



Legislative Bulletin.....October 30, 2003

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

Order of Business: On Wednesday, October 29, 2003, Rep. Xavier Becerra (D-CA) notified the House of his 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 Becerra 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>

Woolsey Motion, October 28th: 197-208

<http://clerk.house.gov/cgi-bin/vote.exe?year=2003&rollnumber=572>

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.

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Filner Motion to Instruct Conferees on H.R. 6—the Energy Policy Act

Order of Business: On Wednesday, October 29, 2003, Rep. Bob Filner (D-CA) notified the House of his intention to offer a motion to instruct conferees on H.R. 6—the Energy Policy Act.

Summary of Motion: The Filner motion would instruct House conferees to reject section 12403 of the House bill, which defines “oil and gas exploration and production” under the Federal Water Pollution Control Act as “all field operations necessary for both exploration and production of oil and gas, including activities necessary to prepare a site for drilling and for the movement and placement of drilling equipment, whether or not such activities may be considered construction activities.”

Additional Background: To read the RSC Legislative Bulletin on H.R. 6, as it came to the House floor, 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 or revenue effects of the underlying legislation.

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Capps Motion to Instruct Conferees on H.R. 1—Medicare Prescription Drug Modernization Act of 2003

Order of Business: On Wednesday, October 29th, 2003, Rep. Lois Capps (D-CA) announced her 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>
- Reject section 231 of the Senate bill (S. 1). Section 231 authorizes the Medicare administrator to set up “highly competitive” preferred provider regions. In these regions, preferred provider plan payments would be based on bids instead of regional benchmarks. Funding for the program totaling \$6 billion would be available for 2009 through 2013.
- Increase payments to physicians by the amount saved by eliminating the two provisions above.
- Retain section 601 of the House bill. This section provides for physician payment updates of not less than 1.5% for FY04 and FY05.

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

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DeLauro Motion to Instruct Conferees on H.R. 2660—Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2004

Order of Business: On Wednesday, October 29th, 2003, Rep. Rosa DeLauro (D-CT) announced her intention to offer a motion to instruct conferees on H.R. 2660, the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2004.

Summary of Motion: The motion directs the managers on the part of the House to support the Senate funding level for Part B of the Individuals With Disabilities Education Act (IDEA).

IDEA Funding Levels *(in millions of dollars)*

FY03 Enacted	FY04 Request	House	Senate
\$8,874	\$9,529	\$9,874	\$11,059

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

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