

Legislative Update

Board of Scientific Advisors

M.K. Holohan, J.D.

NCI Office of Government and Congressional Relations

- FY18 Appropriations - *CR through Friday*
- Budget Process
- FY19 Appropriations
- Congressional Visits
- Midterm Elections

Outlook: The Clock's Ticking on a Spending Bill

Congress has until midnight Friday to fund the federal government.





NCI/NIH BUDGET PROCESS FOR REGULAR APPROPRIATION

STEP 1



White House OMB coordinates with federal agencies to formulate the President's budget proposal

STEP 2



Congressional appropriations committees consider President's proposal & prepare legislation

STEP 3



Congress reconciles & finalizes appropriations legislation & sends to the President

STEP 4



President signs the appropriations bill into law making funds available for NIH & NCI

FY 2019 FY 2018

Fiscal Year 2018

Five Continuing Resolutions (to date)

- CR #1 Sept 8 - Dec 8
- CR #2 Dec 9 - Dec 22
- Cr #3 Dec 21 - Jan 19
- Shutdown #1 - Jan 19-Jan 22
- CR #4 Jan 23 - Feb 8
- Shutdown #2 - Feb 9 (8 hours – shortest in history)
- **CR #5 Feb 9 - March 23**
 - Plus Budget deal - raised caps, more \$ to work with for FY18
 - Complicated omnibus (more)

HR 1892 – Budget Agreement / 5th Continuing Resolution FY18

- Signed into law February 9th after an overnight government shutdown
- Raises spending for nondefense by \$131B and defense by \$165B
- Provides funding for certain priority areas (over two years)
 - NIH \$2B, Opioids \$6B, Infrastructure \$20B
 - Child Care \$2.9B, Veterans \$4B Higher Education \$4B
 - These specific allocations represent floors for funding increases, not ceilings. Appropriators can augment.

Five Continuing Resolutions? Par for the Course on Capitol Hill

Fiscal 2018 isn't an outlier, yet, when compared to recent years

- Congress has averaged roughly 5.5 CRs per year going back to FY1998
- 21 CRs in fiscal year (2001) — although each one averaged only about four days.
- Since 2006, Congress has used temporary spending measures to fund all or part of government for more than 174 days on four occasions, including three full-year stopgaps.
- The last time no CR was needed was FY1996 – all spending bills enacted individually.

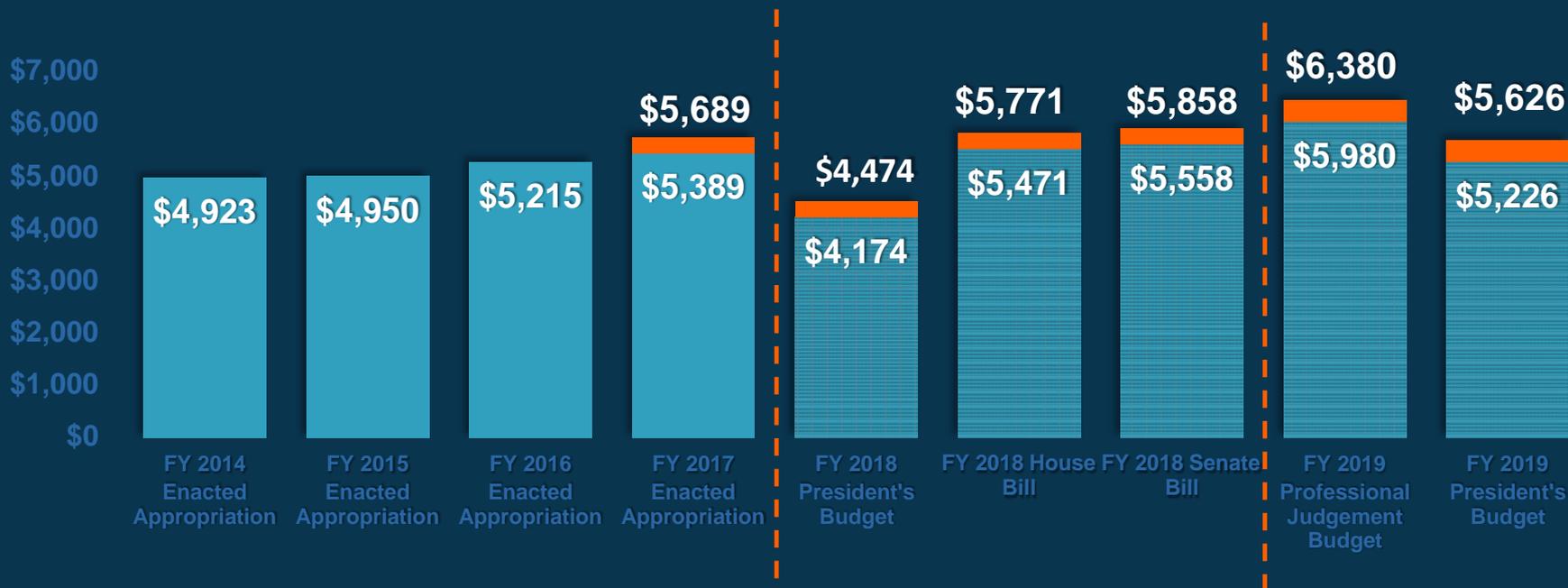
Table I. Appropriations Funding Gaps Since FY1977

