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APPROPRIATIONS UPDATE

L/HHS Appropriations Bill – NIH

We are not expecting any action to take place on the L/HHS Appropriations bill in September. Senator Arlen Specter, Chairman of the L/HHS Appropriations subcommittee, is also Chairman of the Judiciary Committee, and thus has responsibility for facilitating hearings on President Bush's nominee (Judge John G. Roberts) to be the next Chief Justice of the Supreme Court. The hearings are expected to begin next week. In addition, it is expected that President Bush will propose a second nominee before the end of the month.

Therefore, it is expected that NIH (once again) will be funded through a series of continuing resolutions until Congress finds the time and desire to complete its work.

Commerce/Justice/Science Appropriations Bill – NSF

The Senate scheduled floor action today to consider H.R.2862, the "Science, Commerce Department, Justice Department, and Related Agencies Appropriations for FY2006," which funds the NSF and NASA. No roll call votes were scheduled. Consideration of the bill will resume next week.

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NIH REAUTHORIZATION UPDATE

NIH REAUTHORIZATION

On August 22nd, the House Energy and Commerce Committee (Representative Joe Barton [R-TX], Chairman) provided FASEB and the greater research community a second draft of the legislation to reauthorize the National Institutes of Health (NIH).

SUMMARY OF COMMITTEE'S DISCUSSION DRAFT #2

A. *Institutes and Centers (ICs) divided into two categories:* The revised draft continues to divide NIH Institutes and Centers (ICs) into either a "mission-specific" (14 ICs included here) category or a "science-enabling" (10 ICs included here) category. Chairman Barton (R-TX) proposes that appropriators provide a lump sum for both "mission specific" and "science-enabling" ICs, but declines to specify an allocation for the individual ICs in this draft. The draft states that the process for individual IC funding distribution remains to be determined.

B. *The Creation of a Division of Program Coordination, Planning and Strategic Initiatives within the Office of the Director:* The establishment of this Division would provide the director with new legislative authority and responsibility for the overall direction, management and operation of NIH. This includes coordinating and overseeing the operation of the ICs within the agency. In addition, the Director would be responsible for program coordination across ICs, including conducting priority-setting reviews to ensure NIH is balanced and free of unnecessary, duplicative research and takes advantage of collaborative, cross-cutting research. An advisory council within the Office of the Director would be appointed to advise the NIH Director on matters related to the policies and activities of this Division.

D. *Common Fund for Trans-NIH research activities:*

The bill would establish a common fund for trans-NIH research. The director is authorized to "reserve" a percentage of the NIH appropriation for allocations related to research activities identified by the Division of Program Coordination, Planning and Strategic Initiatives.

E. *Reporting and Data Collection System*

An extensive data collection effort is proposed.

OUTLOOK FOR ACTION ON AN NIH REAUTHORIZATION BILL

Chairman Barton continues to insist that NIH Reauthorization remains one of his top priorities. However, he has announced that his committee plans to hold a series of Congressional hearings on rising fuel prices and (as part of the budget reconciliation process) is charged with deciding how to cut \$10 billion from Medicaid before the end of the month. Thus any attempts to reauthorize NIH most likely will be pushed back until October at the earliest.

The Senate has not displayed a strong interest in taking up this issue.

FASEB & AAMC CO-HOSTED A MEETING ON NIH REAUTHORIZATION

On August 25, 2005, FASEB and the American Association of Medical Colleges (AAMC) co-hosted a “Town Hall Meeting” to discuss the second discussion draft on NIH reauthorization. One hundred thirty research advocates from eighty different organizations attended the meeting. The meeting provided an opportunity for the various stakeholders in the research community to share their thoughts and concerns about the draft NIH reauthorization bill.

