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Greetings-

Both the House and Senate passed their budget resolutions this week. The following AAU content provides a good summary of the two budget bills and some information on the status of the Higher Education Act Reauthorization.

Please contact me if you have questions.

-Kate

Friday, March 14, 2008

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CONGRESSIONAL SCHEDULE

The Senate was in session until early this morning completing the FY09 budget resolution (see item below) before the two-week spring recess. The chamber will remain in pro forma session throughout the two-week break until it reconvenes on Monday, March 31.

The House was in session today to consider electronic surveillance legislation (H.R. 3773), which it has approved. The chamber is now out of session and will return on Monday, March 31.

BUDGET & APPROPRIATIONS

HOUSE AND SENATE APPROVE THEIR FY09 BUDGET RESOLUTIONS

The House and Senate have approved their respective versions of the FY09 budget resolution (H. Con. Res. 312, S. Con. Res. 70), which will be reconciled into a final package later this spring. The final budget resolution, which is not signed into law by the President, provides a general blueprint for congressional spending across broad budget categories (budget functions) as well as guidance for changes in tax and mandatory programs. As described in this morning's edition of The New York Times, it also serves as "a policy manifesto for the majority party."

While both versions of the budget resolution provide for significantly more discretionary

spending than the President has requested—about $22 billion more in the House and $18 billion more in the Senate—the Administration could force a replay of the FY08 process, when the President succeeded in limiting total spending by threatening to veto appropriations bills that exceeded his overall request.

The House approved its version by a vote of 212-207, with no Republicans voting in favor of it and 16 Democrats voting against it. The measure assumes the President's funding levels for science agencies that are part of the bipartisan, bicameral competitiveness and innovation agendas: the National Science Foundation (NSF), the Department of Energy (DOE) Office of Science, and the National Institute of Standards and Technology. It also assumes additional funding for the budget category that funds the National Institutes of Health (NIH), without a specific amount for NIH. Additionally, the measure rejects the President's proposal to eliminate certain campus-based student aid and other education programs.

The Senate approved its version (S. Con. Res. 70) by a vote of 51-44 early this morning after 44 roll call votes on amendments and other matters. Among the dozens of amendments approved were three of particular interest to higher education: two on science, and one on federal student loan limits.

An amendment offered by Senators Jeff Bingaman (D-NM) and Lamar Alexander (R-TN), approved by voice vote, added $600 million to the budget assumption for Function 250, General Science. This would raise the assumed funding levels for NSF and the DOE Office of Science to the levels proposed in the President's FY09 budget request, thus matching the House budget in this respect

An amendment offered by Senators Arlen Specter (R-PA) and Tom Harkin (D-IA) increased the spending target for the National Institutes of Health (NIH) by $2.1 billion, raising the assumed increase for NIH to $3 billion. Approved by a vote of 95 to 4, the amendment also increased assumed funding for the Low Income Home Energy Assistance Program by $1 billion.

The underlying budget resolution includes an education "reserve" fund to provide support for such items as reauthorization of the Higher Education Act and the expansion and extension of education tax credits and deductions. An amendment offered by Senator Edward Kennedy (D-MA) and approved by voice vote would allow that fund also to be used to raise the borrowing limits on federal student loans.

OTHER CONGRESSIONAL DEVELOPMENTS

CONGRESS APPROVES ONE-MONTH EXTENSION OF HEA

Congress has approved an extension of the Higher Education Act (HEA) through April 30. The Senate approved the extension on Friday, March 7; the House did so last evening. The extension will provide additional time for the House and Senate to reconcile the differences in their respective HEA reauthorization bills (H.R. 4137, S. 1642).

HIGHER EDUCATION COMMUNITY WEIGHS IN ON PEER-TO-PEER FILE SHARING PROVISIONS IN HEA

A group of higher education associations, including AAU, sent a letter to leaders of the House and Senate education committees on March 11 regarding language in the House and Senate versions of the Higher Education Act (HEA) reauthorization bill that addresses illegal peer-to-peer (P2P) file sharing on campus.

The letter expresses support for language in both bills that requires colleges and universities to inform their students about campus policies regarding copyright infringement and associated penalties. However, it urges conferees to reject additional language in the House bill that would require institutions to develop plans to provide alternative music and movie services and implement technological measures to deter illegal file sharing.