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## **2008 ELECTION RESULTS: IMPLICATIONS FOR RESEARCH AND HIGHER EDUCATION**

President-elect Barack Obama will be sworn in on January 20, 2009. His ability to deliver on significant campaign promises, including increased funding for research and education initiatives, will depend on a number of factors. It will be helped by the fact that the Democrats increased their majorities in both the House (picking up nearly 20 seats) and the Senate (picking up at least five seats) but hindered by the costs of two ongoing wars and a deeply troubled economy.

This document outlines the election results and analyzes what they mean for the research and higher education communities. Appendix A provides specific information about President-elect Obama's statements on issues related to research and education, and Appendix B describes changes in and agendas for Congressional Committees important for the research and higher education communities.

### **Election Results/Transition**

#### *Presidential Transition*

With only 77 days in the transition period between the election and Inauguration Day, President-elect Obama's transition team is expected to move quickly and early reports indicate that significant steps have already been taken. One of the first orders of business will be the selection of a chief of staff who will have significant input into staffing the White House and choosing future political appointees in the coming months. Early rumors indicate that Rahm Emanuel (D-IL), a former Clinton senior advisor and the fourth highest ranking Member of the House Democratic Leadership, has been offered the job already. Former officials in the Clinton Administration, such as John Podesta at the Center for American Progress who is leading the transition team, are also expected to return to government in senior executive roles or highly influential advisor roles in the new Administration.

After choosing a chief of staff, many expect that the Obama team's first order of business will be to identify and vet key appointees related to the economy, defense, and energy in order to be prepared on those top three issues from the start. Since Inauguration Day was moved to January 20<sup>th</sup>, no President has had more than 25 political appointees who require Senate confirmation in place before April 1<sup>st</sup>, but the Obama transition team will hope to change that trend given the increased Democratic majority in the Senate. Appointing a Secretary of Energy is expected to be one of President-elect Obama's top priorities among Cabinet officials. In addition, he may try to persuade Defense Secretary Robert Gates to stay in order to ensure continuity while beginning to design a plan to establish a time frame for withdrawal from Iraq and Afghanistan. This could portend continued increases for defense basic research, at least for next year. Nonetheless, even

if the Obama transition team is able to get its Cabinet in place quickly, it takes an increasingly long period of time (averaging about eight and a half months) to get sub-Cabinet appointees in place.

In addition to identifying people for key Administration positions, the transition team and the new Cabinet members will face the challenge of prioritizing President-elect Obama's campaign agenda to determine key policy initiatives, especially for the first 100 days and first year in office. These initiatives will likely include plans to demonstrate that President-elect Obama is starting to address difficult situations (e.g. the economy) as well as initiatives to reward groups that helped elect him. For research and education initiatives to be included, they would likely have to fall in the category of proposals that would be easy to execute (i.e. by executive order or non-controversial Congressional votes) and result in positive public attention. An example might be an executive order to implement standards for federal funding of embryonic stem cell research in line with bills that passed Congress but were previously vetoed by President Bush.

The academic and research communities have advocated strongly in favor of the President-elect appointing a science advisor quickly to ensure that science expertise is included in decisions about policy priorities and agency personnel appointments. While the Director of the Office of Science and Technology Policy, a traditional role for the science advisor, must be Senate confirmed, the President-elect may put in place an Assistant to the President for Science and Technology at any time and begin consulting him or her immediately. However, nomination and confirmation of new political appointees at agencies such as the National Institutes of Health, the National Oceanic and Atmospheric Administration, and the National Aeronautics and Space Administration will likely take several months.

### *House*

For the first time in 75 years, the Democrats picked up significant numbers of seats in back to back elections, building on their 30 seat pickup from two years ago and solidifying their strong majority in the House (11 seats are still too close to call). Given the gains, many expect Speaker of the House Nancy Pelosi (D-CA) to be selected for another term and to have an even more powerful platform from which to enact the Democratic agenda. However, a larger number of Democrats in Congress corresponds to a larger range of views within the caucus, and the conservative "Blue Dog" Democrats in particular will continue to be a powerful voice in the House for fiscal discipline amidst growing budget deficits and government spending. Even when the House is able to enact initiatives long awaited by the party's base, the Senate could still be a roadblock due to filibusters and the ability of individual Senators to delay legislation.

