

APLU Policy Considerations for President-Elect Joseph R. Biden



ASSOCIATION OF
PUBLIC &
LAND-GRANT
UNIVERSITIES

Table of Contents

APLU Policy Considerations for President-Elect Joseph R. Biden	4
Higher Education Issues	6
Double the Maximum Federal Pell Grant and Expand Support for Campus-Based Aid Programs	6
Address Student Basic Needs.....	8
Carefully Craft a Federal-State Partnership to Boost Support for Public Higher Education	9
Provide Support for Historically Black Colleges and Universities and Other Minority-Serving Institutions.....	11
Support Students, Policymakers, and Institutions with Comprehensive Higher Education Outcomes Data.....	11
Protect Students and Taxpayers by Appropriately Enhancing Accountability.....	12
Research Issues	14
Increase Investments in Federally Supported University Research; Expand Support and Broaden Participation in Training Programs for University Students Pursuing STEM Degrees.....	14
Bolster federal support for research and development:.....	15
Strengthen critical scientific workforce development programs and broaden domestic participation in STEM disciplines:	16
Ensure Strong Partnerships and Continued Communication Between Federal Agencies and the University Community to Tackle Research Security Issues	17
Support Federal Investments in University Physical and Cyber Infrastructure	18
Physical Infrastructure.....	18
Cyber Infrastructure/Broadband	19
Support Agricultural Science and Cooperative Extension at Land-grant Universities to Address Climate, Food, Health, and Nutrition Challenges	19
Agricultural Research Infrastructure.....	20
Significantly Increased Funding for Agricultural Research, Education, and Extension	20

Table of Contents (cont.)

The U.S. and Public Universities: Strengthened by Immigrants	22
Protect Dreamers.....	22
International Students are Key to Strong Universities, Global Competitiveness, and our Economy.....	22
APLU Priorities for Repealing or Amending Trump Administration Executive and Regulatory Actions	25
White House Executive Orders/Proclamations	25
Department of Education	26
Department of Health and Human Services (HHS).....	27
Department of Homeland Security.....	27
Department of Labor.....	28

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For generations, public research universities have served as ladders of upward mobility and engines of economic growth. These institutions provide an affordable pathway to a four-year degree and the vast opportunity such an education confers to graduates. Our nation has a rich history of recognizing higher education as vital to individual and societal advancement. From the Morrill Acts of 1862 and 1890, to the GI Bill of 1944, the Higher Education Act of 1965, to the Post-9/11 GI Bill of 2008, the United States has sought to make a college education – and all of the many benefits associated with it – available to as many individuals as possible.

But more must be done. Far too many low-income and students of color still face barriers to accessing and completing a higher education. Public universities are working tirelessly to find new ways to drive student success, including through innovative initiatives such as the Association of Public and Land-grant Universities' (APLU) Powered by Publics¹. This effort convenes more than 125 public research universities collaborating to: produce hundreds of thousands more graduates by 2025 with an emphasis on low-income, first-generation, and students of color; cut in half the achievement gap by 2025 while increasing access; and share key data, learnings, and effective practices to drive innovation and transformation across the higher education sector.

Public and land-grant universities also undertake a large share of the federal government's basic research. From biomedical research that yields cures to deadly diseases to advanced computing innovations that help address vexing societal challenges to developing new clean energy solutions, public research universities play a central role in saving lives, tackling societal problems, and laying the foundation for long-term economic growth and broadly shared prosperity. They also collaborate to conduct public impact research with society-changing aims such as helping feed the world sustainably, solving the unique challenges facing rural and urban communities, combatting substance addiction, and addressing mental health.

¹ <https://www.aplu.org/projects-and-initiatives/center-for-public-university-transformation/powered-by-publics/>



To advance economic development, public research universities partner with local industry, governments, and nonprofits to cultivate a skilled workforce, help communities overcome intractable challenges, improve the quality of life, and keep businesses on the leading edge of technological change.

This three-part mission of education, research, and community engagement is unique to our nation's public and land-grant universities and provides immense benefits to communities, states, and our nation.

The COVID-19 pandemic presents extraordinary new challenges to this critical work, but also creates added urgency. Institutions face new barriers to effectively educating students, including those from low-income, first-generation, and underrepresented groups who may be disproportionately impacted by the pandemic. As the pandemic began to sweep across the United States, researchers were forced to shutter cutting-edge research at a moment's notice, interrupting crucial work and creating new costs. And in the midst of wrenching economic devastation wrought by the virus, public and land-grant universities are seeing more demand for job-creating economic engagement than ever before. In addition to the substantial costs and revenue losses to institutions, a potentially devastating wave of state cuts to public higher education looms given immense pressures on state budgets and historical patterns of disproportionate impact to public higher education. To deliver on their mission at a time of great demand, public research universities need support.



If Congress does not pass a Phase IV COVID-19 relief measure during the lame-duck session, APLU urges the incoming administration to prioritize this as an emergency and consider public research universities' priorities².

When the nation emerges from the pandemic, the economic recovery will depend on a massive reskilling of the millions of workers whose jobs have disappeared. Public research universities are committed to partnering across higher education and with government, industry, nonprofits, and the philanthropic sector to meet this challenge. But giving workers the skills they need to reengage in the economy and rebuild their futures will take planning, coordination, and resources.

