

January 15, 2008
Legislative Update

The 110th Congress began on January 4, 2007 with Rep. Nancy Pelosi taking the helm of the House as its first female speaker and Senator Harry Reid taking the reins of the Senate. With science and technology issues high on their respective priority lists, we saw Congress act on the largest and most significant science authorization bill in recent history – the America COMPETES Act. Unfortunately, by year’s end, science, research and technology funding fell victim to budget pressures and a larger showdown between the White House and Congress over spending levels and actual dollars appropriated were similar to last year, rather than the increased levels authorized by the COMPETES Act.

Below is a brief wrap-up of how the S&T issues fared in the 110th Congress.

Innovation Legislation

In August, President Bush signed into law [H.R. 2272](#), the America Creating Opportunities to Meaningfully Promote Excellence in Technology, Education and Science (COMPETES) Act.

The COMPETES Act provides increased authorizing levels for federal research and development (R&D) and key post-secondary and graduate education programs. Authorizing levels act as a guide for the Appropriations Committee, which provides the actual funding for the different government agencies. The legislation was the culmination of many years of work by Congress, the Administration, and outside groups such as OSA. The 2005 National Academies report, *Rising Above the Gathering Storm*, spurred action in Congress. The report warned that without increased spending on research and STEM education, the U.S. risks losing technology jobs to other nations. H.R. 2272 passed the House and Senate with overwhelming support from both Democrats and Republicans.

Appropriations (Funding) Bills

At the start of 2007, the Democrats vowed to complete the FY 2008 funding bills by the end of the fiscal year on September 30, 2007. However, by that deadline, not a single funding bill had been signed into law and the federal government had to operate under a short-term continuing resolution. Congress was able reach an agreement with the White House on the Department of Defense spending bill in November.

Not wanting to risk a presidential veto and possible government shutdown, the Democrats agreed to largely meet President Bush’s overall budget targets in the remaining 11 bills, which were packaged together in an “omnibus” that passed just prior to the holidays. R&D funding did not fare as well as expected given passage of the COMPETES Act. Most R&D programs received only slight increases (<http://osa.org/News/publicpolicy/WashingtonUpdates/appropschartfy08.pdf>) see attached chart). House Science and Technology Chairman Bart Gordon was among those to express dismay and urge Congressional leaders to provide the “highest possible funding for NSF, NIST and DOE Office of Science.”

Former OSA President and CREOL Dean Eric Van Stryland weighed in with the Florida Congressional Delegation on this issue through an op-ed in the *Orlando Sentinel*. The op-ed calls on Congress and the President to increase R&D funding. To read the piece, please visit <http://www.orlandosentinel.com/news/opinion/views/orl-well1707dec17,0,1186722.story>

Energy Legislation

On December 19, 2007, President Bush signed into law the [Energy Independence and Security Act](#), which is the culmination of a year's work in Congress. Among other regulations, the Act will require cars and light trucks sold in the U.S. to achieve a minimum fleet wide average of 35 miles per gallon by 2020.

The legislation also requires new light bulb efficiency standards that require all bulbs to use 20-30% less energy by 2012-14, and about 65% less energy by 2020. In addition, Senator Jeff Bingaman, the 2007 OSA Advocate of Optics, championed the Bright Tomorrow Lighting Prizes. The monetary prizes will be awarded to groups that meet standards for solid state lighting. The next step will be to secure funding at the Department of Energy for these prizes.

Originally, the House passed bill included \$21.5 billion in tax incentives, mostly to promote development of alternative fuels that would be offset in part by eliminating or reducing \$13 billion in subsidies for major oil and gas companies. The House bill also required that 15 percent of electricity be produced from renewable sources by 2020. The tax and renewable provisions drew the veto threat from the White House and opposition in the Senate and were removed to ensure passage of the legislation. Congress will likely consider tax incentives to encourage the development of alternate energy sources in 2008.

Open Access

The FY 2008 omnibus funding bill includes a provision that would require NIH-funded authors to deposit final, peer-reviewed manuscripts in the National Library of Medicine's online database, PubMed Central, within 12 months of the official date of publication. NIH will likely announce the new open access requirement in a future issue of the NIH Guide to Grants and Contracts and the Federal Register sometime in 2008.

2008

During 2008, the OSA and other scientific groups will work towards increasing the funding levels at key R&D agencies to get closer to the funding levels in the COMPETES Act. The Optics Legislative Network (OLN) will be asked to contact their Members of Congress through letters and visits both in Washington and back home to explain what increased funding would mean to their Congressional District, state and our nation. For more information, please contact public-policy@osa.org for more information.