



Issue #09-04

GOVERNMENT RELATIONS UPDATE – April 29, 2009

[For more information, contact Ray Martinez at 713-348-6237 or ray.martinez@rice.edu. If you would like to be added to the distribution list, please send us an email.]

FEDERAL BUDGET NEGOTIATIONS

Congressional Conferees Agree on a Fiscal Year 2010 Budget Resolution. House and Senate conferees have reached [agreement](#) on the FY10 concurrent budget resolution, with the House quickly approving the conference report. The Senate is expected to take-up consideration of the report later this week. The measure, which serves as a tax and spending guide for Congress that is not signed into law by the president, provides \$1.096 trillion in nonemergency discretionary spending in FY10, or \$10 billion less than the president requested in his budget outline.

The most controversial provision would allow the use of the fast-track reconciliation process for health care reform and student financial aid, which would allow the bills to pass the Senate by a simple majority rather than by the 60 votes needed to avoid a filibuster. The reconciliation provision, which has been strongly criticized by Senate Republicans, was included in the House version of the budget resolution but not in the Senate.

Several higher education associations, including AAU, this week [wrote](#) to all members of the House of Representatives expressing support for the FY10 budget resolution and focusing on the provision that would enable the Pell Grant program to become a full entitlement. "We are pleased that S. Con. Res. 13 includes instructions to the authorizing committees to reduce the deficit, while providing for the conversion of the Pell Grant program to a full entitlement," said the associations' letter. "As part of achieving the goal of a full Pell entitlement, we understand Congress will be looking to modify existing federal student loan and grant programs...we welcome the discussion and look forward to working with you as you draft legislation to best serve America's students and families." Source: AAU CFR Update (09-No. 27, 04-28-09).

FEDERAL ISSUES UPDATE

Pennsylvania Sen. Arlen Specter Switches Parties. Sen. Arlen Specter stunned the D.C. political establishment on Tuesday by declaring that he was switching his party affiliation from Republican to Democrat. In doing so, Specter becomes the 59th Democratic senator and, if Al Franken eventually gets seated as the senator from Minnesota, Democrats will have a filibuster-proof 60-vote majority.

In declaring his switch, Specter stated, "I will not be an automatic 60th vote ... if the Democratic Party asks too much, I will not vote with them." The full story can be found here: <http://www.politico.com/news/stories/0409/21798.html> .

Despite Republican Objections to Sebelius' Nomination, Confirmation Occurs. Democratic Kansas Gov. **Kathleen Sebelius** was confirmed on Wednesday to serve as Health and Human Services secretary; the vote was 65 to 31. Republican opposition was based largely on Sebelius's support of abortion rights, although Sen. Sam Brownback, R-Kan., supported her nomination. The full story can be found here: <http://lostintransition.nationaljournal.com/2009/04/sebelius-cloture.php> .

Obama Urges More Funding of Scientific Research: President **Barack Obama** on Monday pledged to spend more money on scientific research and improve science education. Obama announced a target of devoting more than 3 percent of the gross domestic product to research and development, which would translate into an additional \$46 billion in annual public and private spending, according to the White House Office of Science and Technology Policy (OSTP). The full article from the *Wall Street Journal* can be found here: <http://online.wsj.com/article/SB124083839349859183.html>.

Obama Announces President's Council of Advisors on Science and Technology (PCAST): President Obama on Monday announced the 20 members of PCAST, which will be co-chaired by **John Holdren**, who heads the White House's Office of Science and Technology Policy, **Eric Lander**, director of the Broad Institute of Massachusetts Institute of Technology and Harvard University, and Nobel laureate **Harold Varmus**, president and CEO of Memorial Sloan-Kettering Cancer Center. The panel will advise Obama on policy issues and includes Google CEO **Eric Schmidt** and **Craig Mundie**, chief research and strategy officer at Microsoft.

