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REORGANIZATION OF THE APPROPRIATIONS COMMITTEE

The House Appropriations Committee formally adopted its own controversial reorganization plan to reduce the number of panel subcommittees from 13 to 10. The Senate remains strongly opposed to changing the subcommittee structure. In fact, the House moving forward without the other chamber's consent has made the Senate even more determined to resist reorganization. However, the Senate is pragmatic in realizing that it will have to implement changes at some point to make the Senate more compatible with the new House alignment. This is in order to avoid having an all-encompassing omnibus spending bill at the end of the year.

The Reorganized House Appropriations Panel

House Appropriations Committee Chairman Jerry Lewis (R-CA) has eliminated three subcommittees (Veterans Administration/Housing and Urban Development (VA/HUD), Legislative Branch and the District of Columbia). Frank Wolf (R-VA), Chairman of the newly created Subcommittee on Science, State, Justice, and Commerce, and Related Agencies, will have jurisdiction over NSF and NASA. Ralph Regula, Chairman, Subcommittee on Labor, Health and Human Services and Education (L/HHS), will continue to have jurisdiction over NIH.

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INSIDE (the Beltway) SCOOP – Jon Retzlaff, Legislative Director

Senator Specter to remain as Chair of L/HHS

The best news of the week was Senator Arlen Specter's (R-PA) announcement that he would remain as Chairman of the Senate Appropriations Subcommittee on Labor, Health and Human Services and Education and Related Agencies (L/HHS). Chairman Specter has been the most outspoken advocate in Congress for increased NIH funding and led the effort to double its budget.

On December 8, 2004, Senator Specter announced that he was considering leaving the L/HHS subcommittee. FASEB took this announcement very seriously, sending a [letter](#) to Senator Specter, thanking him for his leadership and urging him to remain as Chairman of the L/HHS Subcommittee. FASEB encouraged its member societies to send similar letters of support and asked society members from Pennsylvania to call and/or e-mail Senator Specter. The response was outstanding. Bettilou Taylor, Staff Director for the L/HHS subcommittee, informed me that Senator Specter greatly appreciated all of the letters of thanks and support.

Senator Specter wrote in the [Washington Post](#) (Feb. 8), "The President's budget puts at risk critical funding for the National Institutes of Health and other important priorities of the subcommittee. Fiscal year 2006 looks like an especially tough year, so I've decided to stay and fight rather than switch."

Specter Diagnosed With Hodgkin's Disease

Late Wednesday, it was announced that Senator Specter has an advanced case of Hodgkin's disease, a cancer of the lymph nodes that is often considered curable. His physician said the five-year survival rate for the stage of cancer the Pennsylvania Republican has is 70 percent. Specter, who is 75, will undergo rigorous chemotherapy treatments every two weeks over the next six to eight months. But a statement issued by his staff Wednesday said it is "expected" that he "will be able to perform all duties of his office.

"I have beaten a brain tumor, bypass heart surgery and many tough political opponents, and I'm going to beat this too," Specter said in the statement. "I have a lot more work to do for Pennsylvania and America."

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FASEB MEETINGS ON THE HILL

As part of FASEB's new strategy to engage new members of Congress, become more involved in the Budget process prior to Appropriations, and increase our grassroots advocacy, FASEB leadership and staff burned a lot of shoe leather on the Capitol Hill. Summaries of the meetings follow:

Congressman Roger Wicker (R-MS)

On February 14, FASEB President Paul Kincade and Jon Retzlaff, FASEB's Director of Legislative Relations, met with Susan Sweat, Legislative Assistant for Representative Roger Wicker (R-MS). Dr. Kincade expressed appreciation for the Congressman's support of the NIH, discussed FASEB's FY2006 Federal funding recommendations for the six science agencies and pointed out that the NIH doubling will be erased in a few years if funding continues at last year's rate (or less).

As a member of the House Budget Committee, Rep. Wicker supports the President's efforts to cut the deficit, but believes that discretionary programs should not bear the brunt of the cuts. He is determined to make sure that mandatory programs absorb a proportionate share of the cuts.

As a member of the L/HHS Appropriations Subcommittee, Rep. Wicker believes NIH is a national treasure and must continue to be a priority for the subcommittee.

Ms. Sweat remarked that Committee Members and staff are very supportive of Dr. Zerhouni and trust his decision making. Therefore, he is enjoying wide ranging support for his position on the conflict of interest policy. However, Ms. Sweat expressed concern that the policy could affect NIH's ability to recruit the best people and remarked that NIH researchers do not get paid a lot to begin with.

