



Issue #09-07
For Rice University Personnel Only

GOVERNMENT RELATIONS UPDATE

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CONGRESSIONAL SCHEDULE

The House is scheduled to begin its August recess on Friday, July 31, while the Senate is expected to adjourn the following Friday, Aug. 7. Speculation persists that Speaker Pelosi may hold the House in session and delay the recess to take-up a health care reform bill.

In the meantime, the fiscal year 2010 appropriations process has moved forward. The House has already approved nine of the 12 domestic spending bills, while the Senate has approved only two. Speaker Nancy Pelosi has publicly stated her intention of having the House pass all 12 domestic spending bills prior to the August recess. (Source: AAU.)

FEDERAL APPROPRIATIONS UPDATE

Commerce-Justice-Science (CJS) appropriations bill approved. The House Appropriations Committee approved the CJS appropriations bill last week. The bill includes a 12 percent increase overall, but less than what **President Barack Obama** requested. Proposed FY 10 budgets for the National Science Foundation (NSF) and the National Aeronautics and Space Administration (NASA) include:

- **NSF:** A funding increase of approximately \$460 million above FY 09, but \$108 million below President Obama's budget outline.
- **NASA:** A funding increase of approximately \$420 million above FY 09, but \$489 million below President Obama's request.

Rep. John Culberson, R-Houston, who represents the Rice campus, is a member of the CJS appropriations subcommittee.

House Labor-Health and Human Services-Education bill through subcommittee. The House Labor-HHS-Education Appropriations Subcommittee made several key decisions on funding for higher education:

- **National Institutes of Health (NIH):** NIH received \$31.3 billion, an increase of \$941 million, or 3.1 percent, above the FY 09 level and \$500 million *above* the president's FY 10 request.
- **Pell Grants:** The maximum discretionary grant award remains at \$4,860 for FY 10. When combined with mandatory spending of \$690, the maximum award increases to \$5,550 for FY 10, an increase of \$200 over FY 09.

In the coming weeks, the full Appropriations Committee is expected to pass the Labor-HHS-Education bill without significant alterations.

Energy and Water Appropriations bill passes the House and Senate. The House energy and water bill has \$27.4 billion in discretionary funding while the Senate's version has \$26.9 billion. The Department of Energy Office of Science and renewable energy research are funded in the bills:

- **Office of Science:** Both the House and Senate bills fund the office at around \$4.9 billion for FY 10, which is \$170 million more than the FY 09 level. The House version gives \$1.7 billion for the Basic Energy Sciences (BES) program and \$409 million for the Advanced Scientific Computing (ASC) program. Another \$2.4 billion would be for nuclear physics, high energy physics, biological and environmental research, and fusion energy science combined. The Senate version provides \$1.65 billion for BES and \$400 million for ASC, and \$2.37 billion is reserved for nuclear physics, high energy physics, biological and environmental research, and fusion energy science combined.
- **Renewable Research:** The House bill provides \$2.25 billion compared with the Senate level of \$2.23 billion.

National Endowment for the Humanities (NEH) gets budget increase. The House Appropriations Subcommittee on the Interior, Environment and Related Agencies approved a \$15 million increase for NEH in FY 10. The National Endowment for the Arts received the same increase. In related news, **James A. Leach**, a former Republican representative from Iowa, was nominated as chairman of the NEH by President Obama. Leach co-founded the Congressional Humanities Caucus while serving as a member of Congress. The full story can be seen [here](#).

FEDERAL ISSUES UPDATE

Rice alumnus named as ranking member of the House Education and Labor Committee. Rep. **John Kline**, R-Minn., a '69 Rice alum, was chosen by the Republican Steering Committee as the ranking member of the House Education and Labor Committee on June 15. Kline was elected to Congress in 2002 and has been a strong supporter of education in the House. The full story can be seen [here](#). Since becoming ranking member, Kline has come out against many of President Obama's higher education plans, including restructuring the federal student loan program. (Source: The Chronicle of Higher Education.)

Department of Energy (DOE) young faculty awards. In an attempt to put federal research funding to more effective use, DOE will fund a group of new awards for up-and-coming investigators. The program will be funded from the outset by money provided by the America Recovery and Reinvestment Act. The full announcement can be seen [here](#). (Source: AAU.)

Dr. Francis Collins selected to lead National Institutes of Health (NIH). President Obama nominated **Dr. Francis Collins**, former director of the federal government's Human Genome Project, as the director of NIH. The research community is supportive of Collins' nomination. The full story can be seen [here](#). (Source: The Chronicle of Higher Education.)

Congressional Nanotechnology Caucus holds meeting. The director of National Nanotechnology Coordinating Office, Dr. Clayton Teague, participated in a panel discussion on July 6 on the direction and funding of nanotechnology initiatives. The panel also discussed the National Nanotechnology Initiative Amendments Act passed by the House and expected to be introduced soon in the Senate. (Source: Congressional Nanotechnology Caucus.)