² <https://www.aplu.org/members/councils/governmental-affairs/CGA-library/aplu-covid-19-priorities/file>

APLU congratulates President-elect Joe Biden and Vice President-elect Kamala Harris. We look forward to working together to build a healthy, prosperous, inclusive, and welcoming nation. To that end, below are policy priorities we urge the transition team to consider as it makes plans for the new administration. The priorities fall under three main categories:

- 1) Expanding higher education access, affordability, and student success
- 2) Fostering scientific discovery
- 3) Welcoming the contributions of immigrants to our nation

At the very end of the document we also provide a list of Trump administration executive and agency actions we urge the incoming administration to prioritize for rescission or revision. The list is not comprehensive of all of the concerns from public universities on administration regulations, executive orders, guidance, and other actions.

Higher Education Issues

Double the Maximum Federal Pell Grant and Expand Support for Campus-Based Aid Programs

Pell Grants are the cornerstone of financial aid, targeting federal resources to those students most in need of support to access and afford a college education. Over seven million students, or about 40 percent of undergraduates, receive a Pell Grant each year, including more than 2.5 million students at public four-year institutions³. Pell Grants are well-targeted to students with clear financial need: Approximately three-fourths of all Pell Grant dollars are awarded to students with a family income below \$30,000⁴.

For many students, Pell Grants make the difference between being able to afford college or not, but over the years the size of the grant has not kept pace with the costs of attending college. While the maximum grant used to cover about 80 percent of college costs, today the maximum grant of \$6,345 covers just 30 percent of the cost of attending college⁵.

³ <https://www2.ed.gov/finaid/prof/resources/data/pell-institution.html>

⁴ <https://www.cbpp.org/research/federal-budget/pell-grants-a-key-tool-for-expanding-college-access-and-economic-opportunity>

⁵ <https://www.ed.gov/college>



The average net cost of in-state tuition and fees at a public four-year university is \$3,870 when subtracting average student aid, but students must also factor in non-tuition costs such as course materials and fees, housing, transportation, and food⁶.

For students with the most financial need, federal campus-based aid programs, the Supplemental Educational Opportunity Grant (SEOG) and Federal Work-Study (FWS), complement Pell Grants to provide a financial aid package that puts college within reach. Additional investments in SEOG and FWS are needed to ensure that financial aid is sufficient to support students with the most need.

The federal Pell Grant and campus-based aid programs provide critical support for increasing access to higher education for all students, but to achieve this goal the federal government must invest in restoring their purchasing power. We appreciate President-elect Biden's support for doubling the maximum federal Pell Grant, which would be a foundational step for a future higher education agenda aimed at increasing college access and affordability. As a part of this agenda to strengthen the Pell Grant and other federal aid programs, we encourage the Biden administration to:

- Double the maximum Pell Grant award to \$12,690
- Make Pell Grant funding fully mandatory, providing security for the program and students
- Reinstate and make permanent the mandatory inflation adjustment for Pell Grants, which expired at the end of 2017
- Expand support for federal campus-based aid programs (Supplemental Education Opportunity Grants and Federal Work Study)

“The federal Pell Grant and campus-based aid programs provide critical support for increasing access to higher education for all students, but to achieve this goal the federal government must invest in restoring their purchasing power.”

⁶ <https://research.collegeboard.org/pdf/trends-college-pricing-2019-full-report.pdf>

Address Student Basic Needs

College students are increasingly diverse, in every sense of the word. More low-income, first-generation college students and students of color are attending colleges and universities than ever before. Further, today's college students are not all transitioning straight from high school to higher education; instead, a growing number are adult students and returning students. One in four students at public four-year institutions are over the age of 25⁷.

With this increased diversity comes the need to more broadly examine how college students are treated across federal policy. Like many Americans, many of today's college students face food and housing insecurity⁸. One in five college students are parents, facing the same struggles in finding affordable childcare options⁹. Far too many students are impacted by the digital divide, with many college students lacking affordable high-speed broadband and the hardware and software needed to complete their work¹⁰. Today's college students are also in need of affordable health care and mental health services¹¹.

And yet, often college students are left out of critical government benefit programs or must navigate a labyrinth of complicated eligibility requirements to access them. For example, while some college students are eligible for the Supplemental Nutrition Assistance Program (SNAP), estimates show that most qualified students do not access these benefits. Under current rules, about 18 percent of college students are eligible for SNAP, but just 3 percent actually receive benefits¹². Colleges and universities are working hard to address student food insecurity on campuses, investing in food pantries and expanding programming.

President-elect Biden has been outspoken in his support for strengthening government benefit programs, particularly as a part of the response to the economic impact of COVID-19.