Senator Thad Cochran (R-MS)

Following the Wicker meeting, Kincade and Retzlaff talked with Blake Thompson, Legislative Director for Senator Thad Cochran (R-MS), as well as David McClendon, M.D., the Senator's Health Fellow. Dr. Kincade expressed appreciation for Senator Cochran's help on previous legislation affecting research on rats, mice and birds. He also informed the staffers that FASEB may need their help again as the farm bill is scheduled to be reauthorized next year. Mr. Thompson, who served as Senator Cochran's

health staffer for four years prior to his recent promotion to legislative director, stated that as Chairman of the Senate Appropriations Committee,

Senator Cochran realizes that this year is going to be very challenging. He is a strong supporter of science and believes it drives our economy and improves peoples' quality of life. Mr. Thompson also remarked that Senator Cochran would like to see more NIH hearings scheduled. The Senator is interested in shining the light on what's going on at the NIH and is convinced that this would go a long way toward justifying the increases NIH has enjoyed. He is especially interested in hearing more from the individual Institute Directors.

Senate Budget Committee, Majority Staff

FASEB President Paul Kincade, Ethan Dmitrovsky, M.D., Chair, Department of Pharmacology and Toxicology, Dartmouth Medical School, and Jon Retzlaff, FASEB's Director of Legislative Relations, met with Richie Wieblinger, budget analyst for Senate Budget Committee Chairman Judd Gregg (R-NH) on February 15. The staffer was extremely engaged and interested in the concerns Drs. Kincade and Dmitrovsky outlined with regard to level of funding for science in the President's budget. In fact, the meeting lasted nearly ninety minutes, and extraordinary length of time on Capitol Hill.

Mr. Wieblinger said that it is going to be a very difficult year, but pointed out that Chairman Gregg understands the importance of funding basic science. Senator Gregg also believes that the deficit cannot be controlled only by restraining discretionary spending. Mr. Wieblinger stated that many on Capitol Hill sometimes forget that scientific grants are long-term commitments and that inconsistent funding will result in unintended consequences. Dr. Kincade also discussed the scientific opportunities that exist today and specifically highlighted information he learned after attending the Biophysical Society's meeting last week. The staffer was specifically impressed with the use of laser optical tweezers technology. Mr. Wieblinger also remarked that FASEB's web site was "great" and that he would like to remain in close contact. He believes FASEB would be an excellent resource for him.

Note: Dr. Dmitrovsky's participation is part of FASEB's new outreach strategy to identify researchers in key Congressional Members' States and districts for possible visits to Capitol Hill. FASEB's Office of Public Affairs wishes to thank Jim Bernstein (ASPET) for his assistance in identifying Dr. Dmitrovsky.

Senate Budget Committee, Minority Staff

Paul Kincade and Jon Retzlaff next met with Rock Cheung, budget analyst for Senate Budget Committee Ranking Member Kent Conrad (R-ND). Mr.

Cheung is responsible for the physical sciences portion of the budget (NSF, DOE, & NASA). Jim Esquea, who has responsibility for the health area of the budget (which includes NIH), was unable to attend the meeting. Dr. Kincade provided an overview of the situation scientists are faced with today, including how young investigators are affected. Mr. Cheung said that he is concerned about the long-term effect of under funding science. He stated there will be a price to be paid and is especially worried because other countries are ratcheting up their support for science at the same time the United States is proposing to cut it (based on inflation). Mr. Cheung told us that Senator Conrad is extremely upset that educational initiatives at the NSF have been cut. He informed us that the increasing deficit and decreasing revenues (because of the tax cuts) are creating intense pressures on Congress to limit spending in all areas. Mr. Cheung advised us to be more aggressive about educating the public regarding the benefits of scientific research. He also recommended that we make our case to the public through the mainstream media channels. Mr. Cheung said that our message must be more than just about funding individuals in lab coats.

Senator Richard Burr (R-NC)

On February 16, Paul Kincade, FASEB's President, Mark Lively, FASEB Board Member (ABRF), James Rose, FASEB Board Member (SGI) and Jon Retzlaff, FASEB's Director of Legislative Relations, met with Alicia Clark, Senator Burr's Chief of Staff. Unfortunately, a hearing on drug importation prevented us from meeting with Jenny Hansen, Senator Richard Burr's (R-NC) health staffer. However, we were able to spend a few minutes with Senator Burr in the hallway before he entered the hearing room. Dr. Lively talked about the collaboration that is occurring in North Carolina among research institutions.

