CONTENTS
CONGRESSIONAL SCHEDULE  UPDATED
BUDGET AND APPROPRIATIONS
NSEP Funding Increased to Support New Program Elements
Defense Authorization Bill Improves NSEP Service Requirement  UPDATED
OTHER CONGRESSIONAL DEVELOPMENTS
Congress Approves HEA Extension
Senate Passes Animal Terrorism Bill
House Members Urge College Students to Volunteer at the Polls  NEW
EXECUTIVE BRANCH
Comments on DOD Export-Control Rule Due October 13
OTHER
Associations Urge State Department to Include Study Abroad Program in FY08 Budget
ARL Plans Forum on Access to Publicly Funded Research

CONGRESSIONAL SCHEDULE
The House and Senate are now in recess through the November election and scheduled to return to session on Monday, November 13.

BUDGET AND APPROPRIATIONS

NSEP FUNDING INCREASED TO SUPPORT NEW PROGRAM ELEMENTS
The just-enacted FY07 Defense appropriations measure (P.L. 109-289) provides $32.7 million for the National Security Education Program (NSEP) in the Department of Defense (DOD), more than double the $16 million appropriated in FY06. The additional funding will be used to enhance the National Flagship Language Initiative (NFLI) and to create a pilot program, the Civilian Linguist Reserve Corps. The NSEP funding also supports the Boren undergraduate scholarships, graduate fellowships, the new English Heritage Language Speakers program, and overall program administration. The program will support the same number of undergraduate scholars (141) and graduate fellows (85) in FY07 as it supported in FY06.

Those interested in additional information should contact Matt Owens of the AAU staff at matt_owens@aau.edu.
The FY07 Defense authorization bill (H.R. 5122, H. Rpt. 109-702), approved by Congress last week but not yet signed into law, broadens the federal service requirement of the National Security Education Program (NSEP), a move that has been advocated by universities. The measure expands the definition of U.S. national security in two important ways. It increases from two to four the federal "organizations" at which awardees may work to fulfill their service requirement, adding the Departments of State and Homeland Security to the Defense Department and the intelligence community (the CIA, FBI, the National Security Agency, and other agencies). The bill also allows an awardee who cannot find a position in one of these agencies to fulfill the service requirement in a position "having national security responsibilities" in any federal agency.

Additionally, NSEP awardees will now have to begin their service requirement within a prescribed period of time. Undergraduate scholars must begin their service within three years of completing their degrees and graduate fellows must begin within two years of degree completion. The measure also makes it easier for awardees to fulfill their service requirement in positions that require a security clearance. In such cases, awardees can now be given temporary employment status while completing their degrees and up to two years after degree completion. This will allow them to begin work—and to begin fulfilling their service requirement—during the often slow-moving security clearance process.

The bill also changes the funding mechanism for NSEP. Rather than relying on the trust fund that has supported the program since its inception in 1991, the bill authorizes the program to receive direct annual appropriations. As noted above, Congress has included funding for the program in the FY07 Defense appropriations measure. It is unclear how the small balance remaining in the trust fund will be used.

OTHER CONGRESSIONAL DEVELOPMENTS

CONGRESS APPROVES HEA EXTENSION

The Senate voted final approval of the extension of the Higher Education Act (HEA) by unanimous consent on September 30, sending the measure to the White House for signature that day. The measure (P.L. 109-292), which passed the House on September 27 by voice vote, extends the authorization through June 30, 2007.

The most recent extension of the law expired on September 30. Although the House approved a five-year reauthorization bill (H.R. 609) on March 30, a companion measure (S. 1614) has not been considered on the Senate floor.

SENATE PASSES ANIMAL TERRORISM BILL

The Senate approved the Animal Enterprise Terrorism Act (S. 3880) on September 30; advocates hope to have the identical House bill (H.R. 4239) approved on the House suspension calendar during the post-election, lame-duck congressional session.

The legislation, which is strongly supported by the academic research community, would strengthen penalties against animal rights advocates who conduct violent or threatening activities.
against animal researchers, those who care for animals used in research, and others. Unlike the earlier version of the House bill, the current measure clarifies congressional intent that the measure not be construed as prohibiting conduct protected by the First Amendment, and removes previous provisions related to the death penalty and wiretapping.

**HOUSE MEMBERS URGE COLLEGE STUDENTS TO VOLUNTEER AT THE POLLS NEW**

Three Members of the House sent letters to the six presidentially based higher education associations, including AAU, on September 28 urging them to encourage students at their member universities to serve as nonpartisan poll workers on election day.

Reps. Vern Ehlers (R-MI), Juanita Millender-McDonald (D-CA), and Steny Hoyer (D-MD) expressed concern at the dearth of young people volunteering to serve as nonpartisan poll workers. While praising the hard work and dedication of the senior citizens who traditionally work the polls, the legislators noted that additional assistance is needed because of the increasing complexity of voting, particularly the use of electronic voting machines and new federal standards for running elections. “College-age students represent an ideal pool of young, energetic talent to complement the existing army of volunteer poll workers,” they wrote.