⁷ <https://nces.ed.gov/fastfacts/display.asp?id=98>

⁸ <https://www.gao.gov/products/GAO-19-95>

⁹ <https://www.gao.gov/assets/710/701003.pdf>

¹⁰ <https://thehill.com/blogs/congress-blog/politics/513894-the-pandemic-highlights-the-need-of-connectivity-for-college>

¹¹ https://healthymindsnetwork.org/wp-content/uploads/2020/07/Healthy_Minds_NCHA_COVID_Survey_Report_FIN_AL.pdf

¹² https://younginvincibles.org/wp-content/uploads/2018/02/Rethinking_SNAP_benefits.pdf



As the new administration invests in these programs, it is critical that the federal government both include college students in such benefit programs and support targeted campus initiatives to meet students' basic needs. This could include the following:

- Expand college student eligibility for government benefit programs such as SNAP through legislation such as the College Student Hunger Act, H.R. 3809/S. 2143, and improve communications and outreach to college students
- Increase federal investment in high-speed broadband access, including access for postsecondary students such as proposed in the Support Connectivity for Higher Education Students in Need Act, H.R. 6814/S. 3701
- Increase investments in quality childcare options through the Childcare Access Means Parents in School (CCAMPIS) program
- Help ensure students have access to health and mental health services, particularly telehealth services

Carefully Craft a Federal-State Partnership to Boost Support for Public Higher Education

The most fundamental long-term negative force impacting higher education is state disinvestment in public higher education, which is why APLU supports the structure of a federal-state partnership in which the federal government provides incentives to states to reinvest¹³.

Strong state funding of public colleges and universities is what historically allowed such institutions to remain very affordable while still providing a high-quality education. In 1988, 48 states contributed more per-student to public higher education than students paid in tuition. This relationship has now flipped in most states. In 2018, students paid a higher amount in tuition than state per-student funding in 28 states¹⁴. Public higher education still has not come close to recovering from the cuts of the Great Recession and more severe cuts are looming due to the final strain the pandemic is causing on states.

“The most fundamental long-term negative force impacting higher education is state disinvestment in public higher education, which is why APLU supports the structure of a federal-state partnership in which the federal government provides incentives to states to reinvest.”

¹³ <https://www.aplu.org/members/councils/governmental-affairs/CGA-library/aplu-hea-priorities/file>

¹⁴ <https://www.cbpp.org/research/state-budget-and-tax/state-higher-education-funding-cuts-have-pushed-costs-to-students>

We deeply appreciate that the President-elect has made affordability a top priority through, among other things, his support of a federal-state partnership that would provide students from households earning \$125,000 or less with a tuition-free, public four-year education. Constructing such a program is extremely complicated given the mix of federal, state and institution policy dynamics. We welcome the opportunity to work with the President-elect's team to maximize the effectiveness of such a policy and avoid some possible unintended pitfalls. Below are some broad issues that could emerge with such a federal-state partnership:

- The policy should be broadly attractive to states to maximize state participation.
- A federal-state partnership should increase support for the many critical purposes of funding public higher education. If the federal government creates incentives for states to direct new investments only to tuition reduction, APLU worries greatly about harmful consequences for other critical areas that rely on investment such as academic quality, student support services, faculty and staff, community engagement programs, etc.
- Well-intentioned Maintenance of Effort (MOE) provisions – even if “effective” – will not preclude possible harm. For example, a flat appropriations level while enrollments and inflation increase is effectively a cut. Additionally, MOEs have not always been effective in holding states accountable.
- APLU supports lifting all public institutions of higher education in a federal-state partnership. We are concerned with federal requirements on states that would result in blanket prioritizing of funding for one segment of the public sector before another.

Provide Support for Historically Black Colleges and Universities and Other Minority-Serving Institutions

APLU appreciates the President-elect's clear support for our nation's Historically Black Colleges and Universities (HBCUs), Hispanic-Serving Institutions (HSIs), Asian American and Native American Pacific Islander-Serving Institutions (ANNAPISIs), Alaska Native and Native Hawaiian-Serving Institutions (ANNHs), Predominantly Black Institutions (PBIs), and Tribally Controlled Colleges and Universities (TCCUs), which serve a disproportionate number of students of color, low-income students, and first-generation college students. The Biden plan's commitment to institutional support to help make HBCUs and other MSIs more affordable for students, boost student access and success, invest in diverse talent, and build high-tech labs and facilities will help ensure these institutions continue to provide an excellent education to their students.

APLU has advocated for additional investments in programs authorized through the Higher Education Act to serve HBCUs and MSIs, in addition to support for federal student aid and campus-based programs. APLU's membership includes 61 MSIs, many of which rely upon this institutional funding for a range of programs critical to their students, including strengthening STEM education, enhancing research capacity, investing in academic services and student success, and providing support to students at risk of dropping out. We encourage the Biden administration to:

- Provide significant increases to Title III and V programs authorized through the HEA

Support Students, Policymakers, and Institutions with Comprehensive Higher Education Outcomes Data

Comprehensive data on student outcomes at each college and university in the U.S. are considerably lacking. As a result, students and families are left with incomplete and sometimes misleading information as they make the critical decision about which college or university to attend.

The lack of complete data also makes it more challenging for policymakers to implement evidence-based decisions. Further, institutions lack access to key information they need to assess their performance and improve.



The problem stems from a provision in the Higher Education Opportunity Act of 2008, which bans the Department of Education from collecting student-level data. Lifting the ban on student-level data for limited and relevant data collection would allow the federal government to provide comprehensive, aggregate information on graduates' employment outcomes, including salary by institution and academic programs. This data could show both short- and long-term results. Importantly, it could also include all students, rather than just those that receive federal student aid—excluding these students omits 39 percent of students in postsecondary education. Additionally, lifting the ban would fill the major gaps in the federal government's deeply flawed graduation rates¹⁵.

