



SUNY FEDERAL RELATIONS UPDATE

Thursday, October 25, 2007

I am pleased to announce to you that Angie Anderson joined SUNY Federal Relations as Assistant Director for Federal Relations at the end of September. She comes to SUNY from Iowa State University where she most recently served as Interim Director of Federal Governmental Relations. Prior to that, Angie worked for Dutko Worldwide, a government affairs strategy firm, as a legislative assistant. Angie is a graduate of the University of Iowa and received her MA from George Washington University in Political Management.

Angie joins Mike Spencer and me here in the Washington, DC office. Mike joined the SUNY Federal Relations team in August 2008 as Federal Relations Assistant. Prior to joining SUNY he was an aide to Congressman Vito Fossella and former Congressman Jim Gibbons. Beth Kempter is SUNY's Federal Relations Associate at the SUNY System Administration office in Albany, NY. Beth has been working on behalf of SUNY since September of 2000.

Many of you have asked how we will be sharing federal relations responsibilities. Each of us will be actively involved in all aspects of federal relations activities, from working on appropriations requests to following major issues and concerns for higher education in the nation's capital and communicating with policymakers. However, in general, I will serve as the primary contact for research-related concerns, Angie will serve as the point person for financial aid and higher education administration-related concerns, and Beth will serve as the coordinator of the SUNY appropriations request process.

As I noted in my presentation to the SUNY presidents at the Fall Presidents' Meeting in Albany last week, please feel free to contact any of us with your questions, concerns, and ideas.

CQ is reporting that Democratic leaders expect to reach agreement in conference on their first fiscal 2008 spending bill by late next week. According to CQ, Senate Majority Leader Reid told reporters it still hadn't been decided which spending bill would be sent to President Bush first, although he did discuss the issue yesterday with House Appropriations Chairman Obey. The leading candidate remains the Labor-HHS-Education bill the Senate passed Oct. 23, because it rejects Bush-proposed cuts and instead would increase funding for numerous domestic programs that are high

Democratic priorities. Also on the short list are Transportation-HUD and Commerce-Justice-Science.

Provided below is additional information on a number of other issues related to colleges and universities.

Liz Clark

Director of Federal Relations
State University of New York (SUNY)
Washington, DC Office
444 North Capitol Street, NW; Suite 617
Washington, DC 20001
Office: (202) 220-1315 / Cell: (202) 384-4171

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DREAM Act Fails to Pass US Senate

As reported by Inside Higher Education, the US Senate yesterday fell short of the 60 votes needed to proceed to a vote on the Development, Relief and Education for Alien Minors (DREAM) Act, which would offer a pathway to permanent residency for students in the country without documentation who complete two years of college or military service. In a statement on the floor following the 52-44 vote, the bill's sponsor, Sen. Richard J. Durbin (D-Ill.), pledged his commitment to continue pushing the bill. A provision which would have returned full authority to the states to determine in-state tuition policy, including whether to extend in-state tuition to undocumented students, has been dropped from the legislation.

The American Council on Education (ACE) urged the Senate to support the Development, Relief and Education for Alien Minors (DREAM) Act and sent [letters](#) to Sen. Richard Durbin (D-IL), one of the bill's sponsors, and the full Senate on behalf of ten other higher education associations in support of the bill ([S. 2205](#)).

Senators Schumer and Clinton voted in support of the bill.

House Passes Six-Month Extension of HEA

With the current extension of the Higher Education Act (HEA) set to expire October 31, the House passed on October 22 another six-month extension. It not yet certain

whether the Senate will follow suit by passing the same legislation or will insist on a shorter extension to force the House to produce a full reauthorization bill. The Senate passed a five-year reauthorization and overhaul (S 1642) on July 24 by 95-0.

The bill (HR 3927) would be the third extension this year of the Higher Education Act (PL 105-244), which has not been fully renewed since 1998. The first extension (PL 110-44) expired July 31, and the current one (PL 110-51) ends Oct. 31.

On Oct. 4, the ranking Education and Labor Committee Republican, Howard P. "Buck" McKeon of California, introduced a bill (HR 3746) that would overhaul and renew the Higher Education Act for five years. It is the only long-term extension introduced in the House.