**EXECUTIVE BRANCH**

**COMMENTS ON DOD EXPORT-CONTROL RULE DUE OCTOBER 13**

Members of the CFR are reminded that October 13 is the deadline for responding to the Department of Defense (DOD) proposed rule to modify the Defense Federal Acquisition Regulation Supplement (DFARS) regarding DOD contracts and export-controlled technology.

AAU staff is developing comments on the proposed rule in consultation with the Council on Governmental Relations. The AAU comments and additional guidance will be provided to those institutions that wish to craft their own responses.

As discussed previously ([CFR Weekly Wrap-up, 08-18-06](http://www.aau.edu/research/AAUCommDODECrule101205.pdf)), this second proposed DOD rule is greatly improved over the version published July 12, 2005, and largely responds to concerns expressed by the educational research community and to comments made by AAU (See AAU’s comments at: [http://www.aau.edu/research/AAUCommDODECrule101205.pdf](http://www.aau.edu/research/AAUCommDODECrule101205.pdf)). Among other changes, the proposed rule has been modified to eliminate a provision in the original proposed rule that required unique badging and segregated work areas for foreign nationals.

In its comment letter, AAU will ask DOD to clarify some remaining ambiguities in the proposed language. Most significantly, the association will urge DOD to remove language in the proposal that would allow an export control clause to be inserted in contracts involving only fundamental...
research. AAU believes such language contradicts the fundamental research exemption in existing export control regulations and should not be a part of the final DOD rule.

The proposed rule, which also contains a detailed explanation of how the Department has responded to comments it received to the first proposal, is available electronically in the August 14 edition of the Federal Register (Volume 71, Number 156) at: [http://frwebgate1.access.gpo.gov/cgi-bin/waisgate.cgi?WAISdocID=575970251616+1+0+0&WAISaction=retrieve](http://frwebgate1.access.gpo.gov/cgi-bin/waisgate.cgi?WAISdocID=575970251616+1+0+0&WAISaction=retrieve).

Members of the CFR who are working on institutional responses and have questions should contact Tobin Smith of the AAU staff at: toby_smith@aau.edu.

**OTHER**

**ASSOCIATIONS URGE STATE DEPARTMENT TO INCLUDE STUDY ABROAD PROGRAM IN FY08 BUDGET**

The six presidentially based higher education associations, including AAU, wrote to Secretary of State Condoleezza Rice on September 29 urging her to include in the State Department’s FY08 budget request $50 million to establish a new study abroad program. The program, based on the recommendations of the congressionally established Abraham Lincoln Commission on Study Abroad, would increase the number of U.S. college students studying abroad, particularly in developing countries and in nations important to U.S. national security and economic competitiveness.


**ARL PLANS FORUM ON ACCESS TO PUBLICLY FUNDED RESEARCH**


The event is co-sponsored by AAU, the Coalition for Networked Information (CNI), the National Association of State Universities and Land-Grant Colleges (NASULGC), and the Scholarly Publishing and Academic Resources Coalition (SPARC). It will be held at the Washington Marriott Hotel at 1221 22nd Street, NW, from 8:45 a.m. to 4:30 p.m.

The registration fee is $275 for each individual from AAU, ARL, CNI, NASULGC, and SPARC institutions, and $350 for others. In an effort to encourage participation by university federal relations officers, ARL is waiving the registration fee for those whose job titles reflect federal relations or legislative liaison responsibilities on behalf of universities or other nonprofit research institutions.

Those wishing to attend are asked to RSVP by October 9 to Sarah Segura at sarah@arl.org.
The morning program sessions will examine policy issues related to improving access to scientific research, including emerging government policies and the challenges that the research and academic communities face as new policies are implemented. The afternoon program will focus on practical solutions for implementing new policies, and new tools and economic models that libraries are using to foster institutional publishing programs.

Speakers at the forum will be: Heather Joseph, Executive Director, SPARC; Norka Ruiz Bravo, Deputy Director for Extramural Research, National Institutes of Health; John Vaughn, Executive Vice President, AAU; Sudip Parikh, Professional Staff Member, Senate Appropriations Committee; Michael J. Kurtz, Astronomer and Computer Scientist, Harvard-Smithsonian Center for Astrophysics; Samuel Kaplan, Professor & Chair, Microbiology & Molecular Genetics, University of Texas Medical School at Houston and Chair of the Publications Board of the American Society for Microbiology; James V. Maher, Provost and Senior Vice Chancellor, University of Pittsburgh; Ann Wolpert, Director of Libraries, Massachusetts Institute of Technology; John Ober, Director, Education and Strategy, California Digital Library; Sarah E. Thomas, University Librarian, Cornell University; Nancy L. Eaton, Dean, University Libraries, The Pennsylvania State University; Catherine Candee, Director, Publishing and Strategic Initiatives, Office of Scholarly Communication, California Digital Library; David Shulenburger, Vice President of Academic Affairs, NASULGC; and Clifford Lynch, Executive Director, CNI.

Additional information is available on the ARL Web site at: http://www.arl.org/forum06.

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