

March 13, 2013

**Legislative Update
for the
Clinical and Translation Research Advisory Committee**

**Activities of the 113th Congress-
First Session**

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I. Appropriations

FY2013 Appropriations and Continuing Resolution

The FY2013 President's Budget was announced on February 13, 2012. The NIH budget request is \$30.86 billion, including approximately \$5.07 billion for the NCI (which is approximately \$2.7 million more than the FY2012 Enacted level for the NCI).

Senate Appropriators introduced their FY2013 Labor-HHS Appropriations bill (S.3295) on June 14, 2012, providing \$30.7 billion for NIH. Of that amount, NCI would receive \$5.08 billion. The bill was passed by the Subcommittee on June 12, and the full Committee on June 14. In both instances, all Democrats voted to pass, and all Republicans voted against.

In the House, the Labor, HHS, Education Subcommittee did not report or vote on a bill. However, a Continuing Resolution (CR) was passed by the House on Sept. 13, the Senate on Sept. 22, and signed into law on Sept. 28. The CR, which funds agencies at 0.6% above FY 2012 appropriation, is in effect through March 27, 2013.

Following the election, a lame duck Congress met and before adjourning, passed H.R. 8, the Taxpayer Relief Act, also known as the "Fiscal Cliff Agreement." The bill delayed implementation of sequestration spending cuts for two months, to March 1, 2013, and modified sequestration amounts for FY2013 by reducing the required deficit reduction by \$24 billion. This reduced the previously estimated 8.2% cut to non-defense discretionary spending, resulting in an approximate 5.1% cut (\$1.545 billion) to NIH, and a 4.4% cut (\$219 million) to NCI, since our current continuing resolution is above the FY2012 funding level. H.R. 8 also extended the research and development tax credit and provided a one-year "doc-fix" avoiding a scheduled 27 percent cut to Medicare physician payments.

Because Congress did not act to prevent or modify sequestration, it went into effect on March 1 as originally proposed by the Budget Control Act. NIH put policies in place to implement the cuts dictated by sequestration and sent a letter on March 4 to inform signing officials at grantee institutions on the new policies. This guidance is available on the NIH Office of Extramural Research Website, and NCI sent a letter to grantees with additional information and guidance on March 7.

The next deadline that will occur is the expiration of the CR on March 27. Congress will need to act before then to prevent a government shutdown. There are several strategies that Congress could pursue: pass an omnibus appropriations bill that would provide funding to all agencies for the remainder of the fiscal year, such a bill would include funding and instructions for each agency; pass a simple CR that would provide funding at current levels (less the cuts resulting from sequestration) for all agencies; pass one or more appropriations bills that would cover some agencies and fund the rest with a CR; pass a short term CR to give themselves more time to resolve the problem. A year-long CR for all agencies would be the quickest approach and would allow the new Congress to dispense with the FY2013 budget and begin acting on the FY2014 budget quickly.

The strategy adopted by House Republicans was spelled out in a bill introduced last week. In this bill, agencies funded by 2 of the appropriations bills (Defense and Military Construction - VA) would be funded at the level dictated by sequestration, but these agencies would not have to abide by those requirements that all programs receive an equal cut to funding. The other 10 appropriations bills (including Labor, HHS, Education) would be funded at the level dictated by sequestration, but those agencies would not have flexibility to apply the cuts differently to different programs. The House bill was passed on March 6 by a vote of 267-151, and referred to the Senate.

Rather than acting on the House bill, Senate Democrats are more likely to develop a different proposal. Sen. Mikulski, who chairs the Senate Appropriations Committee, is working with committee members to draft a bill that would allow flexibility in allocating cuts not only to Defense and VA, but also to some non-Defense agencies. However, she does not expect to include the Labor, HHS, Education bill in that group.

Selected New Appropriations Bills (113th Congress)

Department of Defense, Military Construction and Veterans Affairs, and Full-Year Continuing Appropriations Act, 2013 (H.R. 933; 113th Congress)

- The House bill would freeze current appropriations levels for most accounts and would set total discretionary spending at \$984 billion, consistent with spending levels set by across-the-board sequestration cuts which began on March 1. The proposal provides defense accounts with additional flexibility in allocating these cuts, but would require non-defense accounts to continue to move forward with across-the-board style cuts as prescribed under sequestration.
- Introduced by House Appropriations Chairman Rep. Hal Rogers (R-KY) on 3/4/13, and passed in the House by a vote of 267 – 151 on 3/6/13. Voting to pass the bill were 214 Republicans and 53 Democrats; voting against passage were 14 Republicans and 137 Democrats.

