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CONGRESSIONAL SCHEDULE  NEW

The House was not in session today; the Senate was in session but there were no roll call votes.

Next week, the House will take up the FY07 Science-State-Justice-Commerce appropriations bill (H.R. 5672), as well as legislation dealing with offshore oil drilling (H.R. 4761), flood insurance (H.R. 4973), and possibly the conference report on a Coast Guard reauthorization bill (H.R. 889). The chamber also may consider a bill to prohibit most federal courts from hearing constitutional challenges to the Pledge of Allegiance.

The Senate next week will consider a constitutional amendment to ban flag desecration (S. J. Res. 12), as well as legislation to permanently reduce the estate tax (H.R. 5638).

BUDGET & APPROPRIATIONS

HOUSE AND SENATE FY07 APPROPRIATIONS MOVE AHEAD  NEW

Both the House and Senate Appropriations Committee this week made progress on the FY07 appropriations bills. The House has now approved nine of its 11 appropriations bills, including the Defense funding bill (H.R. 5631), which was approved on June 20. Still pending is Science-State-Justice-Commerce (H.R. 5672), which is scheduled for floor action on July 13, and the Labor-HHS-Education bill (H.R. 5647), which was reported from full committee on June 13. Floor consideration of Labor-HHS-Education has been delayed—and could be delayed until after
the November election—because an amendment raising the minimum wage was added during committee mark-up.

In the Senate, the Appropriations Committee approved its first two FY07 funding bills on June 22: Agriculture and Legislative Branch (H.R. 5384, H.R. 5521). The Energy and Water, Interior, and Homeland Security appropriations subcommittees are scheduled to mark up their bills on June 27, with full committee mark-ups scheduled for June 29. The Commerce-Justice-Science bill is scheduled for full committee mark-up on July 13; Labor-HHS-Education and Defense are scheduled for full committee mark-up on July 20.

A Senate Appropriations Committee press release on announced mark-ups is available at: http://appropriations.senate.gov/hearmarkups/FY07PRMarkupSchedule.mht.

SENATE APPROPRIATIONS COMMITTEE APPROVES SUBCOMMITTEE ALLOCATIONS AND TWO FUNDING BILLS

The Senate Appropriations Committee approved funding allocations for its 12 subcommittees on June 22.

Like the House, the Senate is working within an $873 billion cap on discretionary spending, an amount consistent with the President’s budget. The allocations approved by the committee, however, shift $11.4 billion from the President’s FY07 defense, foreign aid, and State Department requests to other areas of the budget, including $5 billion for programs in the Labor-HHS-Education subcommittee. The House Appropriations Committee shifted $6.4 billion from defense and international programs, with $4.1 billion going to the Labor-HHS-Education subcommittee.

A press release with the allocations is available on the Senate Appropriations Committee Web site at: http://appropriations.senate.gov/hearmarkups/FY2007302(b)PR.mht.

Specifically, the Senate FY07 funding allocations would shift $9 billion out of the President’s proposed increases in defense spending and $2.4 billion out of State Department and foreign aid accounts. Even with these shifts, the Defense subcommittee would receive a 3.8 percent increase over FY06 and the State Department and foreign aid accounts would receive a 4.1 percent boost over FY06.

Other key Senate appropriations subcommittee allocations are as follows:

- Commerce-Justice-Science received $51 billion, an increase of $1.4 billion above the President’s request and $1.5 billion, or 3.2 percent, over FY06;
- Interior and Related Agencies received $26 billion, about the same as the House-passed measure and FY06 funding, but about $500 million above the President’s request;
- Homeland Security received $31.7 billion, $700 million above the request and $1.27 billion, or 4.2 percent, above FY06;
- Energy and Water received $30.75 billion, $1.25 billion above the request and about $567 million, or about 2 percent, over FY06 funding; and
- Labor-HHS-Education received $142.8 billion, an increase of about $5 billion over the request and $1.6 billion, or 1.1 percent, over FY06 funding.
*CongressDaily* reports that the Administration strongly opposes the decision to take $9 billion out of the President’s request for Defense—the White House also opposed the House decision to take $4 billion out of the same account—and that the President would veto a final Defense appropriations bill that falls much below the House’s cut.