Senator Elizabeth Dole (R-NC)

The group next talked with Jeff Ringer, Legislative Assistant for Senator Elizabeth Dole (R-NC), in order to introduce the Senator to our organization and to stress that FASEB is available as a resource on all issues affecting science. Mr. Ringer expressed concern that NIH lacks accountability and transparency, specifically with respect to where the money is being directed. In his opinion, NIH is doing a lot for certain diseases, but not as much for many other diseases.

Note: Drs. Lively and Rose are FASEB Board Members from North Carolina (Wake Forest University). Their participation is part of FASEB's new outreach strategy to include Board Members in meetings that involve their respective Senator or Representative.

Senator Wayne Allard (R-CO)

The final Congressional meeting of February 16 was with Suzanne Singleterry, legislative assistant for Senator Wayne Allard (R-CO). Senator Allard is a veterinarian who sits on both the Budget and Appropriations Committees. Again, the purpose of the meeting was to introduce Senator Allard to our organization and to offer ourselves as a resource. Ms. Singleterry explained that Senator Allard understands the value of scientific research. However, he also is fiscally conservative and believes spending must be controlled in order to reduce the deficit.

Congressman Mark Kirk (R-IL)

On February 10th, Gary Kline and Dr. Carrie Wolinetz (FASEB OPA) and Chris Rorick (Endocrine Society), met with Liesl Hickey, Chief of Staff and Jeff Phillips, Health Legislative Assistant, to Congressman Mark Kirk (R-IL).

Congressman Kirk is the Co-Chairman of the Tuesday Group, an organization of moderate House Republicans. One of the major issues the Tuesday Group is going to focus on during this upcoming session is expanding the number of stem cell lines available for research. Congressman Kirk was once a staff member in the office of former Congressman and research champion, John Porter.

During the meeting, Ms. Hickey said that stem cell research was the Tuesday Group's main science focus and that grassroots help would very effective in getting to members who are still deciding on whether or not to support this issue. The FASEB delegation offered help in advancing legislation to expand the number of stem cell lines, through grassroots outreach activities such as op-eds and letter writing campaigns.

Ms. Hickey and Mr. Phillips promised to keep FASEB informed on any developments and requested they be sent any information that could help explain the issue to legislators.

Congressman Tom Price (R-GA)

Following the Kirk meeting, Pete Farnham of the American Society for Biochemistry and Molecular Biology joined the group to speak with Congressman Tom Price (R-GA) and his Chief of Staff, Matthew McGinley. Congressman Price is a former orthopedic surgeon at Emory University.

Price was receptive to our concerns and knowledgeable on funding for medical research. He noted that he was a guest of Congressman Vernon Ehlers (R-MI) at the most recent meeting of the Science, Technology, Engineering and Math (STEM) caucus. During our discussion he asked who

the NIH champions are in the Congress. Chris Rorick of the Endocrine Society said that Senators Specter and Harkin were great champions of biomedical research in the Senate but that we were looking for more champions in the House, such as the Congressman. At one point FASEB mentioned that we could lose our competitiveness in science if the funding situation continues. Congressman Price responded that we have already lost it. Mr. Price asked that FASEB provide his office with analysis of trends in NIH and NSF funding over the past decade. FASEB has provided his office with that material.

In addition, Congressman Price and Dr. Carrie Wolinetz had a good exchange on the issue of visas and the Visas Mantis program. Dr. Wolinetz briefed Congressman Price and Mr. McGinley on the latest developments on this policy.

Congressman Michael Fitzpatrick (R-PA)

Gary Kline and Dr. Carrie Wolinetz (FASEB OPA) and Pete Farnham (ASBMB) met with Jeff Urbanchuk, Health Legislative Assistant, to Congressman Michael Fitzpatrick (R-PA). During his campaign, Mr. Fitzpatrick indicated that although he is a conservative, he might support embryonic stem cell research. FASEB set up this meeting to introduce ourselves and to raise the issues of stem cell research and funding for science.

Mr. Urbanchuk stated that Congressman Fitzpatrick was a lawyer by training and as such, he wants all the information from both sides so he can weigh the costs and benefits before making a decision. Mr. Urbanchuk asked FASEB to provide him with information on stem cell research to give to the Congressman.

Congressman Connie Mack IV (R-FL)

Dr. Laura Brockway and Gary Kline (FASEB OPA) and Dr. Ida Chow (Society for Developmental Biology) met with F. Brent Leatherwood, Health Legislative Assistant for Congressman Connie Mack IV (R-FL). Congressman Mack is the son of former Senator and biomedical research champion Senator Connie Mack. FASEB met with Mr. Leatherwood to introduce ourselves and offer our support on issues important to society members.

Mr. Leatherwood said that Congressman Mack was supportive of research but as a fiscal conservative wants to make sure that the U.S. is getting the most out of its investments.

