

Coburn Amendments to Emergency War Supplemental

Amendment 649 – Removes a \$2 million earmark for the University of Vermont to establish an “education excellence” program

Tucked within Senate version of the emergency war supplemental appropriations is a \$2 million earmark to fund the creation of the “Education Excellence Program” at the University of Vermont.

This earmark was previously included in the report language of the Fiscal Year 2007 Labor/Health and Human Services/Education appropriations bill (page 251).¹

There is no explanation provided as to why this earmark is included in an emergency war supplemental bill. Its inclusion, in fact, violates the pledge made by the Appropriations committee to impose a moratorium on earmarks until earmark transparency and accountability reforms are enacted. Furthermore, the University of Vermont is already the recipient of tens of millions of dollars from the federal government every year.

¹ http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=109_cong_reports&docid=f:sr287.109.pdf

The University Has the Financial Capacity to Pay for this Project

Between 2000 and 2005, the University of Vermont received just over \$400 million in federal grants.²

2006	\$ 5,084,747	14 different programs (PARTIAL FIGURE)
2005	\$ 68,181,359	200 different programs
2004	\$ 70,927,753	237 different programs
2003	\$ 76,371,466	249 different programs
2002	\$ 69,543,569	280 different programs
2001	\$ 60,055,806	198 different programs
2000	\$ 54,783,930	201 different programs

The University has the means to fund this project from within its own budget.

The University of Vermont currently has an endowment that exceeds **\$282,594,000**.³

According to the National Association of College and University Business Officers the University of Vermont has an endowment that is ranked as the 189th largest, out of the 765 endowments of universities in the United States.⁴

- The endowment has grown **16 percent** in a single year, from last year's figure of \$243,633,000.⁵

²http://www.fedspending.org/faads/faads.php?recip_id=879804&sortby=f&detail=2&datatype=T&reptype=r&database=faads&fiscal_year=&submit=GO

³ 2006 NACUBO Endowment Study, 2007 National Association of College and university Business Officers

⁴ 2006 NACUBO Endowment Study, 2007 National Association of College and university Business Officers

⁵ 2006 NACUBO Endowment Study, 2007 National Association of College and university Business Officers

- Between 2005 and 2006, the endowment increased by nearly \$40 million.
- In a single year, the amount that the endowment increased amounted to more than 20 times the cost of this earmark.

If this project is a priority of the University of Vermont, the school could cover the expenses with just a small fraction of the annual growth of its endowment.

The University could also decided to use some of it's nearly half billion dollar 2006 total operating budget revenue to pay for this project.

The University of Vermont's 2006 operating budget is \$453,000,000.⁶ With nearly \$40 million (or 9 percent of the total current operating budget) appropriated from the State of Vermont alone.⁷

Over \$36 million of the 2006 operating budget, or 8 percent of the total current operating budget, is derived from "unrestricted endowment, unrestricted annual giving, short-term investments, etc."⁸

This Earmark is Not an Emergency

According to the requirements for federal emergency funding the following criteria must apply.

CRITERIA-

(1) IN GENERAL- For purposes of this section, any provision is an emergency requirement if the situation addressed by such provision is-

(A) necessary, essential, or vital (not merely useful or beneficial);

⁶ The University of Vermont FY 06 Sourcebook, Burlington, Vermont

⁷ The University of Vermont FY 06 Sourcebook, Burlington, Vermont

⁸ The University of Vermont FY 06 Sourcebook, Burlington, Vermont

(B) sudden, quickly coming into being, and not building up over time;

(C) an urgent, pressing, and compelling need requiring immediate action;

(D) subject to paragraph (2), unforeseen, unpredictable, and unanticipated; and

(E) not permanent, temporary in nature.

(2) UNFORESEEN- An emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, is not unforeseen.

Evaluated against this criteria, this earmark is not necessary, not essential (although it is beneficial to the University of Vermont), and not sudden (a similar earmark was included in last year's Labor/HHS/Education appropriations bill at the request of then-Senator Jeffords).

It wasn't an emergency in 2006, so it is difficult to understand how the project could be defined as an emergency in 2007.

Finally, there is no reason to believe this earmark is temporary in nature.