### *Senate*

The Democrats are expected to have a 56 to 44 seat majority in the 111<sup>th</sup> Congress. (This includes a pick up of five seats, counts two Independents as voting with the Democrats, and assumes the four seats that are still too close to call will be decided in favor of Republicans). However, 60 votes are necessary to stop a Senate filibuster, which means to pass major legislation, the Democrats will continue to have to negotiate with individual moderates, such as

Republican Senators Olympia Snowe (R-ME) and Susan Collins (R-ME) and Democratic Senator Ben Nelson (D-NE).

### *Committees and Oversight*

It is unclear if the increased majority will be enough for Democratic leaders to push to change the percentage of seats on House and Senate committees (and internal resources) assigned to the majority party. If Democrats have greater representation on the committees, their ability to control the content of policy and appropriations legislation that are written in the committees will increase. Changes in leadership on committees important to the research and education community are summarized in Appendix B, which also lists issues on the agenda for these committees in the 111<sup>th</sup> Congress.

Another potential change in the new Congress will be how it executes its responsibility for oversight of the Executive Branch. When the Democrats took over in 2006, many committees were reorganized to include Investigations and Oversight Subcommittees, and the emphasis of the past two years has been stepped up examination (and criticism) of President Bush's Administration. Now that Congress and the White House are controlled by the same party, the tone of oversight hearings and reports may shift, with disagreements between Congress and the Administration less likely to receive public airings.

Finally, one of the unknowns is what strategy the Republicans will adopt in their reduced minority status. There will be tension between those who advocate adopting an obstructionist approach to prevent enactment of President-elect Obama's initiatives and those who seek to negotiate to include Republican priorities in Democratic legislation. In a still relatively closely divided Senate, it would be an error to assume that Republicans no longer matter in Washington. Some of the greatest champions of research and education in Congress have been and will continue to be Republicans, and given the crowd of initiatives jockeying for attention, maintaining the bipartisan support for science and education programs may be the best way for research and education initiatives to advance.

### **What Does It Mean for Research and Higher Education?**

The research and higher education communities should be encouraged by a number of positions President-elect Obama articulated during the campaign. (A summary of his statements on issues related to research and education is included in Appendix A.) In addition, over the past two years there have been indications that a Democratically-controlled Congress is interested in moving legislation important to these communities. Examples include areas such as stem cell research, climate change, and more affordable student loan interest rates.

However, there are a number of factors which should temper the optimism. Given the current economic uncertainty, the significant cost of the economic stabilization plan, the continued cost of the wars in Iraq and Afghanistan, and the pent-up demand for spending to rebuild social and regulatory programs, President-elect Obama and the new 111<sup>th</sup> Congress will have tough choices to make as the federal deficit reaches historic levels. In addition, the Democratic party will face the challenge of conflicting expectations from different constituencies—the needs of their base

will not necessarily match the goals of moderate voters who want change. Therefore, the ability to achieve multi-year funding increases sought by the research and academic communities may be limited even if initial victories are achieved.

The next Administration and Congress are poised to take up major legislation in a variety of areas with implications for research and education, including:

- Climate change bills, with regulatory and research elements;
- Energy legislation;
- Reauthorization of transportation and highway research and infrastructure programs;
- Reauthorization of the No Child Left Behind initiative; and
- Legislation on water resources.

More examples of possible legislative initiatives are included in the Congressional Committee descriptions in Appendix B.

In addition to new legislation, some areas of emphasis will carry over from the previous Congress. The emphasis on accountability and transparency is likely to continue, as seen in attention to researcher conflict-of-interest policies, use of endowments, and indirect cost rates.