Disaster Relief Appropriations Act 2013 (H.R. 152, Public Law 113-2; 113th Congress)

- This supplemental appropriations legislation provides disaster relief aid to those affected by hurricane Sandy and includes funding for programs within HHS, including funds for construction and repairs, and replacement of equipment and resource losses due to hurricane Sandy for studies supported by NIH.
- The House passed H.R. 152 on January 13, and the Senate on January 28. The President signed the bill into law on January 29.

Continuing Appropriations Resolution 2013 (H.J.Res. 117, Public Law 112-175; 112th Congress)

- The measure will provide funding through March 27, 2013, under the same terms and conditions as fiscal year 2012, for most federal agencies, including NIH.
- To meet the bipartisan agreement between the House, Senate, and White House that ensured a total rate of operations at \$1.047 trillion, a government-wide, across-the-board increase of 0.6 percent over the base rate was also included. A provision is included extending the current pay freeze for federal employees.

FY 2014 Appropriations

The Office of Management and Budget informed Congress that the President would not deliver his budget before April 8. If 2013 appropriations are set at that time, Congress can begin their work on next year's budget.

Recent and Upcoming Hearings

- Full Senate Appropriations Committee Hearing: "The Impacts of Sequestration," 2/14/13
 - Senator Mikulski, newly appointed Chair of the Appropriations Committee called this hearing to highlight the effects of impending sequestration cuts on federal agencies and in particular, how government services will be impacted by sequestration. Various cabinet secretaries and senior agency leaders testified before the full committee.
 - Secretary Sebelius was unable to attend. However she, along with the heads of other agencies, submitted letters for the record to the committee, outlining examples of consequences expected if sequestration cuts take place. The HHS letter included language specific to NIH: *"Cuts to the National Institutes of Health (NIH) due to sequestration would delay progress on the prevention of debilitating chronic conditions that are also costly to society and on the development of more effective treatments for common and rare diseases affecting millions of Americans. In general, NIH grant funding within states, including Maryland, will likely be reduced due to both reductions to existing grants and fewer new grants. We expect that some existing research projects could be difficult to pursue at reduced levels and some new research could be postponed as NIH would make hundreds fewer awards. Actual funding reductions will depend on the final mix of projects chosen to be supported by each Institute and Center within available resources. With each research award*

supporting up to seven research positions, several thousand research positions across the nation could be eliminated.”

- During the hearing Sen. Moran (R-KS), Ranking Member of the Labor-HHS Subcommittee asked Federal Controller Danny Werfel, Office of Management and Budget, to comment on the effects of sequestration on NIH funding, particularly on funds to support research efforts across the country. Sen. Mikulski, Chair of the Committee, echoed Sen. Moran’s concerns, and referenced her visit to NIH. Sen. Mikulski also indicated that she intends for the committee and subcommittees to move quickly in scheduling their FY14 Appropriations hearings, aiming for mark-up in late spring, and bringing bills to the Senate floor this summer, noting, “We will make every effort to follow regular order.”
- House Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies Hearing on Public Health and Research, 3/5/13
 - The House Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies held a hearing on Public Health and Research. Drs. Francis Collins, Director, National Institutes of Health, Tom Frieden, Director, Centers for Disease Control and Prevention, Carolyn Clancy, Director, Agency for Healthcare Research and Quality, Patrick Conway, Director of the Center for Clinical Standards and Quality and CMS Chief Medical Officer, and Mary Wakefield, Administrator, Health Resources and Services Administration, testified.
 - Every member of the Subcommittee attended and asked questions. Rep. Nita Lowey (D-NY), ranking member of the full committee but not an official member of the Subcommittee, also attended and stayed for two rounds of questions. Most of the members made positive comments about the HHS Divisions that were represented at the hearing and had particular praise for the achievements of the witnesses. The Majority members of the Subcommittee all expressed concern about potential duplication of research and services among the Divisions within HHS. The Minority members all expressed concern about the impact of sequestration. Dr. Collins received specific questions about an NCI-funded tobacco control research grant, as well as whether the U.S. is at risk of losing its leadership role in the global biomedical research community. The economic benefits of NIH’s investment in research were also a theme of both Dr. Collins’ testimony and comments from Subcommittee members, Mrs. Lowey in particular.
- House Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies Public and Outside Witness Hearing, 3/13/13
 - The House Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies will hold a public witness hearing on March 13. Twenty four witnesses, selected by lottery, are scheduled to testify. Witnesses from the cancer community include Ms. Calaneet Balas, CEO, Ovarian Cancer National Alliance; and Dr. Walter J. Curran Jr., executive director, Winship Cancer Institute of Emory University, representing the Association of American Cancer Institutes.