Update on Peer-to-Peer (P2P) File Sharing

The entertainment industry continues to promote legislation aimed at forcing colleges and universities to reduce illegal peer-to-peer (P2P) file sharing of music and videos on campus. Last July, Senate Majority Leader Harry Reid (D-NV) introduced a P2P amendment to the Senate's Higher Education Act (HEA) reauthorization bill (S. 1642), which the higher education community strongly opposed as inappropriate and unworkable. Senator Edward Kennedy (D-MA) was able to work out compromise reporting language with Senator Reid for the final bill, which the community did not oppose.

It is unclear when Democratic leaders of the House Education and Labor Committee will introduce and consider an HEA reauthorization bill this year—the panel's focus has been on reauthorizing No Child Left Behind. However, a group of committee Republicans, led by Rep. Howard McKeon (R-CA), last Friday introduced their own bill (H.R. 3746), which includes provisions similar to both the Reid amendment and the Kennedy compromise language.

The Reid-like amendment would require the Secretary of Education to identify each year the 25 colleges and universities that receive from the entertainment industry the most notices of illegal P2P file sharing. Within that group of schools, those with 100 or more violations would have to submit new reports to the Secretary and show they are implementing a technology-based deterrent to illegal P2P file sharing.

The higher education community opposes this provision for a variety of reasons, including that illegal file sharing is a broad national—and international—problem that is not limited to college campuses; the requirement for a technological fix could inhibit legitimate campus file sharing; the provision turns the Secretary of Education into an enforcement agent for the entertainment industry; and the provision ties compliance to federal student aid eligibility, thus endangering students' ability to participate in federal financial aid programs.

Senator Kennedy's compromise provision, which became part of the Senate HEA bill, would require all colleges and universities to provide their students with information on penalties for violating copyright law, campus disciplinary procedures for copyright violators, and what technological measures institutions might employ to prevent illegal file sharing.

Department of Defense Issues Appropriations Appeal, Includes Indirect Cost Cap

According to AAU, on Monday, October 15 the Department of Defense (DOD) issued a Budget Appeal on the FY2008 Defense Appropriations bill. Amongst the issues addressed in the appeal is the indirect cost cap on basic research. The DOD urges the conferees to delete the provision requiring a 20% cap on indirect costs. The DOD further states that the cap is unjustified because both direct and indirect costs are real costs of conducting research.

House Hearing on Women Faculty in STEM Fields

The House Committee on Science and Technology's Subcommittee on Research and Science Education held a hearing Wednesday to explore possible barriers to the recruitment and retention of women faculty in STEM fields. Witnesses from NSF and several universities testified that women hold only 28% of full-time faculty positions in science and engineering, but that the issue is not a lack of candidates, but too little effort to recruit and promote women. Some recommended that the government expand enforcement of anti-discrimination laws, such as Title IX, from athletics to other academic areas. One specific recommendation was for more mentoring of women graduate students.

Witness statements can be found at: science.house.gov/

NAS Report Calls for Open Exchange of Unclassified Research

A new report from a panel of the National Academies' National Research Council argues that in order to strengthen the role of science and technology in maintaining national and economic security, the United States should ensure the open exchange of unclassified research.

"Science and Security in a Post 9/11 World," developed by a committee of former national security officials and senior university researchers and administrators, also suggests creating a new science and security commission to help balance scientific openness with security concerns. The commission would be co-chaired by the President's national security advisor and the director of the White House Office of Science and Technology Policy and include representatives of the academic research community and national security officials.

The press release and full report are available at:
<http://www8.nationalacademies.org/onpinews/newsitem.aspx?RecordID=12013>.

AAAS Science Fellows Program Accepting Applicants for 2008-09

The American Association for the Advancement of Science (AAAS) is accepting applications for its science and technology fellows program in 2008-09. The purpose of

the program is to enable scientists and engineers from around the country to use their knowledge and analytical skills to help address national and international policy issues. Fellows, who must be U.S. citizens and have completed a doctoral-level degree, spend year-long fellowships in congressional offices and more than a dozen federal agencies. The six general areas of emphasis are: congressional; diplomacy; energy, environment, agriculture, and natural resources; global stewardship; health, education, and human services; and national defense and global security.

Information about the fellowships program is available at: <http://fellowships.aaas.org>.