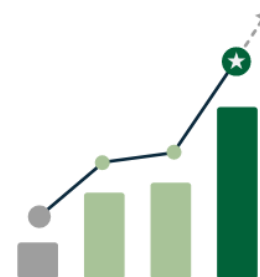
- Support the College Transparency Act, H.R. 1766/S. 800, legislation APLU was proud to help develop with bipartisan cosponsors in both the House and Senate, to enhance higher education outcomes

Protect Students and Taxpayers by Appropriately Enhancing Accountability

In order to maintain the integrity of the federal financial aid system and protect students and taxpayers, the federal government must appropriately control access to Title IV funds.

Unfortunately, existing controls have proven insufficient, failing to protect students from inferior quality programs and failing institutions, particularly in the for-profit sector. There is a need to enhance existing protections and carefully construct additional policies to build a stronger federal accountability framework.

Part of the existing foundation for federal accountability is the Cohort Default Rate test, but this test currently fails to capture many inadequately performing institutions. With the increased use of income-driven repayment options, the default rate alone is an insufficient metric to determine the ability of an institution's students to repay their loans. Further, the Trump administration's rescission of the Gainful Employment (GE) rule further eroded federal protections for students, leaving them vulnerable to programs that implicitly promise improved career outcomes but too often deliver insurmountable debt.



¹⁵ <https://www.aplu.org/library/congress-should-lift-the-ban-on-student-level-data-in-hea-reauthorization/File>

A reformed restoration of GE could take into consideration legitimate concerns of institutions such as reporting burden while still delivering essential protections to students and taxpayers.

Finally, the federal government's additional check on for-profits—the 90/10 rule limiting the amount of revenue these institutions can receive from the federal government—fails to account for revenue from the Department of Defense (DOD) and Department of Veterans Affairs (VA) student aid. This omission leaves student veterans particularly vulnerable to aggressive recruitment by some unscrupulous institutions.

APLU would like to work with the Biden administration to repair this accountability framework through the development of rules that protect students from low-quality programs and failing institutions. This framework should be carefully constructed to account for an institution's mission and historical significance, providing additional supports for schools that have been historically underfunded—for example, public HBCUs—with the aim of advancing student success at these institutions. There is a way to construct these policies to address legitimate concerns from institutions, such as reporting burden, while not detracting from the critical protections that are necessary for students and taxpayers. This would include the following steps:

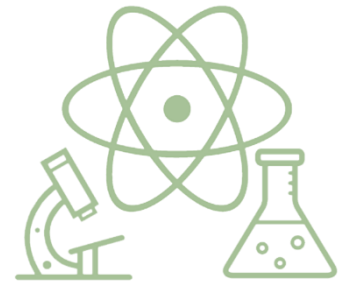
- Reinstating a reformed Gainful Employment rule to protect students and taxpayers, taking into account legitimate concerns of institutions such as reporting burden
- Closing the 90/10 loophole to protect students from disproportionate risk in the for-profit sector
- Fixing the largely irrelevant cohort default rate test to provide meaningful Title IV program integrity

Research Issues

Increase Investments in Federally Supported University Research; Expand Support and Broaden Participation in Training Programs for University Students Pursuing STEM Degrees

University research has been fundamental to the development of new technologies, medicines, and products that impact the daily lives of millions of people. Among the many groundbreaking developments to emerge from universities' laboratories are HIV antiretroviral therapies, nicotine patches, DNA sequencers, cellphone camera image sensors, and the search engine algorithm that ultimately became Google. University researchers have also pivoted quickly in the last year to focus on the immediate need to prevent, mitigate, treat, and, hopefully, cure COVID-19.

Public and land-grant universities play a leading role in the scientific enterprise, helping fuel our economy and improve our quality of life. Recent studies show approximately 80 percent of frontline industries today are the result of research conducted at academic institutions. Funded through competitive grants from federal research agencies such as the National Institutes of Health, National Science Foundation, and Departments of Agriculture, Defense, and Energy, public research universities conduct more than 60 percent of university-based federal R&D. We applaud President-elect Biden's vision for increasing federal R&D investments by \$300 billion over the next four years and look forward to working with his administration to reach this goal.



Consistent support for fundamental research funding is vitally needed to solve other ongoing societal challenges as well. For example, in partnership with the federal government, university researchers are working to find new treatments to cure debilitating and deadly diseases such as Alzheimer's, cancer, and diabetes; ways to mitigate the risks of climate change and combat food insecurity domestically and abroad; discover new materials and utilize smart technology that could be used to update America's infrastructure; and enhance our nation's cybersecurity protocols and tools to better safeguard our national security.