II. Congressional Briefings and Visits

Sen. Benjamin Cardin (D-MD), NIH Town Hall (2/8/13): Senator Cardin gave a Town Hall address at NIH on February 8, 2013. He met with Dr. Francis Collins, NIH Director; Dr. Harold Varmus, NCI Director; and Dr. Tony Fauci, NIAID Director, prior to his remarks. Additionally Sen. Cardin and his staff visited the Urologic Oncology Branch within the NCI Center for Cancer Research, and met with Branch Chief Dr. W. Marston Linehan, Dr. Ramaprasad Srinivasan, and one of their patients. Sen. Cardin and his staff toured Dr. Linehan’s lab and met with his research team. They were also joined by Dr. Collins and Dr. John Gallin, Director, NIH Clinical Research Center.

Sen. Barbara Mikulski (D-MD), Press Conference (2/20/13): Senator Barbara Mikulski (D-MD), the new Chair of the Senate Appropriations Committee, came to NIH for a tour and held a press event to discuss the impact of sequestration. The Senator was accompanied by members of her staff, and met with Dr. Collins, Dr. Varmus, and various NIH Institute and Center Directors. Also attending at the invitation of the Senator were Erik Fatemi, Clerk,

and Laura Friedel, Minority Clerk, Senate Appropriations Subcommittee on Labor, HHS, Education, and Brian Perkins, Legislative Assistant to Senator Jerry Moran (R-KS).

IV. Legislation of Interest

The following resolutions and bills were selected for inclusion in this update due to anticipated interest among the CTAC membership, and in some cases, based on their support in Congress, reflected by high levels of cosponsorship. More detailed information about these bills and others are available on our website under Legislative Topics: <http://legislative.cancer.gov/topics>

Selected Bills with Recent Activity or Interest (112th Congress)

Recalcitrant Cancer Research Act of 2012 (H.R. 733, S. 362, S. 3566 / 112th Congress/**Public Law No: 112-239**)

- Initially, bills were introduced in February, 2011 as the Pancreatic Cancer Research and Education Act (HR 733 in the House; S 362 in the Senate). These bills were specific to pancreatic cancer and included provisions that would: require NCI to establish a pancreatic cancer initiative; require HHS to establish an Interdisciplinary Pancreatic Cancer Coordinating Committee with authority to make recommendations regarding the prioritization and award of NIH research grants relating to pancreatic cancer; require NCI and CDC to develop a communication tool kit for patients and their families focused on pancreatic cancer issues.
- Prior to consideration by the House Energy and Commerce Committee, H.R. 733 was modified. In action by the Health Subcommittee, on September 11, 2012, an amendment was approved that replaced the original bill with new text and the title was changed to the Recalcitrant Cancer Research Act.
- The bill defines “recalcitrant cancers” in general as cancers with a five-year survival rate of less than 50 percent. However, the bill does not mandate any specific actions to be taken for all cancer meeting that definition.
- For those “recalcitrant cancers” with a five-year survival rate of less than 20 percent and estimated to cause at least 30,000 deaths per year in the United States (pancreatic and lung meet this definition), the NCI is directed to convene a working group of Federal and non-Federal entities to provide expertise and assistance in developing the scientific framework. The frameworks are to be completed within 18 months of enactment, then submitted to Congress and made publicly available on the HHS website within 30 days.
- The bill requires that actions undertaken to carry out each scientific framework be reported in the NIH Biennial report, with an assessment of progress made in improving outcomes for recalcitrant cancers.
- The bill further states that the NCI Director “shall consider each relevant scientific framework when making recommendations for exception funding for grant applications.”