### *Appropriations Outlook*

Before the 111<sup>th</sup> Congress takes control in January, the first matter to consider is a final “lame duck” session for the 110<sup>th</sup> Congress, which could occur later this month. Though other legislation may come up, the primary task for both the House and Senate in these sessions will be an expected second economic stimulus package and perhaps the outstanding fiscal year (FY) 2009 appropriations bills. The economic stimulus bill will likely focus on job creation, infrastructure projects, and unemployment benefits and other government services.

It is unclear how the Democratic victories will affect the agenda for a lame duck session. Some believe that the Democrats will be anxious to push these pieces of legislation through in 2008 to avoid having them clutter up the first days of President-elect Obama’s Administration. However, what the Democrats can put in these bills is limited by the current (larger) Republican minority and the need for President Bush to be willing to sign them, which may force the Democrats to wait for the new Congress and new Administration.

The pending FY 2009 appropriations bills cover all domestic programs, including almost all agencies important to the research and education communities, many of which do relatively well in the versions of the bills written by the House and Senate Appropriations Committees. If the bills are pushed off until next year, Democrats must decide on one of three approaches: rewrite the pending bills with different funding levels, pass them close to as is for the sake of expediency, or ignore them entirely and fund the government at the FY 2008 level for all of FY 2009 with increases for only a few key initiatives to start fresh on the FY 2010 appropriations process. If this latter scenario occurs, funding increases proposed for agencies important to the research community may be in danger despite broad bipartisan support. Furthermore, the Congressionally-directed projects (commonly called earmarks) contained in the current FY 2009

bills would go unfunded. Either way, earmarks for retiring Members or Members who lost their seats would likely be stripped from any appropriations bills passed.

### **What Strategies Should the Research and Higher Education Community Adopt?**

While research and education programs have gained some traction with both the Executive Branch and the Congress, the Democrats will face serious fiscal constraints as they seek to implement signature initiatives and advance their highest priorities. The scientific and higher education communities are going to have to have “sharp elbows” to advance their cause in competition with other domestic programs that have labored under essentially flat, or low-growth budgets over the past several years. In particular, the new Administration will be under pressure to rebuild a number of social and regulatory programs that received little support under the Bush Administration.

Funding levels and appropriations bills should of course be a critical focus for the research and higher education communities, but the issues going forward will extend beyond how much federal funding exists, to how the research and education funding is spent. Questions of accountability and transparency, priority determination, and impact on society will increase in importance in the new Congress and Administration.

In a number of cases, the messages about the relevance and impact of research and higher education that the communities have developed in reaching out to Republican audiences will continue to be effective. There may be some shifts in focus and investment strategy based on philosophical differences between the parties—the Democrats are likely to place more emphasis than Republicans did on applied research and on education and training—but the core advocacy message should still focus on research and education programs as contributors to addressing major societal challenges, such as energy and environment, security, health, and economic strength. In addition, there will be increasing opportunities for research organizations and universities to present themselves in the role of nonpartisan honest brokers in performing research and analysis that enables government to make good policy decisions, e.g. evaluation of climate change mitigation options, prioritization of infrastructure monitoring and construction, or assessment of effectiveness of social programs.

## **Appendix A: President-elect Barack Obama on Research and Education Issues – Public Statements during the Presidential Campaign**

*Research Funding:* President-elect Obama plans to increase funding for basic research in physical and life sciences, mathematics, and engineering at a rate that would double basic research budgets over the next decade. This includes the National Institutes of Health (NIH), the National Science Foundation (NSF), the Department of Energy (DOE) Office of Science, Department of Defense (DOD) basic research, and the National Institute of Standards and Technology (NIST). His purpose in supporting basic research is three-fold – expansion of human knowledge; enabling high-risk, high-return research and young investigators; and addressing the grand challenges of the 21st century (energy, health, food and water, national security, information technology, and manufacturing capacity).