Our nation's public higher education institutions are the envy of the world. Yet, our continued global leadership in the innovation ecosystem depends on well-funded R&D programs and expanding domestic participation in STEM fields, especially for women and

historically underrepresented groups¹⁶. As part of his agenda to strengthen the U.S. economy and ensure that the U.S. remains the leading driver of innovation around the world, we recommend that President-elect Biden:

Bolster federal support for research and development:

- Commit to increasing federal research agency R&D budgets by at least 4 percent real growth each fiscal year, as recommended in the American Academy of Arts and Sciences recent report, *Perils of Complacency: America at a Tipping Point in Science & Engineering*¹⁷.
- Support legislative proposals that enable the United States to remain the global innovation leader. APLU supports bold investments in critical technologies research such as artificial intelligence, high-performance computing, robotics, biotechnology and others as laid out in the bipartisan Endless Frontiers Act, H.R. 6978/S. 3832.
- Increase funding for programs directly supporting research at HBCUs and other MSIs, especially in addressing issues of national importance that would benefit from more diverse researchers and community involvement.
- Find innovative ways to broaden university participation in funded research, such as through mentoring programs and authentic institutional partnerships, to better engage all public research institutions in groundbreaking transformative research.
- Reinvigorate federal funding focused on environmental, climate change, reusable energy, and sustainability research.
- Support increased funding for early career awards across all research agencies to support young faculty members, especially women and those from historically underrepresented groups, who may have been most impacted by the research disruptions cause by COVID-19.

¹⁶ <https://www.nap.edu/catalog/25257/minority-serving-institutions-americas-underutilized-resource-for-strengthening-the-stem>

¹⁷ https://www.amacad.org/sites/default/files/publication/downloads/Perils-of-Complacency_Report-Brief_4.pdf

- Continue to invest in programs, such as the NSF-funded SEMINAL program at APLU, to research, demonstrate, and scale transformative STEM education practices to increase learning and broaden participation and overall student success, recognizing the systemic nature of education across disciplines, institutions, and sectors¹⁸.

Strengthen critical scientific workforce development programs and broaden domestic participation in STEM disciplines:

- Support programs that cultivate undergraduate and graduate domestic STEM talent development, specifically engaging underrepresented populations in STEM fields; and provide increased federal funding for educational resources especially at HBCUs and MSIs¹⁹. These efforts should be coordinated across federal research agencies.
- Generate new scholarship funding for undergraduate students pursuing STEM careers. Increase and create new paid internship opportunities for undergraduate students at federal agencies and supported research laboratories.
- Invest in graduate education, fellowship, and traineeship programs at federal agencies and expand traineeship program models at agencies outside of NSF and NIH to help support the next generation and increase the diversity of scientists, engineers, and innovators.
- Increase support for graduate students, the foundation of the academic research enterprise, through both direct support programs and by maintaining graduate student loan options and improving repayment terms to put graduate and professional studies within reach for all interested students.

¹⁸ <https://www.aplu.org/projects-and-initiatives/stem-education/seminal/index.html>

¹⁹ <https://www.nsf.gov/nsb/publications/2020/nsb202015.pdf>

Ensure Strong Partnerships and Continued Communication Between Federal Agencies and the University Community to Tackle Research Security Issues

APLU member institutions take the threat of undue foreign government influence and intellectual property theft seriously. APLU and the Association of American Universities surveyed our memberships to solicit effective practices, tools, and resources that universities are using to evaluate and strengthen their campus activities to ensure the security of federally funded research and address ongoing and emerging foreign influence threats²⁰.

We urge the Biden administration to partner with APLU and its member institutions to tackle research security issues. Open and collaborative fundamental research has served as a scientific and economic boon to the U.S. and the world. One of the goals of APLU institutions is to foster the development of globally competent students, internationally engaged faculty, and institutions capable of addressing global challenges. The science and education enterprise, however, is put at risk when other governments endeavor to benefit from it without upholding the values of openness, transparency and reciprocal collaboration. To this end, APLU urges the Biden administration to:



- Support recommendations outlined in the JASON report, *Fundamental Research Security*. Specifically, APLU urges the Biden administration to reaffirm NSDD 189, which make clear that fundamental research should remain unrestricted to the fullest extent possible²¹.
- Encourage uniformity of standards and regulations throughout federal agencies.
- Share information about specific security risks on campuses. Far too much information remains classified and unavailable to guide and inform effective and appropriate campus responses. Guidance given to institutions is often too generic to be actionable.

²⁰ <https://www.aplu.org/members/councils/governmental-affairs/CGA-library/effective-science-and-security-practices---what-campuses-are-doing/file>

²¹ https://www.nsf.gov/news/special_reports/jasonsecurity/JSR-19-21FundamentalResearchSecurity_12062019FINAL.pdf

- Designate one point of contact at federal agencies for institutions or faculty to seek advice on security considerations.
- Work with the higher education community to create fair and transparent Department of Education Section 117 foreign gift and contract reporting requirements.
- Establish a permanent high-level working group for federal science and intelligence agencies and universities to facilitate ongoing communication between the university community and federal authorities pertaining to national security concerns.
- Federal agencies should avoid rhetoric regarding foreign influence that suggests possible "racial profiling," which is at odds with American values and should not be tolerated in any situation.