Leatherwood also asked the FASEB group its thoughts on stem cell research. He asked what the private sector was doing in regards to this research and why the public sector should also fund it; what would expanding the number of stem cell lines do and our thoughts on cloning. Dr. Chow did a nice job of answering these questions and briefing Mr. Leatherwood on the latest developments.

Mr. Leatherwood thanked the group and asked that he be informed when the Stem Cell Research Enhancement Act, sponsored by Representatives Mike Castle (R-DE) and Diana DeGette (D-CO)—which would expand the number of stem cell lines available for federally funded research— is reintroduced. FASEB supported this legislation in the previous Congress.

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OTHER FASEB ACTIVITIES

FASEB meets with Director and Associate Director of OSTP

On February 16, Paul Kincade, FASEB's President, Carrie Wolinetz, FASEB's Director of Communications and Jon Retzlaff, FASEB's Director of Legislative Relations, met with Dr. John Marburger, Director, Office of Science and Technology Policy (OSTP), and Kathie Olsen, Associate Director for Science, OSTP. Dr. Marburger is the top science advisor to the President.

Dr. Kincade thanked Dr. Marburger for the role his office played in extending the visa security clearances for international students. Dr. Marburger informed us that President Bush's personal interest in this issue raised its profile and allowed it to happen sooner than it probably would have had the President not shown such an interest. The new NIH conflict of interest regulations were also discussed. Dr. Marburger said that the rules are very strict, but he believes many of the concerns will be addressed when NIH provides clarification. He went on to state that OSTP opposed the legislation that would have limited the number of scientists eligible to attend scientific conferences and expressed concern to HHS about the limits it was placing on scientists' ability to travel to foreign countries. In addition, Dr. Marburger expressed concern that NIH's current funding level may have saturated the appropriations process to a point where sustained growth will no longer be possible. He observed that it is not feasible (long-term) for an agency's budget to outpace the growth in overall discretionary spending.

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BUDGET UPDATE

President's FY 2006 Budget

President Bush submitted his FY2006 budget to Congress on February 7, 2005. Overall, the President is proposing an increase of 2.1 percent for discretionary programs. However, the President actually is proposing a cut of 0.6 percent for non-defense/non-homeland security discretionary funding. Therefore, defense and homeland security programs are receiving the bulk of the overall increase in discretionary programs.

The President has said that these cuts are necessary to meet his target of halving the deficit within four years. Nevertheless, his cuts are affecting just 19 percent of the budget. Mandatory spending (social security, Medicare, interest on the debt, etc) comprise 67 percent of the budget and defense discretionary spending makes up the remaining 18 percent of the Federal budget.

President's Proposal for Federal Science Agencies

NIH: The President is proposing that NIH receive \$28.845 billion, an increase of \$196 million, or 0.7 percent. However, individual NIH Institutes will receive only about a 0.4 percent increase once taps and transfers are allocated. The NIH increase is far below FASEB's recommendation of 6 percent and even is considerably lower than the 3.2 percent that is required to maintain pace with biomedical inflation.

NSF: The President is proposing that NSF receive \$5.6 billion, an increase of 2.4 percent. If Congress appropriates at the President's requested level, the FY 2006 budget will still be less than the \$5.652 billion that Congress appropriated in FY 2004. A portion of the 2.4 percent increase is for the NSF taking over responsibility for funding ice breaking activities from the U.S. Coast Guard. The budget request for the Directorate for Biological Sciences was a 0.9% increase over the FY 2005 appropriation.

DOE: The Department of Energy's (DOE) Office of Science would see its budget fall 4 percent, and environmental R&D programs would decline across the board. Multi-agency initiatives in nanotechnology, IT, and climate change science would all decline in funding.

USDA: The National Research Initiative (NRI) competitive grants program fared quite well in the President's budget, with a proposed funding level of \$250 million, a \$70 million increase over FY 2005. In addition, the budget calls for an elimination of the indirect cost caps on USDA research, in order to make it competitive with other federal research agencies. This is a change FASEB has advocated in its funding report for some time.

NASA: The National Aeronautics and Space Administration (NASA) would continue to receive additional resources even though most other nondefense R&D funding agencies would see their funding decline or fall well short of inflation. Under the FY 2006 budget proposed by President Bush, NASA would get \$16.456 billion, an increase of 2.4% over FY 2005 levels.

VA: In FY2006, \$393 million is requested for costs of the VA Research and Development Program, \$9 million less than the \$402 appropriated for FY2005. This comes out of the total Medical and Prosthetic Research appropriation request of \$786 million for FY2006.