*Energy and Climate Change:* President-elect Obama proposes increasing federal investment in clean energy research, development, and deployment by \$150 billion over ten years. The research areas would include basic research to develop alternative fuels and sustainable biofuels; new building and vehicle technologies, including plug-in electric vehicles; advanced energy storage and transmission; carbon capture and storage technologies; nuclear technologies; and digital smart power grids for renewable energy. He also plans to implement a market-based cap-and-trade system to reduce carbon emissions by 80 percent below 1990 levels by 2050.

*Oceans:* President-elect Obama supports making the U.S. a leader in marine stewardship and climate change research, including enhancing our understanding of the effect of climate change on oceans and the effect of acidification on marine life. His policy statements indicate that he would call for stronger collaboration across U.S. scientific agencies and internationally in basic research and for designing mitigation strategies to reverse or offset the damage being done to oceans and coastal areas.

*Higher Education:* President-elect Obama plans to create a new tax credit to ensure that the first \$4,000 of a college education is completely free for most Americans. He also supports eliminating the current federal financial aid application in favor of a box being checked on family tax returns.

*K-12 Education:* President-elect Obama plans to create programs to train teachers using mentorship, graduate study, and hands-on training with the goal of generating 30,000 teachers a year, and to provide scholarships for those who are willing to teach in a high-need field or location. He also plans to improve coordination of federal education programs and support research on education strategies and mechanisms. He supports the recruitment of math and science degree graduates to the teaching profession and has indicated that he is in favor of incentive pay for teachers who teach such hard-to-staff subjects as math and science.

*Space:* President-elect Obama endorses the goal of sending human missions to the Moon by 2020, as a precursor to missions to more distant destinations, including Mars. He supports the development of the Orion Crew Exploration Vehicle (the shuttle replacement), continuation of unmanned exploration missions, and climate monitoring space platforms.

*Health:* Overall, President-elect Obama is committed to three major tasks: provision of healthcare plans to all American citizens; comprehensive efforts to make America's health care system more cost-efficient; and continued biomedical research to understand diseases more thoroughly and find better ways to prevent and treat them. He has pledged to invest \$10 billion per year over the next 5 years in electronic health information systems. He plans to support increased attention to research that focuses on prevention, early detection and improved management of disease.

*Stem Cells:* President-elect Obama plans to lift the current administration's ban on federal funding of research on embryonic stem cell lines created after August 9, 2001, and supports rigorous oversight of such research in accordance with recommendations from the National Research Council. It is his understanding that while adult stem cells have done well in treating some diseases, only embryonic stem cells have the versatility for further advancement. He believes that it is ethical to use embryos produced for in vitro fertilization for research when they are freely donated for that express purpose.

*Other Positions of Interest:*

- **R&D Tax Credit:** President-elect Obama supports making the R&D tax credit permanent.
- **Water:** He believes a concerted program of research, development, and testing of new technologies is needed in the area of reducing water use.
- **Early Career Scientists:** He proposes to increase research grants for early-career researchers to keep a pipeline of young scientists entering these fields.
- **Chief Technology Officer:** He plans to establish a national Chief Technology Officer to ensure that the federal government has the right infrastructure, policies and services for the 21st century, including safeguards for its networks.
- **Scientific Integrity:** He plans to issue an Executive Order establishing clear guidelines for the review and release of government publications.
- **Evolution:** He believes in evolution and does not believe it is helpful to students to cloud discussions of science with non-scientific theories like intelligent design.
- **Immigration:** He plans to improve the legal permanent resident visa programs and temporary programs to attract some of the world's most talented people to America.

## **Appendix B: Changes to Congressional Committees**

### Senate Appropriations Committee

Speculation regarding the leadership of the Senate Appropriations Committee will likely reach a fever pitch in the coming days. Several reports have recently surfaced about the desire of the Democratic leadership to remove aging Committee Chairman Robert Byrd (D-WV) from his position due to health concerns and instead give him the title of “Chairman Emeritus.” Senator Byrd, however, has not indicated that he would be willing to step aside, and there is little indication of what will happen next. Should Byrd relinquish his chairmanship, Senator Daniel Inouye (D-HI) would be the obvious choice to take the helm of the influential Appropriations Committee.

