CONTENTS

CONGRESSIONAL SCHEDULE NEW

BUDGET AND APPROPRIATIONS

Appropriations Outlook NEW

Senate Approves Defense Appropriations Bill Without Kennedy-Collins Research and Education Amendment NEW

OTHER CONGRESSIONAL DEVELOPMENTS

House to Consider Rule Change on Earmark Disclosure NEW

With No Agreement on Immigration Reform, Congress to Add Money for Border Security NEW

Telecommunications Legislation on Hold in Senate NEW

EXECUTIVE BRANCH

Spellings Commission to Submit Report to Education Secretary on September 18 NEW

OTHER

Higher Education Associations Express Support for Study Abroad Legislation NEW

Competitiveness Advocacy Day Reception Planned for Sept. 27 NEW

CONGRESSIONAL SCHEDULE NEW

The Senate was in session today to consider a port security bill (H.R. 4954) and will reconvene on Monday, September 11. The House is not in session today and will return on Tuesday, September 12.

CQToday reports that the House next week will take up a resolution to amend House rules concerning earmarks (see item below) and possibly the conference report on the Defense authorization bill (H.R. 5122), which may be completed by late next week. The Senate will continue work on the port security bill and may take up legislation to authorize warrantless wiretaps (S. 2453), as requested by the Administration.

BUDGET AND APPROPRIATIONS

APPROPRIATIONS OUTLOOK NEW

With a little more than three weeks until the new fiscal year begins on October 1, Congress has yet to pass even one FY07 appropriations bill. Those funding bills that cannot be approved before the deadline—which are expected to include the bills that fund domestic programs, particularly the Labor-HHS-Education bill—will be bundled into one or more short-term continuing resolutions (CRs) to sustain funding until final legislation is approved sometime after the November election.
Most likely to pass and be signed into law this month is the Homeland Security funding bill (H.R. 5441). Also likely to pass are the Defense appropriations bill (H.R. 5631) (see item below) and possibly the Military Construction-Veterans Affairs measure (H.R. 5385).

**SENATE APPROVES DEFENSE APPROPRIATIONS BILL WITHOUT KENNEDY-COLLINS RESEARCH AND EDUCATION AMENDMENT  NEW**

The Senate yesterday voted unanimously to approve its version of the FY07 Defense appropriations bill (H.R. 5631), but the final measure did not include the amendment developed by Senators Edward Kennedy (D-MA) and Susan Collins (R-ME) to increase funding for basic research and education. The Senators had hoped the amendment would become part of the manager’s amendment, but it was not included in that package reportedly because Defense Appropriations Subcommittee Chairman Ted Stevens (R-AK) was concerned about the number of amendments offered that carried a price tag.

The Kennedy-Collins amendment sought to add $45 million to Defense basic research funding to bolster the National Defense Education Program/SMART program; University Research Initiatives in the Army, Air Force, and Navy; and DARPA’s university research program in computer science and cybersecurity.

**OTHER CONGRESSIONAL DEVELOPMENTS**

**HOUSE TO CONSIDER RULE CHANGE ON EARMARK DISCLOSURE  NEW**

The House is expected to take up legislation late next week to require that committee or conference reports on spending or tax legislation name the sponsors of earmarks and perhaps other specifically targeted measures they contain. According to CongressDaily, House Majority Leader John Boehner (R-OH) said the change in House rules would apply equally to appropriators, authorizers, and tax writers. However, the package has not been finalized in large part because House appropriators believe that the current draft is not even-handed. They are concerned that it would exempt from disclosure certain tax provisions that could be considered comparable to earmarks, such as duty relief for particular companies and industries, and would not apply to managers’ amendments offered on the floor.

The House-Senate conference on comprehensive ethics and lobbying reform (H.R. 4975, S. 2349) remains stymied.

**WITH NO AGREEMENT ON IMMIGRATION REFORM, CONGRESS TO ADD MONEY FOR BORDER SECURITY  NEW**

With no agreement expected on immigration reform before the November election, CongressDaily reports that House Republican leaders are supporting the Senate’s addition of $1.8 billion in emergency spending for border security to the Defense appropriations bill. The funding, which would support added fencing and vehicle barriers along the U.S.-Mexico border, would be in addition to funding already provided for this purpose in the FY07 Homeland Security appropriations bill (H.R. 5441). The emergency funding could remain in the Defense
bill, or it could be switched to the Homeland Security bill, which is now in conference. The White House apparently has signed off on the plan.

The House and Senate have remained stalemated for months over immigration reform. The House bill (H.R. 4437) focuses tightly on border security and employer enforcement, while the Senate bill (S. 2611) takes a more comprehensive—and controversial—approach that includes a guest-worker program and a means for illegal immigrants to earn citizenship.

