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APPROPRIATIONS UPDATE

Continuing Resolution

On September 30, 2005, President Bush signed into law a continuing resolution (CR) that will allow federal agencies and programs whose FY2006 funding bills are not yet law to remain open for business while Senate and House appropriators (as well as representatives from the Administration) meet to resolve their differences.

Under the terms of the CR, agency activities are funded at the lower of three funding levels: the House-passed level, the Senate-passed level, or the FY2005 current rate, until their bill is signed into law or the CR expires (on November 18, 2005).

FASEB currently tracks the appropriations research activities for six agencies (NIH, NSF, DOE, VA, NASA, and USDA). The CR funding levels for each of these agencies (with the exception of VA's Medical and Prosthetics Research Division) will be at the FY2005 level because each agency received a funding increase from both the House and Senate for FY2006. Please see the below chart for specifics, as well as the status of their respective FY2006 appropriations bills.

Agency	FY 05 Enacted	President FY 06 Request	House Passed	Change from 05	Senate Action	Change from 05	CR
NIH	28.40	28.45	28.50	0.5%	(1) 29.41	3.7%	28.40
NSF	5.47	5.60	5.64	3.1%	(2) 5.53	1.1%	5.47
DOE (Office of Science)	3.59	3.46	3.67	2.2%	(3) 3.7	3.0%	3.59
VA (Medical and Prosthetics Research)	0.40	0.39	0.39	-2.3%	(4) 0.41	1.6%	0.39
NASA (Science, Aeronautics, Exploration)	7.68	9.46	9.72	21.0%	(5) 9.76	21.3%	7.68
USDA (National Research Initiative)	0.18	0.25	0.22	18.2%	(6) 0.19	5.3%	0.18

1. Full Committee Marked Up Labor HHS 7/14

2. Senate Passed CSJ 9/17

3. Senate Passed Energy and Water 9/17

4. Senate Passed CSJ 9/17

5. Senate Passed CSJ 9/17

6. Senate Passed Ag 9/22

BUDGET RESOLUTION/RECONCILIATION

Budget Reconciliation Process

When Congress returns from the Columbus Day recess, the House of Representatives plan to begin work on the budget reconciliation process. The budget reconciliation process provides Congressional committees with the authority to recommend changes in statute to achieve the levels of direct spending, revenues, and debt limit agreed to in the Budget Resolution.

House Budget Committee Chairman Jim Nussle (R-IA) is proposing a 2% across-the-board cut in FY2006 discretionary spending. Trimming all discretionary accounts, which total \$843 billion under the FY2006 budget resolution, by 2% would save \$16 billion. Chairman Nussle is also calling for additional reductions in entitlement savings.

Senate Budget Committee Chairman Judd Gregg has stated that mandatory spending should bear the brunt of the costs because it makes up about two-thirds of the overall budget.

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NIH REAUTHORIZATION UPDATE

NIH Reauthorization

While Chairman Joe Barton (R-TX) remains committed to moving the NIH Reauthorization bill, the possibility that it will happen sometime before the end of the year is quite low. The most recent discussion draft to reauthorize NIH leaves many questions unanswered. In addition, recent efforts to resolve some of the Committee members' differences have proven to be more difficult than initially envisioned. Finally, the fact that the central person staffing the Committee on NIH reauthorization (Ms. Cheryl Jaeger) is no longer working for Chairman Barton but now finds herself working for Majority Leader Roy Blunt (R-MO) [due to Tom DeLay (R-TX) having to step down from the post after being indicted], further complicates efforts to reauthorize the agency.

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

During the next six weeks (since the CR is keeping Congress in session until at least November 18th), the House and Senate will concentrate most of their efforts on working through a complicated budgetary puzzle. Congressional leaders must finish appropriations bills and push through a complex budget reconciliation process while at the same time funneling more money toward Hurricane Katrina cleanup – and figuring out how to pay for it.

FASEB's Office of Public Affairs has partnered with a diverse group of patient organizations to [urge Congress to oppose any proposal](#) that would offset the costs of Hurricanes Katrina and Rita by cutting vital domestic programs, including biomedical research.

Our group of research and patient organizations became especially concerned when House Budget Committee Chairman Jim Nussle (R-IA) announced that he would recommend an across-the-board 2% cut to all discretionary spending bills. FASEB's Office of Public Affairs volunteered to schedule a meeting with Chairman Nussle in his Iowa district during the Columbus Day Congressional recess. We plan to recruit local patients and researchers to explain to Representative Nussle why his proposal is a bad idea and to put some pressure on him to think twice before he weakens the nation's commitment to medical research.

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OTHER FASEB ACTIVITIES

FASEB Meets with Staff to Senate Agriculture Appropriations

Subcommittee re: Amendment to Prohibit Class B Animal Dealers

On September 26, 2005, Jon Retzlaff and Carrie Wolinetz, staff from FASEB's Office of Public Affairs, and Alice Ra'anan, Public Affairs Officer, The American Physiological Society, met with Jessica Frederick, Agriculture Appropriations staffer to Ranking Member Senator Herb Kohl (D-WI), to discuss Senator Akaka's amendment to the Agriculture appropriations bill. The amendment that would prohibit federal funding to labs purchasing animals from Class B dealers. It passed by voice vote on September 20 despite opposition from FASEB and other members of the research community.