In fact, there is no explanation in the bill or its accompanying committee report as to what the actual purpose of this earmark or why it might be contained within an emergency appropriations bill.

What is known is that this earmark will add \$2 million to the U.S. national debt that now exceeds \$8.7 trillion.

This Project Violates the Appropriations Committee's Earmark Moratorium

On December 11, 2006, incoming Appropriations Committee Chairmen Senator Robert Byrd and Congressman David Obey announced that there would be no more Congressional earmarks

until new rules were put in place to make the process more transparent and accountable.⁹

The joint statement said:

“We will place a moratorium on all earmarks until a reformed process is put in place. Earmarks included in this year's House and Senate bills will be eligible for consideration in the 2008 process, subject to new standards for transparency and accountability. We will work to restore an accountable, above-board, transparent process for funding decisions and put an end to the abuses that have harmed the credibility of Congress.”

Despite this pledge from the Appropriations Committee chairman, no reform of the earmark process has been put in place in the Senate, and the earmark “favor factory” appears to be re-open for business once again as evidenced by the \$2 million earmark to create an “Education Excellence Program” at the University of Vermont.

This earmark was previously included in the report language of the Fiscal Year 2007 Labor/HHS/Education appropriations bill (pg. 251). According to *CongressDaily*, “The \$2 million (for the University of Vermont) is thus far the first earmark to be resurrected from last year's bills.”¹⁰

In January, the Senate unanimously approved earmark transparency reform as a component of S. 1, the lobbying reform bill.

Section 103 of S.1 would require the disclosure of the name of the Member requesting an earmark, the name and address of the intended recipient of the earmark, the purpose of the earmark, and a certification that the requesting Member and his or her spouse have no financial interest in the requested earmark.

This bill does not include the name of the member requesting this earmark, a meaningful explanation of the purpose of the earmark or a

⁹ http://appropriations.house.gov/News/pr_061211.shtml

¹⁰ <http://nationaljournal.com/pubs/congressdaily/am070327.htm#1>

certification that the Member who requested the earmark has no financial interest in the earmark.

The Appropriation Committee's failure to abide by its own pledge and the spirit of the earmark reforms approved by the Senate just two months ago suggest to taxpayers that the Senate wants to continue to earmark funds secretly.

The University Has Failed to Provide Answers about the Earmark

The University of Vermont has not provided some basic information about this earmark, including:

What are the estimated costs of this project in the long-term?

Is the federal government expected to finance the program after it is established?

How will the federal funding be expended?

Did the university request this funding?

None of these questions have been answered by the University.

According to Karen Meyer, Vice President for State, Federal and Community Relations at the University of Vermont, "the University of Vermont has established the Jeffords Institute for Educational Excellence to identify and develop research and best practices, prepare teachers and administrators and policy professionals in the fields most associated with Vermont, the University of Vermont, and Senator James Jeffords - education, health, environment and agriculture - all areas of critical importance to Vermont, our region, and the nation."

The \$2 Million Being Spent on This Unnecessary Earmark Could Be Spent to Protect Our Troops in Combat

The \$2 million for this earmark could pay for:

2,857 military carbine rifles that the National Guard does not have to conduct training (at \$700 a piece); Or

4 mine protected vehicles (MRAP) (500,000 each); Or

13 Up-Armored Humvees (159,000 each).

**The University of Vermont Earmark to
Establish the Educational Excellence Program**

109th Congress

S. 3708 - (2007 Labor/HHS/Ed Appropriations REPORT) – the earmark IS listed in the REPORT.

University of Vermont, Burlington, VT, to establish the Educational Excellence program
..... 3,000,000

S. 3708 - (2007 Labor/HHS/Ed Appropriations BILL) – the earmark is NOT listed in the BILL.

110th Congress

S. 965 - (Emergency Supplemental Appropriations REPORT) – the earmark IS in the REPORT.

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(INCLUDING RESCISSION)

SEC. 3608. The Committee recommendation includes language which rescinds \$2,000,000 from the Student Aid Administration account of the Department of Education. The language also provides \$2,000,000 for the Secretary of Education to make an award to the University of Vermont for the Educational Excellence Program.