Some of the main concerns voiced by advocates included: 1) Clustering NIH Institutes and Centers (ICs) into either a “mission specific” or “science enabling” category. Members in the research community asked what the purpose or rationale is for creating the two categories. Advocates also wondered what kind of process would be implemented to distribute the money from the two categories to the individual ICs; 2) Creating a common fund to support trans-NIH research activities. Many in the audience expressed confusion with how the dollars will be taken from the individual ICs budget to support this fund. In addition, it was unclear as to who decides on what projects/initiatives the common fund will support; 3) Eliminating authorizations of appropriations for the individual ICs. The research community also expressed strong concern with the committee’s plan to set specific funding levels for NIH instead of using the language, “such sums as necessary;” 4) Reporting requirements. Many asked how we would ensure that the extensive data collection requirements will not hinder research efforts by diverting scarce financial resources toward preparing reports that may be outdated by the time they become publicly available.

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

The aftermath of Hurricane Katrina promises to scramble Congress’ post-recess agenda and calendar, and is about to blow a bigger hole in the federal budget, which will make an already constrained fiscal environment that much more difficult for NIH and NSF supporters.

Administration officials have said that relief efforts are running close to \$700 million a day and some are predicting that the total cost will be between \$150 and \$200 billion (for comparison purposes, \$21 billion was provided after 9/11). Even though Congress will categorize the relief efforts for Hurricane Katrina as “emergency spending” (and thus it will not have to be paid for from the pool designated for discretionary spending), already some Members are suggesting that additional cuts to discretionary spending should be considered during the appropriations process.

Both the House and Senate were already resigned to missing their original departure target date of October 1st. Now, with Congress spending time on relief efforts for Hurricane Katrina and holding confirmation hearings for two vacancies on the Supreme Court, it is expected that Congress will not adjourn until Thanksgiving. Prior to leaving, Congress must finish the appropriations bills and vote on a controversial budget reconciliation measure. In addition, Congress is also talking about reforming Social Security, altering the immigration rules, and eliminating the estate tax. It remains to be seen just how much it will be able to get done.

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OTHER FASEB ACTIVITIES

FASEB Science Policy Committee (SPC) Face-to-Face Meeting

On August 21 and 22, 2005, FASEB sponsored its annual Science Policy Committee (SPC) Face-to-Face Meeting. This year, in addition to discussing past and ongoing SPC activities, the meeting focused on the challenges and opportunities of NIH organization and priority-setting processes as articulated by various stakeholders.

The following individuals spoke to the SPC during the two-day meeting: 1) Cheryl Jaeger, Senior Health Policy Advisor to House Majority Whip Roy Blunt, discussed the topic of NIH Reauthorization. Ms. Jaeger was Chairman Barton's lead staffer on NIH Reauthorization and she plans to oversee this issue from her new position for the remainder of the Congressional year; 2) Richard Turman, Deputy Assistant Secretary for Budget, Department of Health and Human Services, gave a presentation titled, "The NIH Budget: Thinking about Tomorrow;" 3) Dr. Story Landis, Director, National Institute of Neurological Disorders and Stroke (NINDS), reviewed NINDS' mission and described NINDS' priority-setting processes; 4) Dr. Duane Alexander, Director, National Institute of Child Health and Human Development (NICHD), discussed NICHD's priority setting processes and described how NICHD collaborates with other Institutes.

FASEB Endorses Designation of Multiple PIs on Federal Research Grants

In response to a call for comments from the Office for Science & Technology Policy (OSTP) and the National Institutes for Health (NIH), FASEB has [strongly endorsed](#) designating multiple Principal Investigators (PIs) on federal research grants. Currently, the only available term for recognizing multiple contributors to a project is co-investigator, which FASEB feels does not reflect genuinely equal scientific collaborations.

FASEB Thanks NIH and HHS for Modifying Conflict of Interest Rules

FASEB has sent [letters](#) of appreciation to NIH Director Elias Zerhouni, MD, and HHS Secretary Michael Leavitt for the important changes made to the NIH-specific provisions of the Supplemental Standards of Ethical Conduct

and Financial Disclosure Requirements for Employees of the Department of Health and Human Services.

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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 session.

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