In addition to the shuffle that could occur on the Democratic side, several members are retiring on the Republican roster: Senator Pete Domenici (R-NM); Senator Larry Craig (R-ID); and Senator Wayne Allard (R-CO). Committee member and Senate Republican Leader Mitch McConnell (R-KY) survived a close election to retain his seat. The final results are not in for ranking Republican Senator Ted Stevens (R-AK) who is embroiled in a tight race and is under an ethics cloud after being found guilty of failing to report gifts on his Senate ethics disclosure forms. The three empty Republican slots may allow the Democrats to add a member or two, given their larger overall majority. These seats will be coveted slots for any Senator, and the competition to fill them will be intense.

Leadership of the subcommittees will likely remain the same unless Chairman Byrd is given “emeritus” status. With the retirement of several prominent Republicans and an uncertain future for Senator Stevens, there will be some changes on the minority side. Looking to the majority, should Senator Byrd relinquish the chairmanship and Senator Inouye succeed him, the Defense Appropriations Subcommittee will have a new Chairman, likely to be Senator Leahy (D-VT). This move will then open up the chairmanship of the State and Foreign Operations Subcommittee, which would likely go to Senator Richard Durbin (D-IL). The leadership of the Commerce, Justice, Science Subcommittee and the Labor, Health and Human Services, Education Subcommittee appears to be stable.

On the minority side, the three retirements open up ranking slots on the Energy-Water Subcommittee, the Interior and Environment Subcommittee, and the Legislative Branch Subcommittee. There are likely to be several changes in the ranking Republican slots on various subcommittees due to a domino effect.

### House Appropriations Committee

Election returns indicate that the seats of two Democrats and nine Republicans on the House Appropriations Committee will turn over in the next Congress. The race in Virginia’s 5<sup>th</sup> district has incumbent Republican Virgil Goode, Jr. in an even contest, with results not yet final. Members will jockey for open seats on the powerful Committee, and Democrats could expand the number of majority seats with the party’s increased overall majority in the House of

Representatives. It is expected that Committee Chairman David Obey (D-WI) will maintain his position, as will his counterpart, Ranking Member Jerry Lewis (R-CA).

Appropriators either moving to the U.S. Senate, losing their reelection bids, or retiring include: Tom Udall (D-NM: Won NM Senate seat); Bud Cramer (D-AL: Retiring); David Hobson (R-OH: Retiring); Ray LaHood (R-IL: Retiring); Dave Weldon (R-FL: Retiring); Ralph Regula (R-OH: Retiring); James Walsh (R-NY: Retiring); John Peterson (R-PA: Retiring); John Doolittle (R-CA: Retiring); and Joseph Knollenberg (R-MI: Lost reelection bid).

Majority leadership of subcommittees will likely remain the same, but with the retirement of several prominent Republicans and other losses, there will be some shifting on the minority side. On the Commerce, Justice, Science Subcommittee, Chairman Alan Mollohan (D-WV) and Ranking Member Rodney Frelinghuysen (R-NJ) are expected to retain their seats. The Energy and Water Development Subcommittee will have a new ranking Republican with the retirement of Rep. Dave Hobson. Next in line to succeed Rep. Hobson is Rep. Zack Wamp (R-TN). For the Labor, Health and Human Services, Education Subcommittee, a new Democratic seat is available with the move of Rep. Tom Udall (D-NM) to the Senate. The top three Republicans on that Subcommittee are all retiring (Rep. Regula, Rep. Peterson, and Rep. Weldon) leaving Rep. Mike Simpson of Idaho in line to be the ranking Republican on the Subcommittee.

#### Senate Health, Education, Labor, and Pensions (HELP) Committee

During the 110<sup>th</sup> Congress, the ratio of HELP Committee Democrats to Republicans was 11-10. However, with an increased majority in the Senate, the Democrats are certain to increase their seats on the HELP Committee in the 111<sup>th</sup> Congress. The only Democrat who will not be returning to the HELP Committee is President-elect Barack Obama. It is likely that his seat on the Committee will be taken by one of the newly elected Democratic senators. In addition, Senator Wayne Allard's (R-CO) seat on the Committee, which is the only open one on the Republican side of the Committee due to Mr. Allard's retirement, is also expected to be filled by one of the other newly elected Democratic senators.