The other PCAST members are: **Rosina Bierbaum**, dean of the School of Natural Resources and Environment at the University of Michigan; **Christine Cassel**, president and CEO of the American Board of Internal Medicine; **Christopher Chyba**, professor of astrophysical sciences and international affairs at Princeton; **S. James Gates Jr.**, the John S. Toll Professor of Physics and director of the Center for String and Particle Theory at the University of Maryland, College Park; **Shirley Ann Jackson**, president of Rensselaer Polytechnic Institute and former chair of the U.S. Nuclear Regulatory Commission (1995-1999); **Richard Levin**, president of Yale; **Chad Mirkin**, professor of materials science and engineering, chemistry and medicine at Northwestern; **Mario Molina**, professor of chemistry and biochemistry at the University of California, San Diego; **Ernest J. Moniz**, professor of physics and engineering systems, director of the Energy Initiative and of the Laboratory for Energy and the Environment at MIT; **William Press**, professor of computer sciences at the University of Texas at Austin; **Maxine Savitz**, retired general manager of Technology Partnerships at Honeywell, Inc.; **Barbara Schaal**, professor of biology at Washington University; **Daniel Schrag**, the Sturgis Hooper Professor of Geology in the Department of Earth and Planetary Sciences at Harvard; **David E. Shaw**, the chief scientist of D. E. Shaw Research, LLC.; and **Ahmed Zewail**, professor of chemistry and physics at Caltech. The full White House press release can be found here: http://www.whitehouse.gov/the_press_office/President-Obama-Announces-Members-of-Science-and-Technology-Advisory-Council/ .

Rice Leaders Visit with Congress members on Capitol Hill. Rice President David W. Leebron and Linda Thrane, vice president for public affairs, traveled to Capitol Hill last week for several meetings with Texas congressional members. The two met with Sens. Kay Bailey Hutchison and John Cornyn, as well as staff members for Rep. John Culberson.

STATE UPDATE: 2009 LEGISLATIVE SESSION

Final Weeks of the Legislative Session. The Texas Legislature is down to the final four weeks of the 81st session. The pace picked up considerably last week with the passage of a state appropriations bill by the House. Because of differences between the House and Senate appropriations bills, a conference committee has been appointed to negotiate a compromise agreement.

The House conferees for the appropriations bill are: Jim Pitts, R-Waxahachie; Richard Raymond, D-Laredo; John Otto, R-Dayton; Ruth Jones McClendon, D-San Antonio, and John Zerwas, R-Katy. The Senate conferees are: Steve Ogden, R-Bryan; Florence Shapiro, R-Plano; Tommy Williams, R-The Woodlands; Royce West, D-Dallas; and Juan Hinojosa, D-McAllen. The session is scheduled to end June 1st.

Status of Priority Bills for Rice University, 81st Session:

SB 45 Author: Zaffirini | et al.

Caption: Relating to tuition exemptions at public institutions of higher education for students enrolled in certain inter-institutional academic programs.

Last Action 04/28/2009 Passed the Senate (sent to House)

HB 58 Author: Branch

Caption: Relating to the eligibility of private or independent institutions of higher education to participate in the advanced research program administered by the Texas Higher Education Coordinating Board.

Last Action 04/22/2009 Passed the House (sent to Senate)

HB 2939 Author: Callegari

Caption: Relating to the establishment of the Texas Hurricane Center for Innovative Technology at the University of Houston.

Last Action 04/16/2009 Stalled in Calendars Committee

HB 1893 Author: Driver | et al.

Caption: Relating to the carrying of concealed handguns on the campuses of institutions of higher education.

Last Action 04/15/2009 H Committee report sent to Calendars; companion legislation in Senate heard in Committee on 4/27/09

HB 1955 Author: Coleman

Caption: Relating to administrative and contract provisions applicable to certain nonprofit corporations located in large counties.

Last Action 04/14/2009 H Left pending in committee

HB 3709 Author: Coleman

Caption: Relating to certain charitable corporations granted eminent domain power by Section 6(b), Chapter 178 (S.B. 289), Acts of the 56th Legislature, Regular Session, 1959 (Article 3183b-1, Vernon's Texas Civil Statutes), repealing the power of eminent domain and condemnation of residential property adjacent or contiguous to such medical center, for the purpose of constructing, maintaining, and operating health care, educational and support entities as a part of the medical center or related facilities; and amending Article 3183b-1 to provide for legal remedies and measures to rectify past condemnation practices within residential neighborhoods.

Last Action 04/08/2009 H Left pending in committee

HB 4515 Author: Coleman

Caption: Relating to contracting practices of certain large nonprofit corporations.

Last Action 04/20/2009 H No action taken in committee

HB 1358 Author: Keffer | et al.

Caption: Relating to the Cancer Prevention and Research Institute of Texas.

Last Action 04/09/2009 H Reported favorably as substituted

SB 666 Author: Shapleigh

Caption: Relating to the administration of charitable trusts.

Last Action 04/23/2009 Placed on Senate intent calendar

SB 846 Author: Averitt | et al.

Caption: Relating to the exemption of oil and gas royalty interests owned by private institutions of higher education from oil and gas severance taxes.

Last Action 04/23/2009 Considered in committee; no action taken.