Fiscal Year	Final Date of Budget Authority^a	Full Day(s) of Gaps^b	Date Gap Terminated^c
1977	Thursday, 09/30/76	10	Monday, 10/11/76
1978	Friday, 09/30/77	12	Thursday, 10/13/77
	Monday, 10/31/77	8	Wednesday, 11/09/77
	Wednesday, 11/30/77	8	Friday, 12/09/77
1979	Saturday, 09/30/78	17	Wednesday, 10/18/78
1980	Sunday, 09/30/79	11	Friday, 10/12/79
1982	Friday, 11/20/81	2	Monday, 11/23/81
	Thursday, 09/30/82	1	Saturday, 10/02/82
1983	Friday, 12/17/82	3	Tuesday, 12/21/82
	Thursday, 11/10/83	3	Monday, 11/14/83
1985	Sunday, 09/30/84	2	Wednesday, 10/03/84
	Wednesday, 10/03/84	1	Friday, 10/05/84
1987	Thursday, 10/16/86	1	Saturday, 10/18/86
1988	Friday, 12/18/87	1	Sunday, 12/20/87
1991	Friday, 10/05/90	3	Tuesday, 10/09/90
1996	Monday, 11/13/95	5	Sunday, 11/19/95
	Friday, 12/15/95	21	Saturday, 01/06/96
2014	Monday, 09/30/13	16	Thursday, 10/17/13

Source: Compiled by CRS with data from the Legislative Information System of the U.S. Congress.

NCI Appropriations FY 2014-2019 (in millions)

■ Base Appropriation
■ 21st Century Cures Cancer Moonshot



Source: NCI Office of Budget and Finance

What's Next?

~~Finalize an FY18 Omnibus Spending bill – 3 days of funding remain on current CR~~

New nondefense spending areas (e.g., opioids, infrastructure) complicating job for appropriators

