



Legislative Bulletin.....October 21, 2003

Contents:

Brown (OH) Motion to Instruct Conferees on H.R. 1—Medicare Prescription Drug Modernization Act of 2003

Woolsey Motion to Instruct Conferees on H.R. 1308—the All-American Tax Relief Act

Markey Motion to Instruct Conferees on H.R. 6—the Energy Policy Act of 2003

Brown (OH) Motion to Instruct Conferees on H.R. 1—Medicare Prescription Drug Modernization Act of 2003

Order of Business: On Monday, October 20th, 2003, Rep. Sherrod Brown (D-OH) announced his intention to offer a motion to instruct conferees on H.R. 1, the Medicare Prescription Drug Modernization Act of 2003.

Summary of Motion: The motion directs the House conferees to reject subtitle C of title II of the House bill. This section provides for competition in 2010 between privately run Medicare plans and traditional Medicare fee-for service.

More information on the 2010 competition provisions can be found here:

<http://www.house.gov/burton/RSC/MedicareHR1Summary03.pdf>

Cost to Taxpayers: Any motion to instruct conferees is non-binding and thus would have no effect on the cost of the underlying legislation.

Staff Contact: Lisa Bos, lisa.bos@mail.house.gov, (202) 226-1630

Woolsey Motion to Instruct Conferees on H.R. 1308—the All-American Tax Relief Act

Order of Business: On Monday, October 20, 2003, Rep. Lynn Woolsey (D-CA) notified the House of her intention to offer a motion to instruct conferees on H.R. 1308—the All-American Tax Relief Act.

Text of Motion: The text of the Woolsey motion is identical to the Democrat motions offered on this legislation over the last several months, as follows:

1. The House conferees shall be instructed to include in the conference report the provision of the Senate amendment, not included in the House amendment, that provides immediate payments to taxpayers receiving additional credit by reason of the bill in the same manner as other taxpayers were entitled to immediate payments under the Jobs and Growth Tax Relief Reconciliation Act of 2003.
2. The House conferees shall be instructed to include in the conference report the provision of the Senate amendment, not included in the House amendment, that provides families of military personnel serving in Iraq, Afghanistan, and other combat zones a child credit based on the earnings of the individuals serving in the combat zone.
3. The House conferees shall be instructed to include in the conference report all of the other provisions of the Senate amendment and shall not report back a conference report that includes additional tax benefits not offset by other provisions.
4. To the maximum extent possible within the scope of the conference, the House conferees shall be instructed to include in the conference report other tax benefits for military personnel and the families of astronauts who died in the *Columbia* disaster.
5. The House conferees shall, as soon as practicable after the adoption of this motion, meet in open session with the Senate conferees, and the House conferees shall file a conference report consistent with the preceding provisions of this instruction, not later than the second legislative day after adoption of this motion.

Additional Background: Substantively identical Democrat motions to instruct failed on numerous occasions recently:

DeLauro Motion, July 16th: 206-220

<http://clerkweb.house.gov/cgi-bin/vote.exe?year=2003&rollnumber=370>

Michaud Motion, July 17th: 202-214

<http://clerkweb.house.gov/cgi-bin/vote.exe?year=2003&rollnumber=390>

Bell Motion, July 18th: 188-201

<http://clerkweb.house.gov/cgi-bin/vote.exe?year=2003&rollnumber=396>

Van Hollen Motion, July 21st: 193-212

<http://clerkweb.house.gov/cgi-bin/vote.exe?year=2003&rollnumber=398>

Ross Motion, July 25th: 202-214

<http://clerkweb.house.gov/cgi-bin/vote.exe?year=2003&rollnumber=446>

Bishop (NY) Motion, July 25th: 206-216

<http://clerkweb.house.gov/cgi-bin/vote.exe?year=2003&rollnumber=447>

Solis Motion, July 25th: 202-221

<http://clerkweb.house.gov/cgi-bin/vote.exe?year=2003&rollnumber=449>

Cooper Motion, September 5th: 186-210

<http://clerkweb.house.gov/cgi-bin/vote.exe?year=2003&rollnumber=477>

Ruppersberger Motion, September 10th: 206-213

<http://clerkweb.house.gov/cgi-bin/vote.exe?year=2003&rollnumber=493>

Davis (TN) Motion, September 10th: 195-214

<http://clerkweb.house.gov/cgi-bin/vote.exe?year=2003&rollnumber=501>

Ryan (OH) Motion, September 23rd: 199-214

<http://clerkweb.house.gov/cgi-bin/vote.exe?year=2003&rollnumber=509>

Pallone Motion, September 30th: 202-207

<http://clerkweb.house.gov/cgi-bin/vote.exe?year=2003&rollnumber=525>

Davis (AL) Motion, October 1st: 207-219

<http://clerkweb.house.gov/cgi-bin/vote.exe?year=2003&rollnumber=529>

Crowley Motion, October 15th: 203-204

<http://clerkweb.house.gov/cgi-bin/vote.exe?year=2003&rollnumber=541>

To view the RSC Legislative Bulletin on H.R. 1308, as it was considered in the House, visit this webpage: <http://www.house.gov/burton/RSC/LB61203A.pdf>

Cost to Taxpayers: Any motion to instruct conferees is non-binding and thus would have no effect on the cost or revenue effects of the underlying legislation.

RSC Staff Contact: Paul S. Teller, paul.teller@mail.house.gov, (202) 226-9718

Markey Motion to Instruct Conferees on H.R. 6—the Energy Policy Act of 2003

Order of Business: On Tuesday, October 7, 2003, Rep. Edward Markey (D-MA) notified the House of his intention to offer a motion to instruct conferees on H.R. 6—the Energy Policy Act of 2003.

Text of Motion: The text of the Markey motion is as follows:

Mr. **MARKEY** moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 6 be instructed to insist upon the provisions contained in--

(1) section 14011 of the House bill relating to secure transfer of nuclear materials;

(2) section 14012(d) of the House bill relating to nuclear facility threats, directing the Nuclear Regulatory Commission to issue regulations, including changes to the design basis threat, to ensure that nuclear facilities licensed by Commission address the threat of a terrorist attack against such facilities; and

(3) section 14013 of the House bill requiring the Nuclear Regulatory Commission, before entering into any agreement of indemnification with respect to a utilization facility under section 170 of the Atomic Energy Act of 1954, to consult with the Assistant to the President for Homeland Security (or any successor official) with respect to that facility concerning whether the location of the facility and the design of that type of facility ensures that the facility provides for the adequate protection of public health and safety if subject to a terrorist attack, and that the Nuclear Regulatory Commission also consult with the Secretary of Homeland Security before issuing a license or a license renewal for a sensitive nuclear facility concerning the emergency evacuation plan for the communities living near the sensitive nuclear facility.

To view the RSC Legislative Bulletin on H.R. 6, as it was considered in the House, visit this webpage: <http://www.house.gov/burton/RSC/LB41003.pdf>

Cost to Taxpayers: Any motion to instruct conferees is non-binding and thus would have no effect on the cost of the underlying legislation.

RSC Staff Contact: Sheila Moloney, Sheila.Moloney@mail.house.gov; (202)-226-9719