funding. (The National Endowment for the Arts also was funded at $160 million in the subcommittee’s bill.) Full committee markup is scheduled for next Wednesday, June 18.

A statement about the overall bill by Subcommittee Chairman Norm Dicks (D-WA) and a funding chart are available on the House Appropriations Committee Web site [here](#).

**OTHER CONGRESSIONAL ISSUES**

**AAU ENDORSES HOUSE NASA AUTHORIZATION BILL  UPDATED**

The House began debate this week on the NASA FY09 reauthorization bill (H.R. 6063), but postponed final action until next Tuesday, June 17, because of an extended debate on separate legislation to extend unemployment benefits (H.R. 5749).

AAU President Robert Berdahl sent a [letter](#) June 10 to four leaders of the House Science and Technology Committee expressing support for the NASA bill.

The letter thanked Reps. Bart Gordon (D-TN), Ralph M. Hall (R-TX), Mark Udall (D-CO), and Tom Feeney (R-FL) for raising NASA’s authorized funding level to $19.2 billion in FY09 and for including increased authorizations for both the Science and Aeronautics mission directorates. These funding levels “would enable NASA to support a balanced set of scientific, aeronautical, and exploration-related missions in fiscal year 2009,” Berdahl wrote.

He also thanked the committee leaders for a provision directing the President’s Office of Science and Technology Policy to undertake a study of federal export controls. The bill, he wrote, “takes the important step of beginning to reform current export control regulations in a way that protects our nation’s security while making possible vital research.”

**AAU ENDORSES ESHOO-BARTON FOLLOW-ON BIOLOGICS BILL**

AAU President Robert Berdahl sent a [letter](#) to Reps. Anna Eshoo (D-CA) and Joe Barton (R-TX) on June 10 strongly endorsing the Pathway for Biosimilars Act (H.R. 5629), a bill they have introduced which creates a process for approving generic versions of complex biotechnology drugs, called follow-on biologics (FOBs).
“This bill effectively implements a balanced policy that we strongly endorse: providing access to safe, effective and affordable biologic treatments while continuing to promote the innovative research and development in the life sciences that will fulfill the promise of current and future discoveries and treatments,” Berdahl wrote.

EXECUTIVE BRANCH

DEFENSE FACULTY FELLOWSHIP REQUIRES LETTER OF INTENT BY JUNE 25

The Department of Defense is sponsoring a new competition for the National Security Science and Engineering Faculty Fellowship program, which provides basic research grants of up to $600,000 per year for up to five years for outstanding faculty and staff.

Nominations for the competition require a letter of intent to nominate, a white paper, a full proposal, and an interview. The deadline for the letter of intent is Wednesday, June 25, 2008. The deadline for the white paper is July 11, 2008.

AAU institutions are encouraged to nominate outstanding faculty members and staff for this competition.

THREE ASSOCIATIONS COMMENT ON DHS OPTIONAL PRACTICAL TRAINING INTERIM FINAL RULE UPDATED

AAU, the American Council on Education, and the National Association of State Universities and Land-Grant Colleges have submitted comments to the Department of Homeland Security (DHS) that express concerns about the Department’s interim final rule governing extension of Optional Practical Training (OPT) for certain non-immigrant students. OPT is a period during which undergraduate and graduate students in F-1 non-immigrant status who have completed their degrees or have been pursuing their degrees for more than nine months are permitted to work in an area complementary to their degree program for one year on a student visa without an H-1B work visa.

The associations’ comment letter thanks the Department for extending OPT from 12 to 29 months but expresses concern that the extension is limited to degree holders in the fields of science, technology, engineering, and mathematics; that the rule limits the extension to students employed by employers enrolled in the E-Verify system; and that it imposes administrative and financial burdens on the university community to implement the program changes proposed in the rule.

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