



Legislative Bulletin.....November 6, 2003

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Bell 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, November 5th, 2003, Rep. Chris Bell (D-TX) announced his 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 highest funding levels possible for the National Institutes of Health (NIH).

NIH Funding Levels

(in millions of dollars)

FY03 Enacted	FY04 Request	House	Senate
\$26,983	\$27,664	\$27,664	\$27,983

Note: The FY03 appropriation for NIH completed a five-year doubling of the NIH budget. There have been concerns that NIH has not been able to adequately absorb such dramatic increases in such a short time period.

For more information on questionable NIH activities, click here - <http://www.house.gov/burton/RSC/NIHgrants.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.

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

Order of Business: On Wednesday, November 5th, 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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Cardoza Motion to Instruct Conferees on H.R. 1—Medicare Prescription Drug Modernization Act of 2003

Order of Business: On Wednesday, November 5th, 2003, Rep. Dennis Cardoza (D-CA) 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>
- 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 under the Medicaid program for inpatient hospital services in disproportionate share hospitals (DSH) by the amount saved by eliminating the two provisions above.

- Retain section 1001 of the House bill, which provides for increased Medicaid DSH payments in FY03, and section 602 of the Senate bill, which increases the floor for Medicaid DSH payments in 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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