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FLOOR ACTION

On February 17th, the Senate passed S. 306, the “Genetic Information Nondiscrimination Act of 2005,” by a vote of 98-0. Please see “Bills, Bills, Bills” section for more information about this specific piece of legislation.

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BILLS, BILLS, BILLS

H.R. 810 “Stem Cell Research Enhancement Act”.

On February 16th, Congresswoman Diana DeGette (D-CO) and Congressman Michael Castle (R-DE) introduced the bipartisan “Stem Cell Research Enhancement Act.” This legislation was referred to the House Energy and Commerce Committee Subcommittee on Health.

The Stem Cell Research Enhancement Act of 2005 would change the current federal guidelines by allowing research on cells that were originally created for fertility purposes but were not used during the procedure. It also permits individuals who have had fertility treatments to donate the embryos through written consent.

Senators Arlen Specter (R-PA) and Tom Harkin (D-IA) have introduced companion legislation in the Senate. This legislation has been referred to the Senate Health Education Labor and Pension (H.E.L.P) Committee.

FASEB's Stem Cell / SCNT Issues subcommittee of the SPC will be discussing FASEB's position on these bills. FASEB [supported](#) the Castle-DeGette bill in the previous Congress.

S. 306 "Genetic Information Nondiscrimination Act of 2005"

On February 7, Senator Olympia Snowe (R-ME) introduced S. 306, the "Genetic Information Nondiscrimination Act of 2005." On February 17th, the Senate passed S. 306 by a vote of 98-0.

S. 306 would prohibit the use of genetic information (including results of genetic tests and family history of disease) by employers in employment decisions and by health insurers and health plans in making enrollment determinations and setting insurance premiums.

It is expected that the House will introduce companion legislation shortly. FASEB sent [letters](#) in support of the Senate bill.

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RECENT HEARINGS

House Science Committee Hearing on Overview of Federal R&D Budget for Fiscal Year 2006.

On February 16th, the House Science Committee held a hearing on the federal R&D budget for fiscal year (FY) 2006. Witness included: Dr. John Marburger, Director of the White House Office of Science and Technology Policy; Dr. Samuel Bodman, Secretary of Energy; Dr. Arden Bement, Director National Science Foundation; Mr. Theodore Kassinger, Deputy Secretary for Commerce; and Dr. Charles E. McQueary, Under Secretary for Science.

House Science Committee leaders showed displeasure with the President's budget cuts in non defense science and research and development. "I think we have to think long and hard about whether it is in the long term interest of the United States to have a multi year period of real dollar cuts in spending on R&D," Science Committee Chairman Sherwood Boehlert (R-NY) said. Ranking Member Bart Gordon (D-TN) was harsher in his criticism. "The current approach of this administration is short sighted; it ignores the vital role that research performed today plays in our quality of life and world position."

Congressman Vernon Ehlers (R-MI) Chairman of the Science Committee Subcommittee on Environment, Technology and Standards said that this budget was being penny wise and pound foolish. [This funding is inadequate], we seem to forget the role that research plays in national security and defense. Putting money into science is a very good investment.

Some members of the committee questioned the need for the NSF to fund the Coast Guard ice breaker. Mr. Gordon mentioned this when saying that nearly a majority of the 2.4% increase for NSF was a gimmick. Democratic handouts on the budget note that the actual budget increase is 1.5% because \$48 million of the \$132 million NSF increase is for reimbursement to the Coast Guard for the use of ice breakers.

Members were also very concerned with NSF cuts to the math and science education program. Shelia Jackson Lee (D-TX) commented “how in the heck are we serious about education, we are talking about cutting science education programs.” Lee said we will end up losing our competitive advantage if we continue to make these cuts. Chairman Boehlert questioned whether the effective decrease in education funding at the National Science Foundation is a “stealth” move by the White House to shift funding for math and science education to the Education Department, a move he opposes, he said.

Dr. Marburger responded by saying that it was a mistake to discount what the Department of Education is doing in regards to math and science education. He noted the Bush Administration is committed to education.

One member did say that we should not be complaining about large increases. Dana Rohrabacher (R-CA), a fiscal conservative and former Reagan White House staffer, said if we did not have a \$500 billion deficit then this would be a different discussion. Rohrabacher said that the problem, as he sees it, is that no one is talking about cutting waste; all we are talking about is spending more money. He noted that when faced with a budget crunch, we should look at any area we can to privatize. He suggested that the government should find ways to make private companies help pay for some of the technology they are using.

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CONGRESSIONAL SCHEDULE & UPCOMING EVENTS

The next scheduled recess for the House and Senate is February 21-25.

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