Support Federal Investments in University Physical and Cyber Infrastructure

APLU urges support for investment in our nation’s public university research infrastructure. Specifically, we urge the new administration to invest in critical university physical and cyber infrastructure. Strong federal investments now will pave the way for the U.S. to continue to lead the world in higher education and scientific research, furthering the development of a globally competitive U.S. workforce. We hope the next administration will consider:

Physical Infrastructure

- Bolster instrumentation and construction programs funded through federal research agencies such as NSF, DOD, DOE, NIH, and USDA. These programs allow higher education institutions to build new or update research labs and purchase instruments such as high-resolution x-rays, advanced computing capabilities to process big data, and super resolution microscopes, which are critical to conducting the most cutting-edge fundamental science and engineering research.
- Support research infrastructure programs that specifically strengthen HBCUs and other MSIs’ research capabilities.

“Strong federal investments now will pave the way for the U.S. to continue to lead the world in higher education and scientific research, furthering the development of a globally competitive U.S. workforce.”

Cyber Infrastructure/Broadband

- Support new investments in data repositories hosted by federal research agencies to ensure the scientific data generated from federally funded research is publicly accessible and usable.
- Invest in widely available and affordable broadband access. The pandemic has made it even more apparent that all Americans—urban and rural—need access to reliable and affordable high-speed internet to perform certain jobs, apply digital tools to grow businesses, improve farm and manufacturing productivity, and participate in remote learning. To better assist their communities, many APLU institutions are providing low-income students with Wi-Fi hotspots and connecting them to low-cost internet services. In rural areas with limited access, they are utilizing their Cooperative Extension networks to offer internet access in select locations to those without access for school, work, and personal use. We urge the new administration to increase support for these types of programs and partnerships.
- Support community internet education programs such as those proposed in the Digital Equity Act, H.R. 4486/S. 1167, to ensure that all community members can benefit from broadband expansion.

Support Agricultural Science and Cooperative Extension at Land-grant Universities to Address Climate, Food, Health, and Nutrition Challenges

Our nation's land-grant universities provide vital education, research, and extension outreach that boosts agricultural production and profitability while protecting natural resources, combating food insecurity domestically and abroad, improving health and nutrition, and addressing climate change with science-based solutions.

Agricultural Research Infrastructure

Across the United States, more than 50 percent of the research and education facilities at land-grant university colleges of agriculture are approaching the end of their life cycle. Strategic investments in these facilities would allow for integration of new technologies, observational and collaborative research capabilities, multifunctional workspaces, advanced connectivity and broadband, new public-private partnerships, and promote growth in science-based agricultural entrepreneurship at a time critical for U.S. agricultural innovation.

Modern facilities serve as the backbone of cutting-edge research and applied science solutions to address climate change, agricultural productivity, food safety, personalized nutrition, new bio-based innovations, and advanced market analysis. State-of-the-art facilities also helps recruit the best U.S. and global talent to solve problems at our nation's public universities. The United States risks losing its global leadership in agricultural sciences without the foundation of advanced infrastructure with high-tech facilities that enable work in emerging areas of science including artificial intelligence and sensor-based observation systems at geographically relevant locations across the nation²².

Significantly Increased Funding for Agricultural Research, Education, and Extension

We urge President-elect Biden to support reinvestment in capacity funding, which serves as the foundation of the United States' agricultural research, education, and extension system. Land-grant university faculty are extraordinarily well-prepared to address climate change, rural development, innovation, food availability, and sustainability issues.

The land-grant university experiment stations and research facilities use capacity funds allocated to institutions in each state across the nation, to yield geographically relevant agricultural and natural resource insights at the local, state and regional level. Capacity funding supports investigator salaries, multistate collaborations, and research instruments, among other essential



²² Clancy M., Fuglie K., and Heisey P. U.S. Agricultural R&D in an Era of Falling Public Funding, Amber Waves, USDA-ERS, Nov-10-2016 Link: <https://www.ers.usda.gov/amber-waves/2016/november/u-s-agricultural-r-d-in-an-era-of-falling-public-funding/>

features²³. We encourage the president-elect to support capacity programs to invest in the capability of the State Agricultural Experiment Stations, 1890 and 1994 land-grant institutions, and forestry research programs to develop localized solutions to issues such as biosecurity, food safety, climate change, zoonotic disease preparedness, plant pathogen management, agricultural profitability, and water scarcity.

APLU also encourages the president-elect to support the federal research and extension priorities outlined in the USDA's premier competitive research program, the Agricultural and Food Research Initiative (AFRI), as well as the Specialty Crop Research Initiative. The AFRI program supports federal research and extension priorities and is part basic research and part applied research and extension. The program funds national priorities, including big data analytics, machine learning and artificial intelligence, commodity and small grain breeding, livestock management and behavior, plant genotyping, forest health, obesity and precision nutrition interventions, and value-added bio-based innovations. The USDA National Institute of Food and Agriculture is designed to address federal innovation priorities through the competitive program while staying connected to local food, agricultural and climate solutions at the local, state, and regional level, supported by capacity programs.

The Cooperative Extension System (CES), which exists in nearly all the nation's 3,143 counties, parishes and boroughs is an invaluable federal, state, and local partnership. The Cooperative Extension System saves farms, lives, and bolsters local economies by providing support for farm stress, food deserts, human health and nutrition, emergency preparedness and response, youth education, workforce development, and economic recovery^{24,25}. Through the Cooperative Extension System, USDA has the network needed to rebuild America in a post-COVID-19 economy if it makes strategic investments in Smith-Lever, 1890s extension, and other funding that supports extension outreach and engagement.

