



**APPROPRIATIONS RECAP FOR THE FIRST SESSION OF THE 109<sup>TH</sup> CONGRESS**  
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**FY2006 Appropriations Recap**

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Friday, December 23, 2005, marked the chaotic conclusion to the first session of the 109<sup>th</sup> Congress. Lawmakers remained in active legislative session longer than in any year since 1987 as they struggled to complete a plethora of business, including passing the Labor-HHS and Defense appropriations conference reports.

## **FY2006 APPROPRIATIONS RECAP**

### **NIH**

The first session of the 109<sup>th</sup> Congress ended with the Senate passing the Labor-HHS appropriations conference report by unanimous consent. The Labor-HHS conference report provided NIH with a small increase (\$206 million) for FY2006. However, the Senate also passed the Defense appropriations conference report, which included a 1% across-the-board cut on all discretionary spending, excluding veteran's programs. The 1% across-the-board cut reduced NIH's budget by \$286.2 million. Therefore, NIH's final FY2006 appropriation (\$28.6 billion) will be lower than its overall FY2005 budget by \$80.2 million.

#### **Summary of Senate Action on Labor-HHS Conference Report**

On December 21, 2005, the Senate passed the Labor-HHS conference report by unanimous consent after reaching an agreement to avoid a roll call vote that would put each Senator on the record about the austere bill.

The Senate had hoped to pass the Labor-HHS conference report the day after the House approved the measure on December 15. However, the Senate cancelled the vote after it became clear that Republican leaders lacked the votes to pass it. Senators expressed concerns that total

spending for the FY2006 Labor-HHS bill was \$1.5 billion below FY2005 levels. Thus, many members said that the spending package would inadequately fund crucial health and education programs, including NIH.

On December 19, 2005, during Senate debate on the Labor-HHS conference report, Senators Tom Harkin (D-IA) and Ted Kennedy (D-MA) voiced their disapproval and remarked that the measure ought to be rejected. Senator Harkin pointed out that the conference report would result in cuts to new NIH research grants (355 fewer grants). Senator Kennedy was outraged that we are beginning to turn our backs on the enormous progress occurring in the life sciences. He pointed out that the mapping of the human genome has created numerous opportunities across all areas of research. He stated that four out of five new ideas will be rejected by NIH in FY2006, the highest percentage since 1991. Senator Kennedy also said that all of the grants that are submitted to NIH are peer reviewed. He remarked that the grants are examined, tested, and determined to be the best in a specific area of research by esteemed scientific experts.

Chairman Arlen Specter (R-PA) said he would “cast a protest vote” against the conference report if his support was not needed for passage. He shared the concerns expressed by Senators Harkin and Kennedy, but remarked that he tried to do the best he could with the “grossly inadequate allocation.”

You may remember that after the House rejected the Labor-HHS conference report in November, the Senate voted to add more money to the FY2006 Labor-HHS spending bill and approved a motion to instruct conferees to preserve the higher funding levels for NIH included in the Senate version of the Labor-HHS bill. FASEB’s Office of Public Affairs released an alert and mobilized its FASEB Society member scientists to request that their respective House Representative support the Senate’s recommended FY2006 funding level for NIH. Unfortunately, the House rejected the Senate’s attempt to add significantly more money to the FY2006 Labor-HHS bill.

#### Summary of House Action on Labor-HHS Conference Report

On Wednesday, December 15, the Labor-HHS conference report squeaked through the House on its second try. The measure was approved 215-213. Last month, the House rejected a similar bill 224-209. Lawmakers from both parties protested a broad squeeze on popular programs, such as low-income heating assistance and NIH. House and Senate negotiators made minor adjustments during its second conference on the spending bill, including adding money for rural health programs and restoring funds for the Medicare prescription drug program. These changes were enough to push the bill through the House.

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NSF's budget for FY2006 is \$5.58 billion (after applying the 1% across-the-board cut included as part of the Defense appropriations conference report), an increase of 1.97% over FY2005. In addition, Congress agreed to require NSF to transfer \$48 million to the U.S. Coast Guard to operate and maintain polar ice breaking vessels. The President proposed this in his FY2006 budget request. The administration also proposed to transfer the math science partnership from NSF to the Department of Education. However, Congress rejected the proposal.

## **Department of Agriculture**

The USDA's National Research Initiative (NRI) competitive grants program was funded at the \$183 million level for FY2006, not including the previously mentioned 1% across-the-board cut. Although this is considerably less than the \$250 million requested in the President's budget, it is still nearly a 2% increase over FY2005. Fortunately, FASEB was successful in its [efforts](#) to remove an amendment in conference which had been attached to the Senate agriculture appropriations by Senator Daniel Akaka (D-HI). The Akaka amendment would have restricted federal funding to any research institution that purchased laboratory animals from dealers holding a Class B license. Because of the broad language of the amendment, this would have had serious negative implications for many universities, particularly land grant institutions.

## **Department of Energy – Office of Science**

DOE's Office of Science budget for FY2006 is \$3.59 billion (after applying the 1% across-the-board cut included as part of the Defense appropriations conference report), resulting in a negligible increase for the Office.

## **Department of Veteran's Affairs**

The FY2006 budget for the Department of Veteran's Affairs Medical and Prosthetics Research Program is \$412 million, an increase of 2.4% over FY2005.

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

Many organizations voiced strong objections to the Labor-HHS conference report and encouraged their respective Congressional representatives to vote against the spending bill. While FASEB sympathized and agreed with these organizations on many levels, we were very concerned with the consequences of the Labor-HHS conference report not passing. As Senator Specter said, "We face an alternative of a continuing resolution

which would reduce funding by \$3 billion for all Labor-HHS programs (compared to the \$1.5 billion included in the Labor-HHS conference report). So there's not much choice. I'm going to vote for this bad bill as opposed to accepting a worse alternative." Had the conference report failed in the Senate, the House leadership indicated that it would have forced a year-long continuing resolution to fund agencies, including NIH, at levels much lower than the \$80 million reduction NIH will confront in FY2006.

FASEB released a [press release](#) after the Senate agreed to the Labor-HHS conference report. While FASEB is extremely disappointed with the final FY2006 budget for NIH, a long-term CR would have been much worse for the agency.

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## CONGRESSIONAL SCHEDULE

The full Senate reconvenes on January 18, 2006. The full House reconvenes on January 31, 2006.

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