Status Update:

- H.R. 733, titled the Pancreatic Cancer Research and Education Act, was introduced by Rep. Anna Eshoo (D-CA) on 2/16/11 and was referred to the House Committee on Energy and Commerce, Subcommittee on Health. In Sept. 2012, H.R. 733 had 294 cosponsors.
- S. 362, titled the Pancreatic Cancer Research and Education Act, was introduced by Sen. Sheldon Whitehouse (D-RI) on 2/16/11 and was referred to the Committee on Health, Education, Labor, and Pensions. In Sept. 2012, S.362 had 58 cosponsors.
- HR 733 as amended, titled the Recalcitrant Cancer Research Act, was passed by the House on 9/19/12.
- HR 733 was received in the Senate on 9/20/12.
- S. 3566 was introduced by Sen. Tom Harkin on 9/19/12. This bill, including the new text of HR 733, titled the Recalcitrant Cancer Research Act, replaced S. 362.
- **Senator Whitehouse introduced the Recalcitrant Cancer Research Act as an amendment to H.R. 4310, The Defense Authorization Act of 2013, and the Senate passed the amendment. The House and Senate passed the full bill, as amended, on December 20 and December 21, respectively. The President signed the bill into law on January 2, 2013.**

Selected New Bills (113th Congress)

Triple-Negative Breast Cancer Research and Education Act of 2013 (HR 80; 113th Congress)

- This bill would provide for research and education with respect to triple-negative breast cancer, and for other purposes.
- Under this bill, the Director of NIH would be required expand, intensify, and coordinate programs for the conduct and support of research with respect to triple-negative breast cancer through the appropriate institutes, offices, and centers.
 - For the purposes of carrying out this section, \$500,000 would be authorized to be appropriated for each of the fiscal years 2014 through 2016.
- This bill would also require the Centers for Disease Control to carry out an education program and HRSA would be required to develop information for health care providers.
- The bill does not mention the National Cancer Institute.
- H.R. 80 was introduced by Rep. Sheila Jackson Lee (D-TX) on 1/3/2013 and was referred to the House Committee on Energy and Commerce.

Medical Checklist Act of 2013 (HR 116; 113th Congress)

- The bill directs the Agency for Healthcare Research and Quality (AHRQ) to conduct research and a study regarding the development and efficacy of medical checklists, and also directs the HHS Office of the National Coordinator for Health Information Technology to develop policy recommendations regarding coordination of medical checklists and health IT systems.
- The bill also calls for the Institute of Medicine and the National Academy of Engineering to conduct a study on further medical checklist research.
- H.R. 116 was introduced by Rep. Rush Holt (D-NJ) on 1/3/13 and was referred to the House Committee on Energy and Commerce.

National Pediatric Research Network of 2013 (HR 225; 113th Congress)

- The bill would authorize the Director of the National Institutes of Health (NIH), to act through the Director of the Eunice Kennedy Shriver National Institute of Child Health and Human Development (NICHD) to establish a National Pediatric Research Network.
- The legislation authorizes the NICHD Director to award funding to public or private nonprofit entities, also recognized as pediatric research consortia in the bill language, which would then make up the Network.
- The bill authorizes the Director of NIH to make awards for not more than 20 pediatric research consortia, and indicates a specific research focus on rare pediatric diseases, including any such diseases or conditions that are genetic disorders (such as spinal muscular atrophy and Duchenne muscular dystrophy) or are related to birth defects (such as Down syndrome and fragile X). Pediatric cancers are not mentioned specifically, but meet the broad definitions laid out in the bill.
- The award recipients would be required to conduct or coordinate multi-site clinical trials of therapies for, or approaches to, the prevention, diagnosis, or treatment of one or more pediatric rare diseases or conditions; to disseminate scientific findings; and to provide assistance to the Centers for Disease Control and Prevention (CDC) in the establishment or expansion of patient registries and other surveillance systems. At least one site would also be required to train researchers in pediatric research techniques in order to address unmet pediatric research needs.
- The proposal also requires the NIH Director to establish a data coordinating center to distribute findings, provide assistance in the design and conduct of collaborative research, and to organize and conduct multisite monitoring activities.
- H.R. 225 was introduced by Rep. Lois Capps (D-CA) on 1/14/13 and was referred to the House Committee on Energy and Commerce, which voted the bill out of committee on 1/22/13. The House passed the bill by a vote of 375-27 on 2/4/13.