Senate HELP Committee Chairman Edward Kennedy (D-MA), who has been in the Senate since 1962 and who will turn 77 in February, is expected to continue to lead the Committee at the beginning of the 111<sup>th</sup> Congress. However, Senator Kennedy continues to undergo treatment for brain cancer and it remains to be seen how long he will be able to lead the Committee. There is speculation that if his health wavers, Senator Chris Dodd (D-CT) would be seen as a likely replacement. However, Senator Dodd, who currently serves as the Chairman of the Senate Banking, Housing and Urban Affairs Committee, would also have a shot at the Foreign Relations Committee chairmanship now that its current Chairman, Joe Biden (D-DE) has been elected vice-president. If Senator Dodd opts to take over the Senate Foreign Relations Committee, which is one of the most prestigious in the Senate, Senator Tom Harkin (D-IA) would be next in line to chair the HELP Committee. Current Ranking Member Michael Enzi (R-WY) is expected to retain his position on the Committee.

Since arriving in the Senate in 1962, Senator Kennedy has been fighting to make quality health care accessible and affordable to every American. Therefore, with Barack Obama's victory and

an increasing Democratic majority in Congress, as well as a sense of urgency due to Senator Kennedy's health status, the Committee is expected to place health care reform at the top of its agenda. In addition, the HELP Committee is planning to reauthorize the Elementary and Secondary Education Act (i.e. No Child Left Behind). This law reauthorizes all K-12 programs within the Department of Education, and many members of the Committee have indicated that this issue ranks very high on their list of priorities.

The HELP Committee is also expected to push legislation to remove the barriers to stem cell research, address the crisis in college affordability, and improve health care through better use of health information technology. The HELP Committee is also charged with overseeing NIH reauthorization; however, we do not anticipate that the Committee will take up this issue in the 111<sup>th</sup> Congress.

In addition, the HELP Committee is expected to play an important role in promoting American competitiveness in fields like mathematics through its jurisdiction over education programs, including those at the National Science Foundation (NSF).

#### House Education and Labor Committee

Chairman George Miller (D-CA) and Ranking Member Howard "Buck" McKeon (R-CA) are expected to retain their respective seats on the House Education and Labor Committee. Republicans lost three seats on the Committee as a result of the election and one through retirement. One Member of note who will not be returning to the Committee is Rep. Ric Keller (R-FL), who lost his bid for reelection. Rep. Keller was an outspoken advocate on the Committee for strengthening and expanding the Pell Grant program. The Committee will be busy next year turning their attention away from reauthorization of the Higher Education Act (completed August 2008) to reauthorization of the Elementary and Secondary Education Act (i.e. No Child Left Behind). The Committee may also take up reauthorization of the Institute of Education Sciences (IES), the research arm of the Department of Education, which was under some controversy during the Bush Administration for focusing too much on quantitative research. Beyond education, the Committee is expected to examine pensions and 401(k) accounts in the wake of the financial crisis, and Chairman Miller is playing a leadership role in Speaker Nancy Pelosi's future stimulus packages.

#### House Energy and Commerce Committee

The House Committee on Energy and Commerce maintains principal responsibility for legislative oversight relating to biomedical research, telecommunications, consumer protection, food and drug safety, public health, air quality and environmental health, the supply and delivery of energy, and interstate and foreign commerce in general. This jurisdiction extends over five Cabinet-level departments and seven independent agencies – from the Energy Department, Health and Human Services, and the Transportation Department to the Federal Trade Commission, Food and Drug Administration, and the Federal Communications Commission. In the 110<sup>th</sup> Congress, Democrats held a 31-26 advantage; however, with the pick-up of twenty-two additional seats, Democrats are prepared to widen this ratio.

