

Birgit Pruess, Ph.D.  
3696 Harrison St. S  
Fargo, ND58104

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67<sup>th</sup> Legislative Assembly  
State of North Dakota  
House Appropriations Committee – Education and Environment Division

Chair Monson and members of the Appropriations Committee,

My name is Birgit Pruess and I am a citizen of the great State of North Dakota, living in Fargo. While I am a state employee, I am testifying here as a private citizen with a solid knowledge of the North Dakota higher education system.

The Senate recently approved Senate Bill 2030 with an amendment of “Section 2. Paragraph 3 of subdivision 1 of section 15-10-48 of the North Dakota Century Code”, limiting eligibility of North Dakota higher ed institutions for the higher education challenge matching grant program. Of course, the increase to appropriation to the State Board of Higher Education for this program is much appreciated. However, limiting eligibility of our institutions for this grant based on their research activities is problematic for several reasons:

- 1) The First Amendment of the United States constitution guarantees freedom of expression without government censorship. The proposed amendment is in violation of such freedom.
- 2) The American Association of University Professors has very clearly defined standards for academic freedom. Limiting funding to institutions based on the popularity of their research activities among state legislators is not in agreement with academic freedom.
- 3) There is the potential that political interference in our research activities poses risk to accreditation of some of the professional programs.
- 4) There is no guarantee that an institution will chose to discontinue an unpopular research program. In this case, the people who will be punished with this amendment will be the students who would otherwise get scholarships from the challenge grant.
- 5) This amendment could open us up for a dangerous precedence. I am sure there are other companies that our institutions are collaborating with that could constitute a problem for individual legislators. This could potentially inhibit a wide range of research activities at our institutions in the future.

Altogether, I am in strong favor of the higher education challenge grant and the increase in appropriation through the SBHE. I am however in strong opposition to the amendment which would limit eligibility for institutions based on the nature of their research activities. Seeing as the current bill includes the amendment, I have to oppose the bill. I encourage senators to carefully consider the amendment and the impact it has on research in our state. I would very much appreciate if this amendment could be eliminated from the bill.

Sincerely and respectfully



Birgit Pruess, Ph.D.