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CONGRESSIONAL SCHEDULE
The House and Senate are out of session and will return for legislative business on Monday, September 8. The Senate approved a “conditional” adjournment resolution that provides for several pro forma sessions until the second week of September in order to prevent the President from making recess appointments.

When the Senate returns to session on September 8, it will take up the FY09 Defense authorization bill (S. 3001). No legislative program has been announced for the House.

OTHER CONGRESSIONAL ISSUES
PRESIDENT SIGNS HEA REAUTHORIZATION BILL INTO LAW NEW
President Bush on August 14 signed into law the Higher Education Act (HEA) reauthorization bill (H.R. 4137), which Congress approved on August 31. The latest HEA extension was set to expire today, August 15. An updated cost estimate for the bill has been published by the Congressional Budget Office.

ASSOCIATIONS PROVIDE ANALYSIS OF PEER-TO-PEER FILE SHARING PROVISIONS IN HEA REAUTHORIZATION
A group of higher education associations, including AAU, has developed an analysis of peer-to-peer (P2P) file sharing provisions and report language in the just-passed Higher Education Act (HEA) reauthorization bill (H.R. 4137). The document seeks to answer campus information-technology administrators’ most pressing questions about their new responsibilities for addressing unauthorized P2P file sharing on campus networks.

AAU will soon distribute analyses of other provisions in the HEA bill of importance to AAU member universities, including a side-by-side document that compares the House- and Senate-passed provisions with those in the final bill.

Members of the CFR are encouraged to discuss the P2P memorandum with campus information technology officers.

EXECUTIVE BRANCH

NSF REQUESTS PUBLIC COMMENT ON COST-SHARING POLICIES NEW

As part of a continuing review of cost-sharing policies at the National Science Foundation (NSF), a committee of the National Science Board (NSB) has issued a request for public comment on the use of cost-sharing in NSF-funded activities, with a focus on a list of specific topics. The NSB will use this information in developing the second of two reports on NSF cost-sharing, which will be more comprehensive than the first report and which the NSB plans to issue in early 2009.

The deadline for comments is October 1, 2008. AAU and the Council on Governmental Relations (COGR) will share their draft comments with the CFR in mid-September.

BACKGROUND

A provision of the America COMPETES Act tasked the NSB with conducting a comprehensive review of the “unintended consequences” of the agency’s decision in 2004 to eliminate mandatory cost-sharing for all NSF programs. In February 2008, the Board issued its first report to Congress, which focused on mandatory cost-sharing.

Based on recommendations in the first report, NSF will reinstate mandatory cost sharing in FY09 for the following programs: Engineering Research Centers, the Experimental Program to Stimulate Competitive Research, and Industry/University Cooperative Research Centers.

A statement accompanying the first report said that the Task Force would continue to examine this issue, with the goal of formulating a comprehensive set of recommendations on NSF cost-sharing policy. The panel held two roundtable discussions with stakeholders on July 9-10, 2008—in which AAU President Robert Berdahl and AAU staff participated—which also will help inform the final report.

HIGHER EDUCATION ASSOCIATIONS COMMENT ON PROPOSED E-VERIFY REQUIREMENTS

The higher education community submitted comments to the General Services Administration on August 11 regarding the proposed rule that would require all federal contractors to use the E-
Verify system to verify the eligibility of new and current employees to work in the United States.

The letter sent by a group of 12 higher education associations, including AAU, expresses support for effective efforts to enhance homeland and national security, but expresses serious concerns about the proposed mandate. These reservations include the concern that by requiring verification of existing employees, the proposed rule exceeds statutory limitations; that the E-Verify system lacks the capacity to handle a major new influx of participating employers and individuals in the short period of time provided; that there is no recourse for employers and employees in the event of a false non-confirmation of employment eligibility; and that the rule fails to account for problems that international workers experience in obtaining Social Security numbers.

OTHER

AAU CONTINUES TO SEEK INDIVIDUALS WHO BENEFITTED FROM NDEA SCHOLARSHIPS AND PROGRAMS

AAU is conducting a broad survey of academic, industry, and government leaders to find individuals who benefitted directly from the National Defense Education Act (NDEA), which Congress approved in 1958 in response to the Soviet launch of the Sputnik satellite. The goal of NDEA was to improve the U.S. education system and strengthen the nation’s intellectual talent base in scientific, technical, and other fields vital to national security through fellowships, financial aid, and a variety of other programs.

Those individuals who were direct beneficiaries of the NDEA are asked to complete the survey by Wednesday, August 27. (Those unable to do so by that date are asked to still fill out the survey because AAU will continue to collect the information.) Those who know of others who may have been aided by NDEA are asked to pass along this information to them. The contact is Marcus Tang at: marcus_tang@aau.edu.

The purpose of the AAU survey is to celebrate this year’s 50th anniversary of the Act by showing how significant it has been for U.S. research and economic competitiveness and why the nation would benefit from greater federal support of research and science education.

The information collected will be used to illustrate the Act’s significance and impact. It will be highlighted at events and in accompanying materials being planned to coincide with the actual anniversary of the Act—September 2, 2008. It also will be used to demonstrate to current policymakers why the nation would benefit from strengthening federal support of scientific research and science, technology, engineering, and mathematics (STEM) education at all levels.

UNIVERSITIES ENCOURAGED TO APPLY FOR PRESIDENT’S HIGHER EDUCATION COMMUNITY SERVICE HONOR ROLL  NEW

Colleges and universities are encouraged to apply for the President’s Higher Education Community Service Honor Roll. This is the third year of the program.

The Honor Roll program is designed to increase public awareness of the role of higher education institutions and their students in serving their local communities and the nation through public service, and to recognize outstanding community service programs and practices.
The program is sponsored by the Corporation for National and Community Service, USA Freedom Corps, the President’s Council on Service and Civic Participation, and the Departments of Education and Housing & Urban Development, in cooperation with Campus Compact.

The deadline for institutions to apply for the Honor Roll is September 23, 2008. Honor Roll members and recipients for 2008 will be announced at the February 2009 national meeting of the American Council on Education.

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