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CONGRESSIONAL SCHEDULE  NEW

The House was not in session today. The Senate met but held no roll call votes. Both chambers will reconvene on Monday, May 14.

Both the House and Senate next week will consider a conference report on the FY08 budget resolution and one or more FY07 emergency spending bills, if they are available.

CQToday reports that the Senate next week also is expected to continue consideration of a water projects bill (H.R. 1495) and immigration reform. On the latter issue, Senate Majority Leader Harry Reid (D-NV) plans a cloture vote on last year’s immigration bill on Wednesday as a means of prompting Senate negotiators and the White House to reach a compromise on an immigration reform package. He has said that Senators would be welcome to offer amendments to last year’s bill or a substitute bill, if a compromise package is agreed to. CongressDaily reports that if cloture fails, the Senate could move on to consider an energy bill that aims to promote fuel efficiency and prevent price gouging (S. 1321).

The House next week will consider the FY08 Defense authorization bill (H.R. 1585) and a revised version of the FY07 emergency war funding bill (see item below). The chamber also may consider a bill (H.R. 1427) to modify rules governing the mortgage finance agencies, Fannie Mae and Freddie Mac.
The White House and congressional leaders continue negotiations over the FY07 emergency supplemental funding bill. President Bush vetoed the original measure on May 2 because of its timeline for withdrawal of U.S. troops from Iraq.

The House on May 10 approved by a vote of 221-205 a two-part package that would fund military operations in Iraq and Afghanistan through July, while conditioning the rest of the funding on the Iraq government’s achieving certain benchmarks. A vote in July would be required to release the remaining funds. CongressDaily reports that Senate leaders of both parties have not supported this approach but that negotiations continue between congressional leaders and the White House in an effort to produce a compromise package acceptable to all parties.

Meanwhile, the House also approved on May 10 a separate FY07 emergency funding bill (H.R. 2207) for agriculture disaster relief and wildfire control. Although the President has threatened to veto the extra funding, the measure passed by a veto-proof majority of 302-120.

House and Senate negotiators on the FY08 budget resolution met for the first time yesterday but were unable to reach agreement on key sticking points. It remains unclear how the two sides will work out the $7 billion difference in overall discretionary spending—the House version has the higher figure—or how they will resolve other issues, particularly the extension of tax cuts and the House proposal for reconciliation instructions regarding savings in the student loan programs.

The House version of the resolution includes reconciliation instructions to the education committees to save $75 million net over five years by cutting federal subsidies to private student loan companies. Senate Budget Committee Chairman Kent Conrad (D-ND) has opposed this provision because it would allow the Senate to include reauthorization of the Higher Education Act in filibuster-proof reconciliation legislation. “I am very concerned about the precedent,” he told CongressDaily. “It strikes me that next year there will be a long line out the door of people wanting to proceed the same way.” In an effort to address his concerns, House Democrats have raised the requirement from $75 million in deficit reduction to $400 million. “Not many other reconciliation wannabes would be able to meet that threshold,” said House Budget Committee Chairman John Spratt (D-SC).

Rep. George Miller (D-CA) and Senator Edward Kennedy (D-MA), chairs of the House and Senate education committees, have said they want to use reconciliation savings to increase the Pell grant maximum award, cap student loan payments based on income, and provide loan forgiveness to some students.

A group of 48 Senators, led by Senators Edward Kennedy and Orrin Hatch (R-UT), has written to Senate appropriators asking them to provide the National Institutes of Health (NIH) with a budget increase of 6.7 percent in FY08.
The Senators’ letter notes that since the doubling of the NIH budget concluded in 2003, the agency’s budget has failed to keep up with biomedical inflation and has lost more than 12 percent of its purchasing power. “Many of the benefits of the doubling will be lost,” says the letter, “unless FY 2008 is the beginning of an annual commitment by the Congress to provide adequate funding for health research.”