²³ TEconomy Partners, LLC. 2017. Quantitative and Qualitative Review of NIFA Capacity Funding. Link: <http://escop.info/wp-content/uploads/2017/04/NIFA-Capacity-Funding-Review-TEconomy-Final-Report.pdf>

²⁴ Stephan J. Goetz & Meri Davlasheridze, 2017. "State-Level Cooperative Extension Spending and Farmer Exits," *Applied Economic Perspectives and Policy*, Agricultural and Applied Economics Association, vol. 39(1), pages 65-86.

²⁵ Battelle, 2015. Analysis of the Value of Family and Consumer Sciences Extension in the North Central Region. Link: <http://www.nccea.org/multistate-activities/fcs-battelle-report-2015/>

As part of an agenda to address agricultural, climate, food, and community challenges, we request the incoming administration to:

- Support \$11 billion in investments in land-grant university infrastructure to revitalize the American agricultural innovation economy.
- Significantly increase federal funding for USDA capacity and competitive programs to support increased research, educational programming and outreach to address: food security, farm profitability, issues created by COVID-19, climate change, building back rural and urban economies, and connecting communities to opportunities through broadband programs.

The U.S. and Public Universities: Strengthened by Immigrants

APLU appreciates there are many areas of immigration policy on which public universities can partner with the incoming administration as we begin with the fundamental recognition that the United States is a nation immensely strengthened by the contributions of immigrants, especially our nation's Dreamers.

Protect Dreamers

APLU strongly advocates for President-elect Biden to fully reinstate the DACA program and to immediately begin processing new applications. The need for the program, however, underscores that it is long past time for Congress to address the untenable status of Dreamers with a permanent legislative solution that includes a path to citizenship, work authorization, and access to federal student aid. APLU also supports authorizing states to make Dreamers eligible for in-state tuition, occupational licensure, and other key benefits.

“We urge the incoming administration to consider the creation and implementation of a national strategy to convey a welcoming atmosphere and adopt policies that allow the U.S. to successfully compete with other countries for international students.”

International Students are Key to Strong Universities, Global Competitiveness, and our Economy

International students are immensely valuable to our nation, enriching the classroom for U.S. students and helping conduct critical research that spurs innovation and technological advancements for the American economy.

International students contribute \$44 billion annually to the U.S. economy²⁶ through tuition, housing, domestic travel, food, and other spending in local communities. Our nation's policies and unwelcoming messages have damaged our global competitiveness. While troubling trends are not just short-term, it is no surprise that between 2017-2019, international student enrollment declined by 3.4 percent²⁷. The decline is extremely troubling economically because higher education is the nation's fifth-largest export²⁸.

We urge the incoming administration to consider the creation and implementation of a national strategy to convey a welcoming atmosphere and adopt policies that allow the U.S. to successfully compete with other countries for international students. A national strategy should include expedient and secure processes for vetting students and scholars with interests in coming to the U.S. We urge the strategy to recognize that opportunities to receive practical training in the field (Optional Practical Training) and employment (green cards and H-1B visas) following graduation is a critical component of an attractive climate for international students as well as innovation and economic growth here in the U.S.

Providing international students “dual intent” so they do not have to needlessly establish as a condition of securing a visa they do not have long-term interests in contributing to the United States is another key component to an attractive and welcoming destination.

The data on international student participation in academic STEM fields demonstrate the tremendous loss to the United States (and boon to our global competitors) if the U.S. does not have adequate policies to retain talent education at our nation's colleges and universities. According to the National Science Board's *The State*

²⁶ <https://opendoorsdata.org/services/research-special-reports-and-analyses/>

²⁷ <https://opendoorsdata.org/data/international-students/enrollment-trends/>

²⁸ <https://www.nafsa.org/about/about-nafsa/new-nafsa-data-despite-stagnant-enrollment>



of *U.S. Science and Engineering 2020*²⁹, temporary visa holders earned 34 percent of science and engineering doctoral degrees in 2017 and account for “half or more of the doctoral degrees awarded in engineering, mathematics and computer sciences, and economics.”

A Congressional Research Service study also found that international students received 54 percent of master’s degrees issued in STEM fields in the U.S. from 2016-2017³⁰. Below are some key components of a competitiveness strategy APLU supports and respectfully requests:

- Unambiguously state the Optional Practical Training (OPT) program will remain in place as constituted. The uncertainty that the Trump administration created on whether the program would be repealed sent deeply harmful messages abroad and buoyed competitor countries in recruiting students away from the U.S.
- Repeal Trump administration rules, proclamations, and orders (see list below) on immigration that have frustrated public universities’ global efforts, including making it more difficult to attract and retain talented international faculty and researchers.
- Provide “dual intent” to international students.
- Provide a streamlined pathway to a green card for STEM-advanced degree graduates. Ensure a broad definition of STEM that encompasses all critical fields, including agriculture and natural resource sciences.
- Support the H-1B visa program to provide non-immigrant employment visas to high-skilled foreign talent, many of whom earn degrees in the U.S.
- Reestablish the Homeland Security Academic Advisory Council and provide opportunities for the higher education community to partner with the Department of Homeland Security on issues impacting higher education, international students, and national security.

