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CONGRESSIONAL SCHEDULE  NEW
The Senate was not in session today; the House convened in pro forma session.

Both the House and Senate face busy schedules next week as Congressional leaders seek to approve a number of bills before the week-long Memorial Day recess begins on Friday.

The House will reconvene on Monday, May 19, with no roll call votes that day. The chamber will begin work Tuesday on the tax extender bill (H.R. 6049), which includes extensions of the expired research and development tax credit and the tuition expenses deduction, as well as an energy tax package. The House also will consider the FY09 Defense authorization bill (H.R. 5658) (see item below), and may consider conference reports for the FY09 budget resolution and other measures, if they are available.

The Senate will reconvene on Monday, May 19, with no roll call votes. Consideration of the FY08 war supplemental funding bill (H.R. 2642) (see item below) will take center stage. Also possible for consideration next week are a collective bargaining bill (H.R. 890) and any available conference reports.

BUDGET & APPROPRIATIONS
BUDGET RESOLUTION CONFERENCE EXPECTED NEXT WEEK  NEW
Senate Budget Committee Chairman Kent Conrad (D-ND) said earlier this week that House and Senate negotiators on the FY09 budget resolution had reached an informal agreement, paving the
way for a formal conference on the measure as early as Tuesday, May 20. Details of the agreement have not been made public. The most noteworthy difference between the House and Senate versions of the budget resolution was the level of discretionary spending; the two sides were $1.8 billion apart.

The budget resolution, which is not signed into law by the President, is the annual guide for Congressional spending and fiscal policy and sets the cap on discretionary spending in a given fiscal year. After Congress approves the measure, the House and Senate appropriations committees will allocate the discretionary spending total among their respective subcommittees and begin moving the FY09 appropriations bills. Most bills are not expected to be enacted before the November election.

**APPROVAL OF FY08 SUPPLEMENTAL FUNDING BILL BEFORE JUNE UNLIKELY**

Congress is making slow progress on the FY08 war supplemental funding bill.

The combination of partisan politics, anti-war sentiment, and the measure’s status as one of the few funding bills likely to pass before the election has weighed down the process. It is increasingly unlikely that the measure will be approved before the week-long Memorial Day recess, which starts at the end of next week.

**House Approves Bill without War Funding.** The House approved its version of the measure (H.R. 2642) on May 15, but without the portion of the bill that provides the Administration’s requested funding for the wars in Iraq and Afghanistan. House Democratic leaders had divided the vote into three amendments: one on the supplemental war funding, one on war policy proposals, and the third on a package that includes an extension of unemployment benefits and an increase in veterans’ education benefits. The measure does not include the funding for science that is part of the Senate bill.

To protest the House leadership’s bypassing of the Appropriations Committee, most Republicans yesterday voted “present” on the war funding portion of the package. With a majority of Democrats using the vote to express opposition to the war, the funding amendment failed by a vote of 141-145. The defeat will be short-lived, however, as the war funding is likely to be revived when the Senate considers the bill next week.

Although the House package stays within the President’s request of $183.8 billion (including $66 billion for war spending in FY09), President Bush has threatened to veto the measure over the unemployment insurance extension and the veterans’ benefit expansion.

**Senate Appropriations Committee Adds Spending and Policy Provisions.** The Senate Appropriations Committee on May 15 marked up its version of the bill, which initially contained about $9 billion more than the President’s request, including a $1.2 billion package for programs at four science agencies. During markup, committee members added a variety of new policy and funding amendments, including more than a billion dollars for such programs as low-income housing energy assistance, aid to Jordan, and crime fighting on the southern U.S. border.

When the bill is considered on the Senate floor next week, Democratic leaders intend to hold three separate votes. CQToday reports that Majority Leader Harry Reid (D-NV) plans to begin with the House version of the bill and then allow floor amendments, one of which will be the committee-approved package.
CQToday reports that one of the most contentious fights on the Senate floor will be over the expansion of veterans’ education benefits, which along with the extension of unemployment benefits, is included in both the House and Senate bills. The White House has expressed concern that the measure, introduced by Senator Jim Webb (D-VA) as S. 22, would discourage service members from reenlisting.

Senator Webb’s bill would allow veterans, including activated reservists and National Guard, who have served in the military for at least three years to receive tuition up to the cost of attending the most expensive public college or university in their state. They also would receive a monthly stipend for housing costs. For veterans attending private institutions, the measure would match dollar-for-dollar any aid provided by the institution above the cost of the most expensive public institution in the state.

A preliminary analysis by the Congressional Budget Office estimates that this expansion of the GI Bill would cost $728 million over two years, with a 10-year cost in mandatory spending of more than $51 billion. After conservative House Democrats last week objected to including this new entitlement in the supplemental funding package without an offset, House leaders added a tax surcharge for certain wealthy taxpayers to cover the cost. The offset is not expected to survive in the Senate. Senator Webb told CQToday, “It’s a cost of war, and nobody is proposing offsets for all the rest of the war money.”

SENATE FY08 BILL WOULD ADD $1.2 BILLION FOR PROGRAMS AT FOUR SCIENCE AGENCIES UPDATED

The Senate version of the FY08 supplemental funding bill that was marked up in committee this week contains $1.2 billion for programs at four science agencies, according to the committee’s press release.

Funding would be allocated in the following manner:

- National Institutes of Health -- $400 million to be distributed to NIH institutes and centers on a pro-rata basis.

- National Science Foundation -- $200 million, of which $150 million is for research and $50 million for education. Within the research total, $10 million is for the National Academic Research Fleet (fuel costs). The education funding includes $20 million for Noyce Scholarships, $24 million for Graduate Research Fellowships, $5 million for Graduate Teaching Fellowships, and $1 million for Federal Scholarship for Service.

- Department of Energy, Office of Science -- $400 million, of which $100 million would go to the DOE Office of Science and $300 million would support environmental remediation. The Office of Science funding would provide $45 million for High Energy Physics and $55 million for Fusion Energy Sciences.

While negotiations continue between the House and Senate education committees on the five-year reauthorization of the Higher Education Act (HEA), draft language circulated in the higher education community makes it clear that the conference agreement will likely include a vast expansion of federal regulations and reporting requirements. As Inside Higher Ed stated on May 13, the bill "could be a nightmare for colleges and the Education Department to carry out."

The staffs of the two committees are aiming for a final product that the House and Senate can vote on before the Memorial Day recess, but it appears unlikely that they will meet that deadline.

These are a few of the higher education community’s many concerns:

- Accreditation language in the bill prohibits the Department of Education from regulating accreditation standards for academic achievement, but appears to leave open the possibility of regulating other standards such as those dealing with faculty and facilities.

- As a means of controlling college costs, the bill would require the Department to create more than 400 lists spotlighting which colleges and universities in particular groupings have raised their tuition and fees more than their peers.

- These lists would use “net price” rather than “net tuition,” which means comparisons would reflect geographical differences in cost of living more than other cost differences.

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