National Pediatric Research Network of 2013 (S 424; 113th Congress)

- While similar to H.R. 225 in its aims to establish a National Pediatric Research Network, there are a number of differences between the two bills.
- The bill would authorize the Director of the National Institutes of Health (NIH), in consultation with the Director of the Eunice Kennedy Shriver National Institute of Child Health and Human Development (NICHD) to establish a National Pediatric Research Network.
- The legislation authorizes the NIH Director to award funding to public or private nonprofit entities, also recognized as pediatric research consortia in the bill language, which would then make up the Network.
- The bill authorizes the Director of NIH to make awards for not more than 8 pediatric research consortia, and indicates a specific research focus on rare pediatric diseases, and would require that a minimum of one consortium prioritize collaboration with institutions serving rural areas. Pediatric cancers are not mentioned specifically, but meet the broad definitions laid out in the bill.
- The award recipients would be required to conduct or coordinate multi-site clinical trials of therapies for, or approaches to, the prevention, diagnosis, or treatment of one or more pediatric rare diseases or conditions; with a focus on unmet pediatric research needs.
- The Senate proposal does not require the NIH Director to establish a data coordinating center, nor provide assistance to CDC for the establishment or expansion of patient registries and other surveillance systems, as proposed in H.R.225.
- S. 424 was introduced by Sen. Sherrod Brown (D-OH) on 2/28/13 and was referred to the Senate Committee on Health, Education, Labor, and Pensions (HELP). Sen. Brown introduced a slightly different draft of this bill in the 112th Congress, but it never made it out of the HELP Committee. The version introduced in the 112th Congress included language similar to H.R. 225 regarding a proposed data coordinating center and related reporting.

Healthier Lifestyles and Prevention America (HeLP America) Act (S 39; 113th Congress)

- The bill includes various wellness provisions: expanded access to fresh fruits and vegetables for all low-income elementary schools, tax incentives for businesses that offer comprehensive workplace wellness programs to their employees, improved physical activity and athletic opportunities for individuals with disabilities, and greater oversight with regard to food and tobacco marketing.
- Specifically, the bill calls for an increase in the excise tax on small cigarettes; equalizes excise taxes for pipe tobacco, roll-your-own tobacco, and smokeless tobacco; clarifies the definition of small cigars; and closes an existing loophole to end mislabeling of tobacco products. It also would eliminate tax deductibility of tobacco advertising and fund counter-advertising.
- S. 39 was introduced by Sen. Tom Harkin (D-IA) on 1/22/2013 and was referred to the Senate Committee on Health Education, Labor, and Pensions, which Sen. Harkin chairs.

Strengthening Protections for Children and Communities From Disease Clusters Act. (S 50; 113th Congress)

- The bill would direct the Administrator of the Environmental Protection Agency to investigate and address cancer and disease clusters, including in infants and children. While the formal purpose of the bill identifies cancer specifically, and the bill findings note that cancer is the second leading cause of death in children, the remainder of the bill language does not reference cancer, and uses the term disease cluster throughout.
- Among other provisions, the bill calls for the Administrator to develop guidelines that provide a systematic, integrated approach using the best available science to investigate disease clusters and potential environmental pollutants or toxic substances; to establish regional disease cluster information and response centers and teams; to establish community disease cluster advisory committees; and to compile and regularly update information about disease clusters in a publically accessible online electronic database.
- S. 50 was introduced by Sen. Barbara Boxer (D-CA) on 1/22/2013 and was referred to the Senate Committee on Environment and Public Works.