²⁹ <https://nces.gov/pubs/nsb20201/u-s-and-global-education>

³⁰ <https://crsreports.congress.gov/product/pdf/IF/IF11347>



APLU Priorities for Repealing or Amending Trump Administration Executive and Regulatory Actions

APLU urges the following priority actions to repeal or revise regulations and executive orders. The list below is not comprehensive, but rather highlight some of APLU's most significant priorities.

White House Executive Orders/Proclamations

- Immediately rescind Executive Order 13950, “Combating Race and Sex Stereotyping,” which has already chilled critically important diversity training programs that create inclusive workplace and learning environments.
- Immediately rescind “Improving Free Inquiry, Transparency, and Accountability at Colleges and Universities and the related regulations,” which creates an unusual and harmful role for the Department of Education relative to First Amendment litigation and puts public universities in an untenable position by creating conflicting standards between Supreme Court precedent and Department of Education regulations on the treatment of student organizations and “all comer” policies³¹.
- Rescind Proclamations “Suspending Entry of Aliens Who Present a Risk to the U.S. Labor Market Following the Coronavirus Outbreak” and “Suspending Entry of Immigrants Who Present Risk to the U.S. Labor Market During the Economic Recovery Following the COVID-19 Outbreak”
- Rescind Proclamation “Enhancing Vetting Capabilities and Processes for Detecting Attempted Entry Into the United States by Terrorists or Other Public-Safety Threats” [Travel Ban 3.0]

³¹ <https://www.aplu.org/members/councils/governmental-affairs/CGA-library/aplu-submits-formal-comments-expressing-serious-concerns-with-dept-of-eds-proposed-rule-on-campus-free-speech/file>

Department of Education

- Immediately rescind “Improving Free Inquiry, Transparency, and Accountability at Colleges and Universities and the related regulations,” which creates an unusual and harmful role for the Department of Education relative to First Amendment litigation and puts public universities in an untenable position by creating conflicting standards between Supreme Court precedent and Department of Education regulations on the treatment of student organizations and “all comer” policies³².
- Rescind Department of Education Notification of Interpretation on Section 117 foreign gift and contract reporting [Docket ID ED-2020-OGC-0165] and immediately end unnecessarily adversarial investigations while working with stakeholders to create a fair and transparent enforcement policy.
- Begin a process to take into consideration the views of many stakeholders on a new Title IX rule.
- Begin a negotiated rulemaking process on a reformed Gainful Employment rule to protect students and taxpayers while considering legitimate concerns of colleges and universities such as institutional reporting burden.
- Begin a negotiated rulemaking process on a reformed Borrower Defense to Repayment rule.
- Examine the Department’s existing load of open investigations against colleges and universities and close those that were clearly opened without merit and for political purposes.
- Withdraw the June 2020 Interim Final Rule (IFR) regarding the Eligibility of Students at Institutions of Higher Education for Funds Under the CARES Act. This rule contradicts congressional intent as to which students should be eligible for federal emergency aid and limits the effectiveness of such aid.

³² <https://www.aplu.org/members/councils/governmental-affairs/CGA-library/aplu-submits-formal-comments-expressing-serious-concerns-with-dept-of-eds-proposed-rule-on-campus-free-speech/file>

Department of Health and Human Services (HHS)

- Repeal HHS Final Rule on Section 1577 of the Affordable Care Act and restore nondiscrimination protections for LGBTQ people when it comes to health care and health insurance.
- Revise HHS policy and NIH guide notices “Changes to NIH Requirements Regarding Proposed Human Fetal Tissue Research” (NOT-OD-19-128) to allow federal funding for peer-reviewed and agency-approved research involving human fetal tissue.

Department of Homeland Security

- Repeal the Department’s interim final rule on the H-1B Program, “Strengthening the H-1B Nonimmigrant Visa Classification Program,” which makes it much more difficult for public universities to secure and retain top international talent to contribute to our education and research missions.
- Immediately issue guidance permitting new and continuing international students to study in the United States, even if their program is fully online due to COVID-19 campus precautions.
- If promulgated, repeal the administration’s rule on duration of status, “Establishing a Fixed Time Period of Admission and an Extension of Stay Procedure for Nonimmigrant Academic Students, Exchange Visitors, and Representatives of Foreign Information Media.”
- Fully restore the Deferred Action for Childhood Arrivals (DACA) Program and immediately process new DACA applications.
- Repeal the Department’s final public charge rule, “Inadmissibility on Public Charge Grounds.”
- If promulgated, repeal rule on the H-1B lottery system, “Modification of Registration Requirement for Petitioners Seeking To File Cap-Subject H-1B Petitions,” which would make it exceedingly unlikely new graduates could participate in the H-1B program, further making the U.S. less attractive to international students.

Department of Labor

- Immediately repeal interim final rule on “Strengthening Wage Protections for the Temporary and Permanent Employment of Certain Aliens in the United States,” which is designed to limit employment-based immigration and is having substantial harms to public universities.



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