Policy Controversies & Poison Pills - FY18 Omnibus Challenges

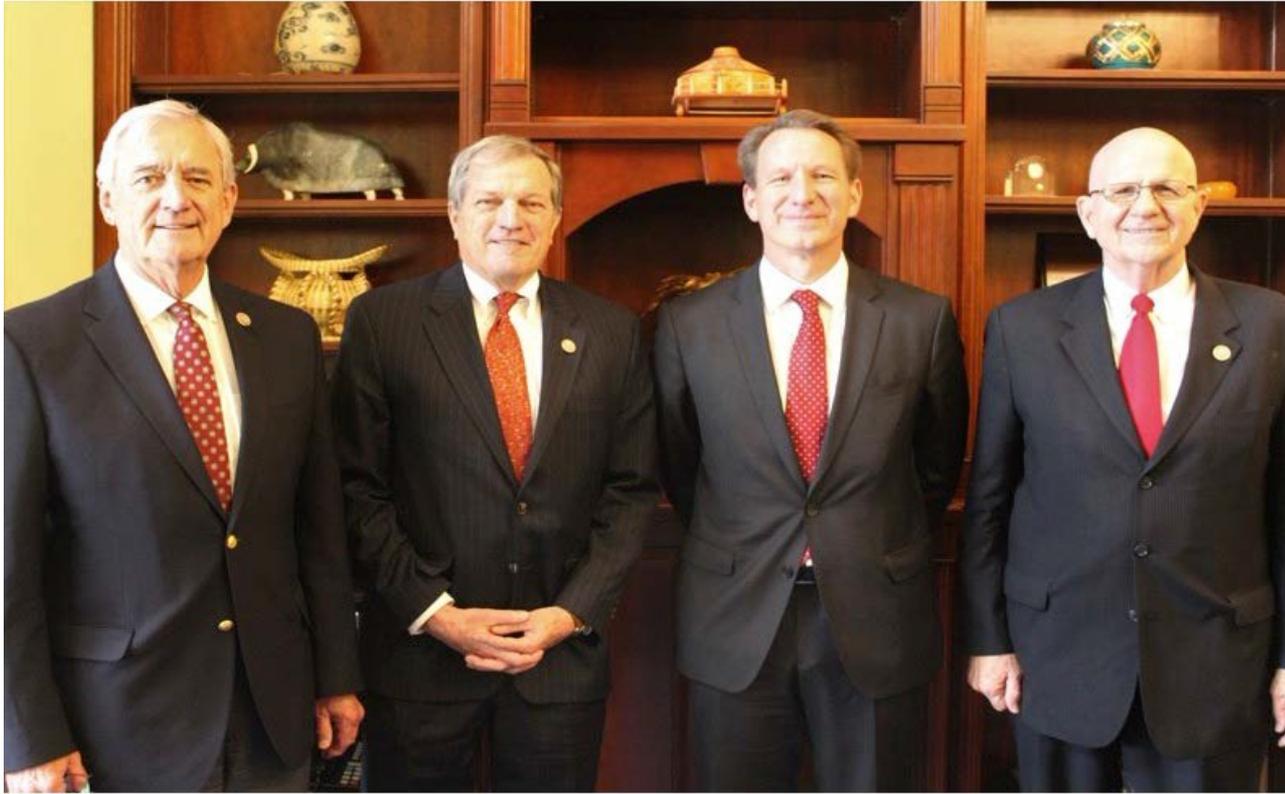
FY19 Budget Hearings

Secretary Azar testified in support of the Labor-HHS-Education FY19 President's Budget

- March 15 – Sec. Azar at House Appropriations Labor-HHS Subcommittee
- NIH hearings TBD



**Senator Maggie Hassan
(D-NH)
NIH Visit
February 16**



House Cancer Survivors Caucus – March 14

Reps. Rick Nolan (D-MN), Mark DeSaulnier (D-CA), and Ted Poe (R-TX)

**Rep. Nita Lowey
(D-NY) – 15th term
(since 1989)**

**Ranking Member,
House Appropriations
Committee**



Midterm Elections

November 6, 2018

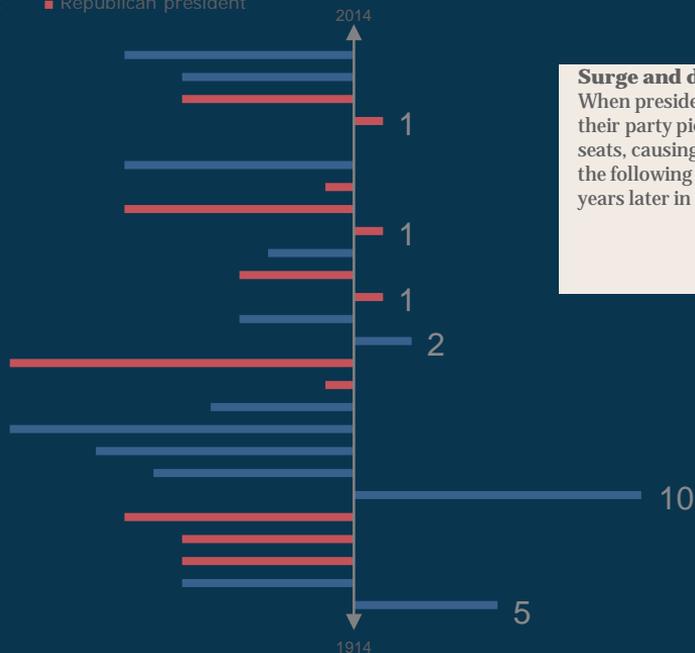
- President's Party Usually Loses Seats
- To Flip the House, Ds Must Keep All Seats and Win All Toss-Ups
- To Flip the Senate, Ds Must Keep All Seats and Gain 2

The president's party has lost Senate seats in 19 of 26 midterms

President's party gain/loss of seats in Senate

VITAL STATISTICS ON CONGRESS

■ Democratic president ■ Republican president



Surge and decline theory

When presidents are elected or reelected, their party picks up House and Senate seats, causing them to be overexposed in the following midterm election, or six years later in the Senate

Sources: Charlie Cook, "Will History Hold in 2018 Midterms?" The Cook Political Report, January 9, 2017.