Tobacco Tax Equity Act (S 194; 113th Congress)

- This bill seeks to amend the Internal Revenue Code of 1986 to provide tax rate parity among all tobacco products.
- The bill would establish that the tax rate on all products that have been determined to be a tobacco product by the Food and Drug Administration through its authorities under the Family Smoking Prevention and Tobacco Control Act, shall be the same per unit level as cigarettes. Under current law, small cigars and Roll Your Own (RYO) tobacco products are taxed at the same level as cigarettes, while cigars, smokeless tobacco, and pipe tobacco are taxed at a dramatically lower rate.
- S. 194 was introduced by Senator Richard Durbin (D-IL) on 1/31/2013 with cosponsors Sens. Richard Blumenthal (D-CT) and Frank Lautenberg (D-NJ).

Fair Access to Science and Technology Research (FASTR) Act of 2013 (S 350/HR 708; 113th Congress)

- The proposal would require Federal agencies funding more than \$100,000,000 in extramural research to develop, within one year of enactment, public access policies relating to research conducted by employees of that agency and other research supported (in whole or in part) by that agency.
- Each policy must provide for free online public access to the final peer reviewed manuscripts or published versions as soon as practicable, but not later than 6 months after publication in peer reviewed journals (the current NIH public access policy requires that papers are accessible to the public on PubMed Central no later than 12 months after publication).
- The proposal would require public access policies to adhere to patent and copyright laws, and also calls for specific exclusion of the following work: research progress reports presented at professional meetings or conferences; laboratory notes, preliminary data analyses, notes of the author, phone logs, or other information used to produce final manuscripts; classified research, research resulting in works that generate revenue or royalties for authors (such as books) or patentable discoveries, to the extent necessary to protect a copyright or patent; or authors who do not submit their work to a journal or works that are rejected by journals.
- The bill calls upon the relevant Federal agencies to follow common procedures for the collection and depositing of research papers, to the extent practicable.
- Additionally, each year, each agency must issue a report to various Congressional committees, providing information on both the effectiveness of the policy, and the research results made available through the policy. The report must also examine whether the terms of use of the policy are effective in enabling productive reuse and computational analysis by state-of-the-art technologies, and whether research papers should include a royalty-free copyright license that is available to the public and that permits reuse (with proper attribution).
- S.350 was introduced by Sen. John Cornyn (R-TX), along with co-sponsor Sen. Ron Wyden (D-OR) on 2/14/13 and was referred to the Committee on Homeland Security and Governmental Affairs.
- H.R. 708 was introduced by Rep. Michael Doyle (D-PA) along with co-sponsors Reps. Zoe Lofgren (D-CA) and Kevin Yoder (R-KS), and was referred to the House Committee on Oversight and Government Reform.

Related Executive Action:

Additionally, independent of the legislative proposals, the White House Office of Science and Technology Policy (OSTP), issued a memo on 2/22/13, to the heads of Executive Departments and Agencies, titled "Increasing Access to the Results of Federally Funded Scientific Research." The memo does not address the FASTR Act, but does direct Federal agencies with over \$100 million in annual conduct of research and development expenditures to develop a plan to support increased public access. Draft plans are due to OSTP within six months. OSTP encourages coordination, where appropriate, between agencies; and directs those agencies that already have policies in place to adapt their policies, as necessary, to fully meet the requirements set out in the memo.

Medical Research Protection Act of 2013 (HR 729; 113th Congress)

- The bill proposes to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to exempt the National Institutes of Health from sequestration under section 251A for fiscal year 2013, and to reduce the sequestration by the amount of the exemption.
- Rep. Jim McDermott (D-WA) introduced H.R. 729 on 2/14/13, with cosponsors Reps. Brian Higgins (D-NY) and David Loebsack (D-IA). The bill was referred to the House Budget Committee. Reps. Earl Blumenauer (D-OR), Janice Schakowsky (D-IL), and Scott Peters (D-CA), are also cosponsors.

American Discoveries and American Jobs Commission Act of 2013 (HR 614; 113th Congress)

- The bill proposes to establish the Commission on American Discoveries and American Jobs to study and recommend improvements to the Federal funding of research. Specifically, the bill would require the commission to conduct a study to examine the state of technology transfer; possibilities for the Federal government to collect royalties from early research that leads to commercialization; potential adverse consequences of such royalties; and potential benefits from investing royalty revenues into STEM education.
- Rep. Chaka Fattah (D-PA) introduced H.R. 614 on 2/12/13, and it as referred to the House Committee on Science, Space, and Technology.