The current House Energy and Commerce Committee Chairman, John D. Dingell (D-MI), has been in the House since 1955 and is the longest serving current Member of the House and second longest serving Member in our nation's history. Many people are beginning to express concerns about Chairman Dingell's health, and thus his ability to lead a Committee which has developed what is arguably the broadest (non-tax-oriented) jurisdiction of any Congressional Committee. If Congressman Dingell, who turned 82 in July, has to step aside as Chairman, Rep. Henry Waxman (D-CA) is next in line to become Chairman. Democratic sources have reported that Rep. Waxman is interested in challenging Rep. Dingell for the chairmanship in the 111<sup>th</sup> Congress. Rep. Waxman served as Chairman of the Subcommittee on Health for many years before most recently becoming the Chairman of the Oversight and Government Reform Committee, which has jurisdiction to investigate any federal program and any matter with Federal policy implications. Therefore, with his previous experience on the Health Subcommittee, Rep. Waxman is very familiar with the National Institutes of Health (NIH) and broader health issues. Ranking Member Joe Barton (R-TX) is expected to maintain his position on the Committee. You may remember that it was Rep. Barton who spearheaded the reauthorization of NIH in 2006.

Frank Pallone (D-NJ) is expected to remain Chairman of the Energy and Commerce Subcommittee on Health, which has jurisdiction over NIH, and Nathan Deal (R-GA) will continue to serve as the Subcommittee's Ranking Member.

Rick Boucher (D-VA), is expected to continue as Chairman of the Subcommittee on Energy and Air Quality, while Fred Upton (R-MI) will remain Ranking Member. The Subcommittee will be leading the charge on climate change legislation. During the past two years, the Committee has conducted 11 climate change hearings featuring testimony from more than 50 witnesses, including former Vice-President Al Gore.

The Energy and Air Quality Subcommittee will also be heavily involved in moving the President-elect's priority energy initiatives given its broad jurisdiction over renewable energy, energy conservation, fossil energy including carbon capture and storage technology, nuclear energy, and energy regulation. Chairman Dingell and Rep. Boucher are currently circulating a discussion draft for carbon cap and trade legislation which is expected to be introduced in the 111<sup>th</sup> Congress.

Bart Stupak (D-MI) is expected to remain Chairman of the Subcommittee on Oversight and Investigation and John Shimkus (R-IL) as Ranking Member. As you may recall, the Subcommittee on Oversight and Investigation has conducted several hearings regarding intramural NIH conflicts of interest in recent years.

#### House Ways and Means Committee and Senate Finance Committee

Chairman Charles Rangel (D-NY), although beset by various ethics probes, is not expected to step down as Chair of the powerful Ways and Means Committee. Two seats on the Democratic majority side are open on the Committee due to the death of Rep. Stephanie Tubbs Jones (D-OH) and the retirement of Rep. Michael McNulty (D-NY). In addition, rumors are circulating about whether Committee member Rahm Emanuel (D-IL) will leave the House for a position in the

new Obama Administration. On the minority side, out of a total of 17 seats on the Committee in the 110<sup>th</sup> Congress, Republicans are losing five members due to retirement and three members due to losses in the election. This will mean a large change in the minority membership of the Committee.

In the 111<sup>th</sup> Congress, Rep. Peter Welch (I-VT) is expected to introduce a bill requiring a five percent mandatory payout from university endowments. This bill would most likely be referred to the House Ways and Means Committee. Senator Chuck Grassley (R-IA), Ranking Member of the Senate Finance Committee, has been a supporter of mandatory payouts from university endowments for student aid and is expected to retain his seat on the Senate Finance Committee. He is expected to continue his pressure for greater transparency regarding university endowments and conflict of interest (COI) policies. Senator Max Baucus (D-MT), Chair of the Senate Finance Committee is expected to retain his chairmanship. Senator John Sununu (R-NH) lost his re-election and will therefore not return to the Committee, and at the time of this writing Senator Gordon Smith's (R-OR) election is too close to call.