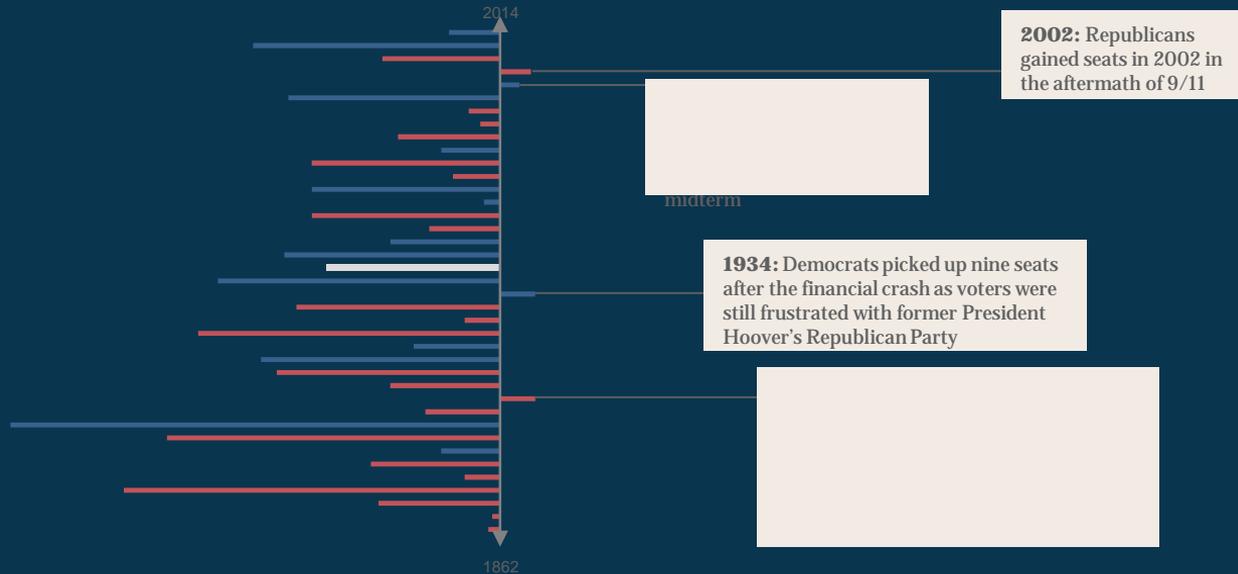
February 20, 2018 | Daniel Stublen

Since 1862, the president's party has lost ground in the House in 92 percent of midterm elections

President's party gain/loss of seats in House

VITAL STATISTICS ON CONGRESS

■ Democratic president ■ Republican president



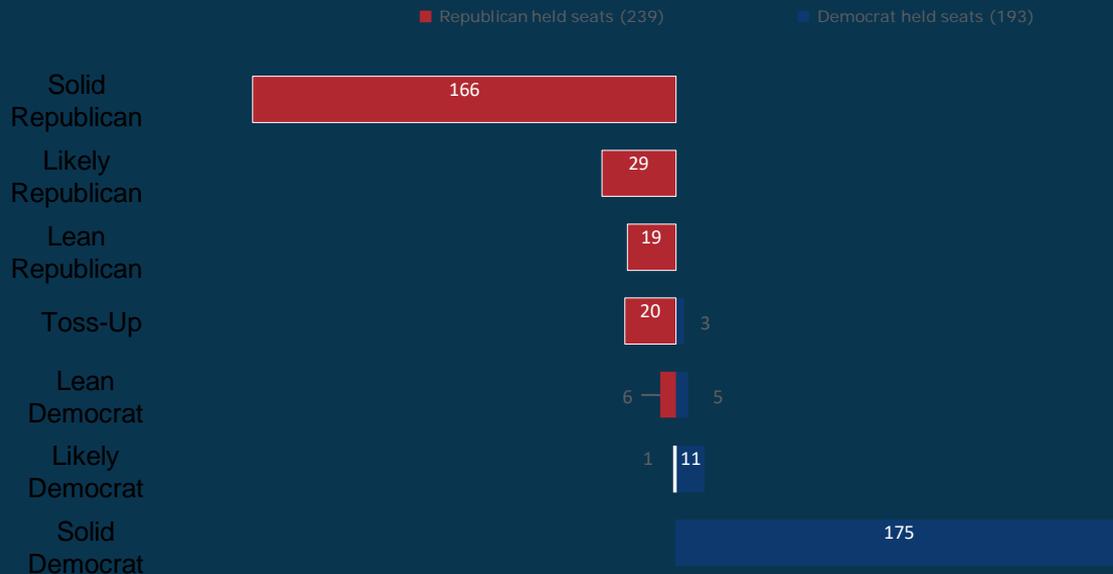
Sources: Charlie Cook, "Will History Hold in 2018 Midterms?" The Cook Political Report, January 9, 2017.