--Senator Harkin Hopes to Bolster Labor-HHS-Education Funding

The additional $5 billion for the Senate Labor-HHS-Education bill is about $1 billion more than the House level but $2 billion less than the $7 billion increase called for in the Senate-passed FY07 budget resolution. The $7 billion budget increase was added on the Senate floor through an amendment offered by Senators Arlen Specter (R-PA) and Tom Harkin (D-IA), the chairman and ranking member of the Senate-Labor-HHS-Education appropriations subcommittee.

In a meeting June 22 with health and education advocates, Senator Harkin said he was considering offering an amendment, presumably on the Senate floor, to add the additional $2 billion to the Labor-HHS-Education bill. As discussed previously, the $7 billion increase is needed to bring health and education programs back to their FY05 funding levels, adjusted for inflation.

**HOUSE APPROPRIATIONS COMMITTEE APPROVES INCREASES FOR NSF, NASA SCIENCE UPDATED**

The House Appropriations Committee on June 20 approved the FY07 Science, State, Justice, and Commerce appropriations bill (H.R. 5672) with the funding increases for the National Science Foundation (NSF) and NASA science that were approved in subcommittee on June 14. The bill is scheduled for House floor consideration next week.

Specifically, the bill would fund NSF at the President’s requested level of $6 billion, including fully funding the agency’s portion of the President’s American Competitiveness Initiative (ACI). The agency total is $439 million above FY06 funding. It includes $4.6 billion for research, which is $334.5 million above FY06 funding, and $832.4 million for science education, which is $16.2 million above the request and $35.7 million above FY06 funding.

Within education, the committee’s extra $16.2 million would add $11 million to the Robert Noyce Scholarship Program, bringing its funding to $21 million, and add $5 million to the Experimental Program to Stimulate Competitive Research, raising its total to $150 million. The bill also would provide $25 million for the Integrative Graduate Education and Research Traineeships, the same as the budget request.

The bill, however, provides no funding increase for NSF’s Math and Science Partnership program, which would be funded at $46 million, the same as the FY07 budget request but $27 million below FY06 funding.

For NASA, the committee-approved funding bill would provide $16.709 billion, about $83 million less than the President’s FY07 request. Within that total, the bill would fund the President’s Vision for Space Exploration at $3.8 billion. The measure also would provide $824 million for aeronautics research, which is $100 million above the budget request but still $60 million below FY06 funding. Science would be funded at $5.375 billion, which is $75 million above the request and about $151 million above the FY06 level. Subcommittee Chairman Frank Wolf (R-VA) said the bill contains no earmarks for NASA.

The Task Force on the Future of American Innovation has issued a statement applauding the committee for providing the President’s full ACI request for NSF and the National Institute of Standards and Technology. The statement is available on the AAU Web site at: http://www.aau.edu/research/Stmt_TFFAI_SciFund_6_20_06.pdf.

OTHER CONGRESSIONAL DEVELOPMENTS

SENATE APPROVES AMENDMENT TO INCREASE AUTHORIZED FUNDING FOR DEFENSE BASIC RESEARCH  NEW

The Senate approved the FY07 Defense authorization bill (S. 2766) on June 22 with an amendment offered by Senators Edward Kennedy (D-MA), Susan Collins (R-ME), and 21 other Senators to authorize an additional $45 million for defense basic research and education. The amendment was approved by voice vote; the authorization bill was approved by a vote of 96-0.

The Kennedy-Collins amendment authorizes the following additional funds: $30 million, evenly divided, for the Army, Air Force, and Navy University Research Initiatives (URI); $10 million for DARPA’s University Research Program in Computer Science and Cybersecurity; and $5 million for the SMART National Defense Education Program.

AAU President Robert Berdahl issued a statement praising passage of the amendment, which can be found at: http://www.aau.edu/research/Stmt_KennedyCollins_6-22-06.pdf.

CFR members are encouraged to thank their Senators for cosponsoring the amendment. The cosponsors of the amendment were: Edward Kennedy (D-MA), Susan Collins (R-ME), Lamar Alexander (R-TN), Max Baucus (D-MT), Jeff Bingaman (D-NM), Hillary Clinton (D-NY), Christopher Dodd (D-CT), Mike DeWine (R-OH), Elizabeth Dole (R-NC), Pete Domenici (R-NM), Russ Feingold (D-WI), Tom Harkin (D-IA), John Kerry (D-MA), James Jeffords (I-VT), Joe Lieberman (D-CT), Barbara Mikulski (D-MD), Patty Murray (D-WA), Jack Reed (D-RI), Pat Roberts (R-KS), Paul Sarbanes (D-MD), Charles Schumer (D-NY), Olympia Snowe (R-ME), and Debbie Stabenow (D-MI).