We discussed the amendment and its implications. Ms. Frederick informed us that she had been hearing from researchers at Wisconsin institutions and that she understands that the impact of this legislation is far greater than Senator Akaka's original intent. Ms. Frederick believes that the amendment will be removed in conference.

FASEB Meets with Staff to Senator Akaka (D-HI) re: Amendment to Prohibit Class B Animal Dealers

On October 4, 2005, Jon Retzlaff and Carrie Wolinetz, staff from FASEB's Office of Public Affairs, met with Shirley Fiske and Darcie Tokioka, Legislative Assistants for Senator Daniel Akaka (D-HI), to discuss Senator Akaka's amendment to the Agriculture appropriations bill that would prohibit federal funding to labs purchasing animals from Class B dealers.

The staffers are not optimistic that the amendment will remain in the bill, and fully expect it to be stripped in conference. However, they are satisfied because attention has been brought to an issue they clearly feel is important. Ms. Tokioka informed us that the Senator is supportive of the use of animals in research, but wants to "protect scientific integrity while ensuring the humane care of animals." We assured her that our community agrees wholeheartedly with this goal, but explained that the language was broad, harmful, and the wrong way to achieve their aims. She conceded that better enforcement of existing laws would be preferable, but additional resources to improve enforcement at USDA are unlikely in the current fiscal environment.

The staffers asked us to take a look at Senator Akaka's original bill – the Pet Protection and Safety Act, from which the amendment was based – to see if we could provide suggestions for modifications that would preserve research, but still increase pet protections. FASEB's Animal Issues Subcommittee plans to meet and take a closer look at the legislation.

FASEB Meets with Environment and Public Works Committee Staff regarding NYSE's Surrendering to Animal Rights Extremism

On September 26, 2005, Jon Retzlaff and Carrie Wolinetz, staff from the FASEB's Office of Public Affairs, and Alice Ra'anan, Public Affairs Officer, The American Physiological Society, met with Katherine English, Majority

Council to the Committee on Environment & Public Works [Chairman James Inhofe (R-OK)], to discuss the Senate Environment and Public Works Committee's plans to investigate the New York Stock Exchange's (NYSE) recent decision to cancel the listing of Life Science Research, Inc. (LSR) Life Science Research, Inc. is the parent company of Huntington Life Sciences, an animal testing company that has been the target of the animal rights extremist group Stop Huntington Animal Cruelty (SHAC). The NYSE's last minute cancellation of the LSR listing appears to have been the result of threats from SHAC, whose past tactics have included violent assault, arson, and intimidation campaigns.

The Committee is aiming for the 3rd week in October to conduct the hearing and is in the process of collecting information. Ms. English encouraged FASEB to submit written testimony and asked us to collect information on how animal rights extremism impacts biomedical research. In addition, the Committee would welcome FASEB issuing press releases in support of the upcoming hearing and/or to bring greater attention to the issue.

FASEB Meets with Staff to Senator Obama (D-IL) regarding NYSE's Surrendering to Animal Rights Extremism

On October 4, 2005, Jon Retzlaff and Carrie Wolinetz, staff from FASEB's Office of Public Affairs, met with Patricia Haman, Legislative Fellow for Senator Barack Obama (D-IL), to discuss the announcement that the Senate Environment and Public Works Committee will investigate the New York Stock Exchange's (NYSE) recent decision to cancel the listing of Life Science Research, Inc (LSR). Life Science Research, Inc. is the parent company of Huntington Life Sciences, an animal testing company that has been the target of the animal rights extremist group, Stop Huntington Animal Cruelty (SHAC). The NYSE's last minute cancellation of the LSR listing appears to have been as a result of threats from SHAC, whose past tactics have included violent assault, arson, and intimidation campaigns.

The purpose of the meeting was to share FASEB's concern that the activities of extreme animal rights groups such as SHAC were having a negative impact on biomedical research and threatening the safety of researchers. Although Ms. Haman offered support for our position, she reiterated the Senator's view, as expressed in the previous hearing, that this topic was outside the jurisdiction of this particular committee.

HURRICANE KATRINA - RESOURCES

FASEB has set up a [web site](#) to direct scientists to resources for recovery from Hurricane Katrina. We expect to update this as we receive new information. If your society has additional web sites or resources you wish to add, please let us know and we will be happy to update the site.

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CONGRESSIONAL SCHEDULE

The House and Senate are in recess until October 17, 2005.

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FASEB's Washington Update is brought to you bi-monthly by the FASEB Office of Public Affairs. We welcome your questions and comments – please contact Gary Kline, Legislative Analyst at gkline@faseb.org or (202) 543-1155. For more information about how to get involved in research advocacy, visit: <http://capwiz.com/faseb/home/>