February 20, 2018 | Daniel Stublen

How big of a swing? Control of the House will depend on whether Democrats can win all “toss-up” races

Cook Political Report ratings

House 2018 races



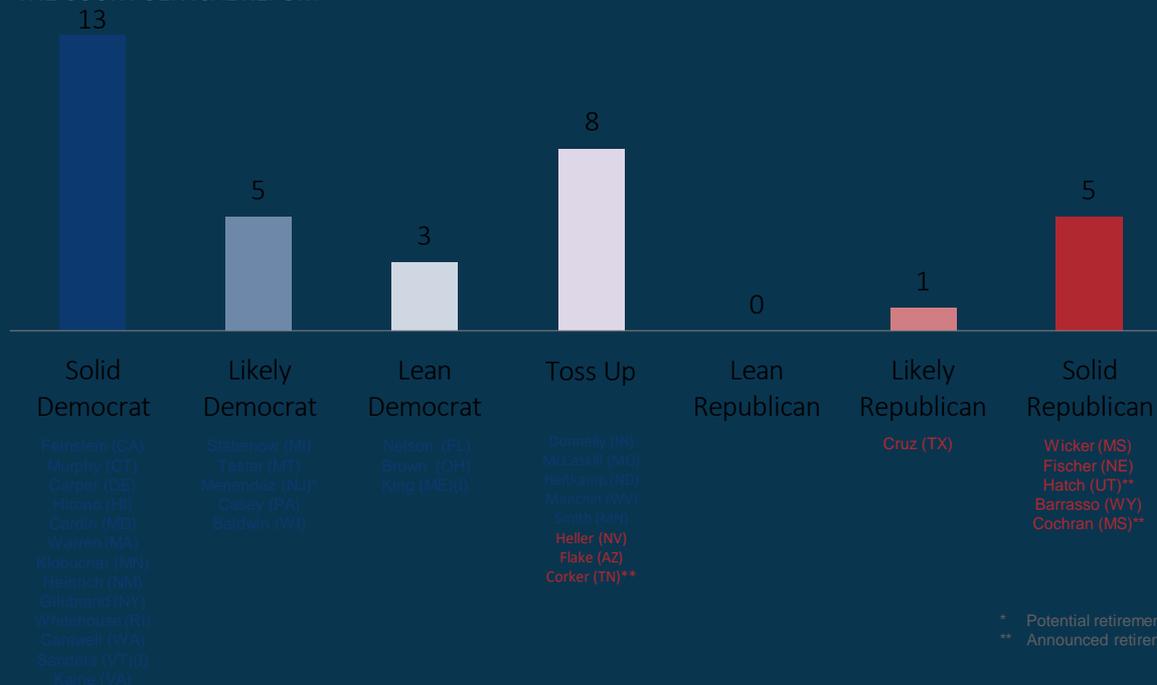
Source: Cook Political Report.

March 1, 2018 | Daniel Stubben

Senate Dems are defending 26 seats in 2018, five toss-ups

Breakdown of 2018 Senate races

THE COOK POLITICAL REPORT



NB: Corker and Strange refer to their seats rather than the candidates who announced retirement and lost a special election primary challenge, respectively.

Source: The Cook Political Report, September 29, 2017.



**NATIONAL
CANCER
INSTITUTE**

www.cancer.gov

www.cancer.gov/espanol