Including the Kennedy-Collins amendment, the overall bill would authorize $11.47 billion for science and technology (S&T) programs at the Department of Defense (DOD). That is $430.9 million, or 3.9 percent, more than the Administration’s FY07 request but $221.6 million less than the House bill (H.R. 5122). The Senate bill, however, would authorize greater funding for 6.1 basic research. The $1.52 billion authorized for that account is $98 million, or 6.9 percent, above the FY07 request and $57.5 million above the House bill.

S&T programs include defense-wide and military service funding for 6.1 basic research, 6.2 applied research, and 6.3 advanced technology development.

Applied research is authorized at $4.59 billion, a 2.4 percent increase above the request. Advanced technology development is authorized at $5.41 billion, a 4.3 percent increase over the request.
A further breakout of the authorization levels for research accounts of interest to research universities is available on the AAU Web site at: http://www.aau.edu/research/07Defauth.pdf.

**SENATE COMMERCE COMMITTEE BEGINS MARK-UP OF TELECOMMUNICATIONS BILL  UPDATED**

The Senate Commerce Committee began mark-up June 22 of its version of comprehensive telecommunications reform legislation (S. 2686), with work to continue on Tuesday, June 27. *TechDaily* reports that Chairman Stevens yesterday afternoon “unveiled dozens of new changes” to his most recent version of S. 2686, “leading every major communications sector to support portions of the bill.” A manager’s amendment, which was approved by voice vote during the session, contained 17 additional changes. “This is a work from every senator on the committee,” said Senator Stevens.

*CQToday* reports that Senators Olympia Snowe (R-ME) and Byron Dorgan (D-ND) will offer a bipartisan amendment on “net neutrality,” which concerns prohibiting Internet service providers from favoring or discriminating against particular Internet traffic or content providers in terms of pricing or network performance. The amendment would require broadband providers to treat similar types of Internet traffic equally.

Chairman Stevens has worked to strengthen the net neutrality provisions in his bill dealing with protection of individual consumers, but his bill does not prohibit Internet service providers from giving faster Internet service to preferred companies.

**ASSOCIATIONS WEIGH IN ON VIDEO FLAG PROVISIONS IN SENATE TELECOMMUNICATIONS BILL**

Several library and higher education organizations, including AAU, wrote to leaders of the Senate Commerce Committee on June 21 urging them to further modify provisions in the committee telecommunications bill (S. 2686) restricting non-commercial use of digital broadcast content.

The bill would reinstate the authority of the Federal Communications Commission (FCC) to mandate the inclusion of copy-protection technology in electronic products, which would prevent video content from being copied if the broadcaster “flagged” it with special signals that would be read by the receiving equipment. The goal is to prevent mass, indiscriminate distribution of digital content, such as movies, over the Internet.

However, the associations are concerned that this “video flag” provision would prevent lawful, non-commercial use of such content for distance education and other educational and research purposes. They have asked Committee Chairman Ted Stevens (R-AK) and Ranking Member Daniel Inouye (D-HI) to revise the legislation to permit circumvention of the video flag technology to allow for these lawful uses of digital broadcast content.

A copy of the associations’ letter is available on the AAU Web site at: http://www.aau.edu/intellect/Ltr_SenTelecomm_6-21-06.pdf.

**IMMIGRATION CONFERENCE TO BE DELAYED  NEW**
The chances of Congress approving an immigration reform package this year dropped considerably on Tuesday when House Republican leaders announced they would hold hearings around the country in August on the Senate-passed comprehensive immigration reform bill rather than go straight to conference. *CQToday* writes that by delaying the conference, the House leaders “have issued a direct challenge to Bush, who has championed an immigration policy that closely resembles what senators passed in May and criticized the House bill as ‘unrealistic.’”

Meanwhile, Senator Arlen Specter (R-PA), chairman of the Senate Judiciary Committee and lead sponsor of the Senate immigration bill (S. 2611), said he would hold additional hearings of his own, beginning with one in Philadelphia on July 5.

The House bill (H.R. 4437) focuses tightly on border security and workplace enforcement. The broader Senate bill includes enforcement and border security measures, a guest worker program, and a means for illegal immigrants to earn citizenship, as well as visa provisions supported by the higher education community.

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