The letter is available on the AAU Web site at: http://www.aau.edu/budget/Ltr_Byrd-Cochran_NIH_4-26-07.pdf.

ENERGY SCIENCES COALITION ASKS FOR INCREASED FUNDING FOR ENERGY RESEARCH

The Energy Sciences Coalition, a group of companies, universities, and industry, scientific, and university associations, including AAU, sent a statement to leaders of the House and Senate energy and water appropriations subcommittees on May 4 urging support for the President’s FY08 budget request of $4.4 billion for the Department of Energy (DOE) Office of Science. The statement was endorsed by 57 organizations and institutions.

The statement points out that the added funding proposed in FY08 would allow the Office of Science to maintain and strengthen its core research programs; support 3,000 additional PhDs, postdoctoral associates, and graduate students; ensure maximum use of DOE research facilities; allow the Office to develop and construct next-generation facilities needed to maintain U.S. preeminence in scientific research; and allow the Office to pursue the scientific opportunities outlined in its strategic plan and 20-year facilities plan.

The letter and statement are available on the AAU Web site at: http://www.aau.edu/research/Ltr_ESC_DOEOS_5-4-07.pdf.

OTHER CONGRESSIONAL DEVELOPMENTS

HOUSE PASSES “STUDENT LOAN SUNSHINE ACT” UPDATED

The House on May 9 approved the “Student Loan Sunshine Act” (H.R. 890), a bill aimed at giving students more and better information about their student loan borrowing rights and creating new rules to prevent conflicts of interest in the student loan process. Because provisions in the package were worked out in advance between Rep. George Miller (D-CA), chairman of the Education and Labor Committee, and Rep. Howard McKeon (R-CA), the ranking member, the bill was able to bypass committee consideration and go directly to the floor, where it was approved by a vote of 414-3.

News reports indicated that the two committee leaders were anxious for the House to approve the measure before Secretary of Education Margaret Spellings testified before their panel the next day on the Department’s oversight of the student loan program.

CQToday reports that action on this issue may be slower in the Senate because Senate Health Education, Labor, and Pensions chairman Edward Kennedy (D-MA) has said he wants to include similar language in the reauthorization of the Higher Education Act, rather than as a stand-alone bill.
Among other provisions, H.R. 890 would require each institution to develop its own code of conduct for student financial aid employees, which must include a ban on gifts and other types of payments from student loan providers. The bill also would ban such employees from consulting or serving on advisory councils for lenders, and it would prohibit revenue-sharing agreements between institutions and lenders. Institutions could retain preferred lender lists but would have to provide information to the public on how vendors were selected and ensure that students have access to all lenders of their choice. Institutions also would have to disclose a variety of information about loan interest rates, fees, and repayment terms.


EXECUTIVE BRANCH

FEDERAL COMMITTEE RELEASES REPORT ON STEM EDUCATION PROGRAMS

A committee of federal officials created by Congress in 2005 to undertake a year-long study of federal science, technology, engineering, and mathematics (STEM) education programs has found duplication among programs and the need for improved coordination across federal agencies. The study released on May 10 by the American Competitiveness Council (ACC), chaired by Education Secretary Margaret Spellings, calls for greater coordination and collaboration among programs and says their funding should not be increased “unless a plan for rigorous, independent evaluation is in place, appropriate to the types of activities funded.”

The panel reviewed 105 federal programs that together spend more than $3 billion a year on STEM education from kindergarten through the postgraduate level. Based on 115 program evaluations provided by the various federal agencies that support STEM education, the ACC review found that “despite decades of significant federal investment in science and math education, there is a general dearth of evidence of effective practices and activities in STEM education.”

However, the report also notes that nearly half of federal STEM education funding—$1.46 billion in 2006—is for graduate and postgraduate fellowship and traineeship programs (page 24). The largest programs within that category are the Ruth L. Kirschstein National Research Service Award program at the National Institutes of Health ($761 million) and the Graduate Research Fellowships program at the National Science Foundation ($93 million in FY06).