Congress passes student credit card legislation. New credit card legislation, passed by Congress and signed into law by President Obama on May 20, is designed to protect students and other citizens from interest rate fluctuations. The act also stops credit card companies from distributing cards to students under the age of 21 without parental consent. It also limits the maximum amount of debt to \$500 or 20 percent of students' yearly income. However, many experts worry about the new rules' impact on student

access to credit for student loans. The full story can be seen [here](#). (Source: The Chronicle of Higher Education.)

Rep. George Miller introduces student loan legislation. House Education and Labor Committee Chairman **George Miller**, D-Calif., introduced a bill that will end guaranteed bank-based lending to students, increase money for Pell Grants and enlarge the Perkins Loan program to \$6 billion from \$1 billion. After months of speculation, Miller finally proposed a bill that reflects President Obama's proposals to overhaul student lending. Republican opposition to the bill is strong, but many congressional observers believe that the GOP may not have the votes to stop this legislation from moving forward. The full story can be seen [here](#). (Source: The Chronicle of Higher Education.)

WHO KNEW?

From time to time, the Rice government relations office receives questions from Rice faculty and staff about gifts, travel and other related ethics questions involving state and federal elected officials and staff. In September 2007, Congress passed an enhanced ethics law which tightens gift and travel rules and requires greater disclosure requirements upon lobbyist, congressional members and staff. Similarly, state ethics laws are in place requiring separate disclosure and reporting requirements.

We share below a recent question submitted to the Rice government relations office:

Is Rice allowed to offer congressional members and/or staff to pay the cost of travel and hotel to attend a conference on the Rice campus, and may congressional members and/or staff accept such an offer?

ANSWER: Generally, yes. Rice is allowed to make such an offer under the federal gift and travel rules for both members and staff of the U.S. House and Senate. However, there are several considerations, as well as slight variances between the House and Senate.

Travel sponsored by a private entity that retains a lobbyist: For travel that is sponsored by a private entity that retains or employs a lobbyist, the travel rules severely limit the ability of members and staff to accept such travel (House Rule 25, clause 5(b)(1)). Rice University falls into this category because we are a private institution of higher education that employs a lobbyist. Other than the exception noted below, House members and staff **are not** allowed to accept offers of travel and lodging.

Exception: one-day event trips for House members and staff: For House members and staff, the sole exception to the general prohibition on accepting officially connected travel from a private source that retains or employs a lobbyist(s) is for trips involving attendance at or participation in **a one-day event** (House Rule 25, clause 5(b)(1)(C)). Under this rule, it is permissible for a member or staff person to accept a single night's lodging and meals related to the trip, if offered by the trip sponsor (this is an important requirement). Members and staff must limit their involvement in connection with the event to a single calendar day, exclusive of travel time and an overnight stay. A member or staff person may therefore attend only a single day of a multiple-day conference, forum or other event that is being hosted primarily for individuals other than congressional invitees.

Senate members and staff: For Senate members and staff, the rules are a bit more lenient. In this case, members and staff may accept an offer of travel and hotel for up to a **three-day period**.

Two other important considerations: (1) House and Senate members and staff must be able to demonstrate that the function they are attending relates to their official duties and will not create the appearance that they are using their public office for private gain; (2) both House and Senate members and staff must seek pre-approval of any offer of travel and hotel from their respective ethics oversight

committee (i.e., House Committee on Standards of Official Conduct and Senate Ethics Committee). This means you should get their invitations in the mail well in advance of the conference because they will need at least 30 days to seek approval if they decide to take you up on your offer of travel and hotel reimbursement.

Trips sponsored by an institution of higher education: Moreover, events sponsored by a private entity that retains or employs a lobbyist would normally be required to restrict the involvement of that lobbyist to a “de minimus” role. However, there is an exception to lobbyist involvement under the House rules for trips sponsored by institutions of higher education. In this case, involvement by a lobbyist in the planning, organizing, requesting or arranging a trip paid for by an institution of higher education is permissible. Similarly there is an exception for lobbyist involvement in the Senate rules for an offer of travel and hotel reimbursement that comes from a 501(c)(3) organization, such as Rice.

Bottom line? You can issue the invitations and, if they choose, House and Senate members and staff may accept Rice’s offer to pay hotel and travel to a conference on campus sponsored by the university. A House member and staffer would only be allowed to accept a one-day event reimbursement, while a Senate member and staffer can accept up to three days of reimbursement.

Please note that Rice must keep track of any gifts and travel that has been accepted by congressional members and staff in case such information is needed for reporting purposes in our quarterly lobbying filings and/or for auditing purposes. Therefore, please keep appropriate documentation.