The Senate measure also contains the visa provisions supported by the higher education community, which have gotten caught up in the broader immigration reform debate. It appears unlikely that there will be an effort to approve those provisions separately this year.

Specifically, the Senate bill would create a new F-4 visa category to make it easier for foreign graduate students studying science and engineering in the United States to remain here and work after graduation. They would not have to prove they intended to return home after graduation and could apply for a change in status from a student visa to a green card. The bill also would raise the H-1B visa cap from the current 65,000 per year to 115,000 per year, with a provision to raise that number by 20 percent if the cap were reached. It would retain the current visa cap exemption for those with advanced science and engineering degrees earned in the U.S.

**TELECOMMUNICATIONS LEGISLATION ON HOLD IN SENATE  NEW**

*TechDaily* reports that Senate Democrats are blocking a potential effort by Republicans to use a bill on 911 emergency service (S. 1063) as a vehicle for moving comprehensive telecommunications legislation, which has been stalled. Their goal is to prevent Commerce Committee Chairman Ted Stevens (R-AK) from using the 911 bill to sidestep their opposition to his bill and go to conference with the House on broad telecommunications reform.

The 911 bill would require the Federal Communications Commission to ensure that 911 emergency service is available for Internet telephone users. It could be conferenced with the broader House bill (H.R. 5252) because the House bill includes 911 language.

Although Senator Stevens’s telecommunications bill (S. 2686) was narrowly approved by the Senate Commerce Committee on June 28, Democratic Senators’ holds on the bill have kept it from the Senate floor. The primary issue for Democrats is their view that the measure does not sufficiently address “net neutrality,” the issue of whether Internet service providers should be allowed to favor or discriminate against particular Internet traffic or content providers in terms of pricing or delivery speed. Although the net neutrality provisions in the Stevens bill have been strengthened since the bill’s introduction, the bill is viewed as still falling short of prohibiting discrimination that could constitute an abuse of market power.

The AAU statement on net neutrality is available at:  

**EXECUTIVE BRANCH**

**SPELLINGS COMMISSION TO SUBMIT REPORT TO EDUCATION SECRETARY ON SEPTEMBER 18  NEW**
The Secretary of Education’s Commission on the Future of Higher Education will give its final report to Secretary of Education Margaret Spellings on Monday, September 18. The report is not expected to be substantially different from the draft approved by the commission on August 10, although commission members last week agreed to modify a statement in the report regarding development of open-source software. It remains unclear when the final document will be made public and whether the transmittal of the report will be a public event.

Secretary Spellings will speak at a National Press Club luncheon in Washington, D.C. on Tuesday, September 26, presumably to discuss the report.

An AAU statement about the report is available on the AAU Web site at: http://www.aau.edu/education/Spellings_Commission_8-10-06.pdf.

OTHER

HIGHER EDUCATION ASSOCIATIONS EXPRESS SUPPORT FOR STUDY ABROAD LEGISLATION NEW

Six higher education associations, including AAU, wrote to Senators Norm Coleman (R-MN) and Richard Durbin (D-IL) on September 1 thanking them for introducing legislation to expand opportunities for college students to study abroad. The letter, sent under the leadership of the American Council on Education (ACE), thanked the Senators for introducing the measure (S. 3744), which would establish an Abraham Lincoln Study Abroad Program. The bill is aimed at enabling students from all sectors of higher education to study abroad and at expanding opportunities in non-traditional destinations. The goal is to have one million American students studying abroad in 10 years.

A copy of the associations’ letter is available on the ACE Web site at: http://www.acenet.edu/AM/Template.cfm?Section=Government_Relations_and_public_Policy&template=/CM/ContentDisplay.cfm&ContentID=18047

COMPETITIVENESS ADVOCACY DAY RECEPTION PLANNED FOR SEPT. 27 NEW

The Task Force on the Future of American Innovation, in cooperation with AAU and the National Association of State Universities and Land-Grant Colleges (NASULGC), is sponsoring a Capitol Hill reception on September 27 to recognize congressional efforts to advance the recommendations of the National Academies’ competitiveness report, “Rising Above the Gathering Storm.” The reception will be held 5:30-7:30 p.m. on September 27 in 106 Dirksen Senate Office Building. Members of the CFR are encouraged to attend. Those who wish to do so are asked to RSVP to Leslie Weekes at leslie_weekes@aau.edu.

The reception is the culmination of the AAU/NASULGC competitiveness advocacy day, which has been scheduled to coincide with the National Academies’ convocation on September 28 following up on the “Gathering Storm” report. AAU universities and others have assembled state and regional teams of university, industry, and government representatives to participate in the convocation, several of whom also are participating in the AAU/NASULGC advocacy day the preceding day.
Members of the CFR are encouraged to bring members of their state and regional teams to the advocacy day reception.

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