Members of the CFR will recall that Diane Jones of the President’s Office of Science and Technology Policy discussed preliminary findings of the report at the CFR meeting in December.


FINAL SESSION OF ACCREDITATION NEGOTIATED RULEMAKING IS JUNE 1
The Department of Education has announced that the fourth and final negotiated rulemaking session on accreditation will be held Friday, June 1 from 9:00 a.m. to 5:00 p.m. EDT, in the eight floor conference room at 1990 K Street, NW, in Washington, D.C.

Consensus on a package of regulatory proposals was not achieved at the last round of negotiations in April. Press reports indicate that at the suggestion of some of the non-federal negotiators, the Department scheduled an additional fourth round of negotiations to see if consensus could be achieved. Department officials have said that regardless of whether negotiators reach an agreement, they intend to issue a package of proposed accreditation regulations in June.

OTHER

HIGHER EDUCATION COMMUNITY COMMENTS ON PROPOSED CHEMICAL FACILITIES RULE

Under the leadership of the American Council on Education, a group of eight higher education associations, including AAU, sent comments to the Department of Homeland Security (DHS) on May 7 urging officials to modify a proposed rule governing anti-terrorism standards for chemical facilities.

As part of the agency’s effort to determine the level of risk for terrorism posed by chemical facilities around the country, DHS proposes that any entity that might possess certain chemicals be required to conduct what is called a “Top-Screen” analysis. The entity must first inspect its operations to see which of 342 chemicals are present, and in what amounts. If even one of a group of 104 chemicals is present in any amount, the Top-Screen must be fully completed.

In order for colleges and universities to complete the inspection, says the letter, they “must inspect very building, laboratory and classroom where any science course is taught, to determine which one might contain just one of these substances.” Because this significant effort almost certainly would show that “not a single college or university will be found to be a chemical facility that presents a high risk of terrorist attack,” DHS should focus its resources on the task of ensuring chemical facilities are protected and not regulate any facility that might have a miniscule amount of a single chemical.

The letter notes that colleges and universities already are “regulated in a comprehensive manner by OSHA, the EPA, the U.S. Centers for Disease Control and Prevention, and numerous other federal and state laws and regulations.” Campuses also “are subject to special legislation that addresses concerns about substances used in research and other facilities on campus and that may present unusual, terrorist-related threats.”

The letter goes on to ask DHS to exempt colleges and universities from the regulatory process at least until the higher education sector is able to meet with DHS officials and “provide specific suggestions to make its applicability more relevant and effective.”


COMPETE AMERICA URGES ACTION ON IMMIGRATION REFORM
Compete America, a coalition of corporations, research institutions, and associations, including AAU, sent a letter to Members of Congress on May 7 urging them to reform the H-1B visa and green card systems this year. The letter notes that the FY08 allotment of H-1B visas was reached on the first day that applications were accepted, and that many applicants for employment-based resident visas, known as EB green cards, face delays of more than five years.

The group urges reforms that would “ease access to visas for students in key fields of expertise in our universities, streamline the process of moving talented college graduates into permanent residence and a stable place in our workforce, and establish H-1B and green card limits that are consistent with our country’s economic security.”

The letter is available on the AAU Web site at: http://www.aau.edu/homeland/Ltr_CompAmer_H1B_5-7-07.pdf.

UNIVERSITY OF TORONTO COSPONSORING RESEARCH COMMERCIALIZATION SYMPOSIUM ON MAY 24

The University of Toronto and the Council of Ontario Universities are sponsoring a one-day symposium on May 24 to discuss international experiences in the commercialization of university-based research. The session, which will be held at the MaRS Centre in downtown Toronto, will feature university and industry speakers from Ireland, Sweden, Australia, Canada, the United Kingdom, and the U.S.

Program and registration information for the symposium is available at: http://www.research.utoronto.ca/events/cur.html.

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