SEC. 3609. The Committee has included bill language authorizing the Delta Health Initiative and intends that funds appropriated under Public Law 110–5 are available for this purpose.

S. 965 - (Emergency Supplemental Appropriations BILL) – the earmark IS in the BILL.

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(INCLUDING RESCISSION)

*16 SEC. 3608. (a) From the amounts made available by
17 the Continuing Appropriations Resolution, 2007 for ‘
18 “Department of Education, Student Aid Administration”,
19 \$2,000,000 are rescinded.*

*20 (b) For an additional amount for “Department of
21 Education, Higher Education” under part B of title VII
22 of the Higher Education Act of 1965 which shall be used
23 to make a grant to the University of Vermont for the
24 Educational Excellence Program, \$2,000,000.*

Background on the University of Vermont ¹¹

In 2006 the President of the University received a salary of nearly \$300,000 plus a stipend for a car and a housing allowance. ¹²

Enrollment

- Undergraduate: 9,040
- Graduate: 1,351
- Medical: 406

Academics

- Undergraduate Honors College: 100 first-year students admitted each year
- 93 majors in 7 undergraduate schools and colleges
- 4 pre-professional options (pre-medical, pre-dental, pre-physical therapy, pre-vet)
- 52 master's degree programs; 22 doctoral programs; MD program

Class ranking of students admitted for Fall 2006

- Top 10%: 25%
- Top 25%: 58%
- Top 50%: 94%
- Avg. SAT scores: Math, 614; Critical Reading, 605; Writing, 605
- Avg. ACT: 27

Applications for Fall 2006

- First-year: 17,731
- Transfer: 1,174

Classes

- 2,102 course offerings
- Average class size: 22

First-year student class size

- 25% of classes: 100+ students

¹¹ http://www.uvm.edu/about_uvm/?Page=facts.html

¹² <http://unitedacademics.org/uvmpay/search.php?sixfigure=y&year=2006>

- 13% of classes: 51-100 students
- 30% of classes: 26-50 students
- 29% of classes: 1-25 students

Faculty

- 1,107 full-time and 218 part-time faculty
- 88% of full-time faculty hold a Ph.D. or the highest degree in their field
- Undergraduate student-faculty ratio: 15/1

Student Organizations and Athletics

- 20 NCAA Division I Athletics teams (9 men's and 11 women's)
- 35 club teams engaged in intercollegiate competition and 19 intramural teams
- More than 100 student organizations, including a nationally recognized debate team and a student-run newspaper, radio station, TV station, rescue squad, legal services and many more academic, artistic, musical, cultural, ethnic, political, religious, and service clubs

History and Tradition

- Founded: 1791
- 5th oldest university in New England (after Harvard, Yale, Dartmouth and Brown)
- Motto: "**Studiis et Rebus Honestis**" — "**For studies and other honest pursuits**"
- School colors: Green and gold
- Mascot: Catamount
- First institution of higher education to declare public support for freedom of religion
- First to induct women (1875) and African Americans (1877) into Phi Beta Kappa, the nation's oldest academic honor society

Facilities

- 450-acre campus
- On-campus students live in 34 residence halls and have access to 12 dining facilities, two convenience stores and a cyber café
- Libraries: Bailey/Howe (main library), Dana (medical library), Cook (physical sciences)
- Specialized facilities include: Lakeside Rubenstein Ecosystem Science; Stafford Center for Microbiology and Molecular Genetics;

FAHC medical center; nine natural areas, including Mt. Mansfield summit; Weybridge Morgan Horse Farm; four research farms supporting animal and dairy science, horticulture, and maple research

Location

- UVM is located in the city of Burlington, Vermont, on the shores of Lake Champlain
- Metro-area population, 132,000
- Named a top city for outside activities, the arts, safety and overall quality of life by *Outside*, *The New York Times*, *Arts & Entertainment*, *Traveler* and other national media
- 100 miles southeast of Montreal, 220 miles northwest of Boston and 285 miles north of New York City
- Campus is located within 45 minutes of Stowe, Sugarbush and other major ski areas
- Burlington Town Center mall features national chains such as Abercrombie & Fitch, J. Crew, Williams-Sonoma, Pottery Barn, Filene's and Starbucks, as well as boutiques