Children Eating Well (CHEW) Act (S 274; 113th Congress)

- S. 274 aims to strengthen nutrition education for elementary school and secondary school students to promote healthy eating choices through developmentally appropriate lessons and activities integrated into the school day. The bill would require the Secretaries of Education, Agriculture, and Health and Human Services to establish an inter-agency task force to review nutrition education curricula and recommend effective nutrition education programs for elementary schools and secondary schools.
- Sen. Kirsten Gillibrand (D-NY) introduced S. 274 on 2/11/13, and it was referred to the Senate Committee on Agriculture, Nutrition, and Forestry.

A bill to amend title XVIII of the Social Security Act to cover screening computed tomography colonography as a colorectal cancer screening test under the Medicare program (HR 991; 113th Congress)

- H.R. 991 aims to provide Medicare coverage for computed tomography colonography as a colorectal cancer screening test.
- Rep. Ralph Hall (R-TX) introduced H.R. 991 on 3/6/13, and it was referred to the House Energy and Commerce and Ways and Means Committees.

Legislation to provide tax credits for research expenditures, including stem cell research and small business. (HR 119, HR 120, HR 122, HR905 and S 126; 113th Congress)

- Rep. Rush Holt (D-NJ), co-chair of the Congressional Biomedical Research Caucus, introduced two proposals, H.R. 119 and H.R. 120, on 1/3/2013. The first would amend the Internal Revenue Code to make permanent the credit for increasing research activities. The second would amend the Internal Revenue Code of 1986 to increase the credit for research expenses for 2013 and 2014. Rep. Holt introduced similar proposals in the 112th Congress and neither was reported out of committee.
- Rep. Holt also introduced H.R. 122, which proposes a general business tax credit of 20% of the amount paid to acquire an equity investment in a qualified high technology small business concern (defined as employing fewer than 500 employees during a year and devoting at least 50% of gross expenditures to research and experimentation).
- Sen. David Vitter (R-LA) introduced S. 136 on 1/24/2013. The bill proposes to amend the Internal Revenue Code of 1986 to provide a Federal income tax credit for certain stem cell research expenditures.
- Additionally, Rep. John Carney, Jr. (D-DE) introduced H.R. 905 on 2/28/13. The bill proposes to amend the Internal Revenue Code of 1986 to make the research credit permanent and to increase the alternative simplified research credit.

Legislation calling for a hiring freeze and limited pay for Federal employees. (HR 273, HR 237, HR 243, HR 593, S 263, and S 18; 113th Congress)

- Rep. Ron DeSantis (R-FL) introduced H.R. 273 on 1/15/2013, proposing to eliminate the 2013 statutory pay adjustment for Federal employees. This would reverse a pay increase for federal workers ordered by President Obama in December 2012. This bill passed the House by a vote of 261-154 on 2/15/13. There is no companion bill in the Senate.
- Rep. Tom Marino (R-PA) introduced H.R. 237 on 1/14/2013. The bill, titled the Federal Hiring Freeze Act of 2013, would prohibit the head of an executive agency from appointing an individual to any position in such agency during a fiscal year for which the Director of the Office of Management and Budget projects that there will be a federal budget deficit.
- Rep. Dennis Ross (R-FL) introduced H.R. 243, the Bowles-Simpson Plan of Lowering America's Debt Act, on 1/14/13, proposing to amend the continuing resolution to extend the freeze on cost of living increases for certain federal civilian employees through December 2015. The bill would also require the Office of Management and Budget (OMB) to ensure the total number of federal employees beginning FY2017 does not exceed 90% of the total number of federal employees on 9/30/13, and to take measures through FY2016 to ensure agencies shall appoint not more than one employee for every three employees leaving federal service.
- Sen. Kelly Ayotte (R-NH) introduced S. 263, the Down Payment to Protect National Security Act on 2/7/13, and Rep. Buck McKeon (R-CA) introduced the House companion measure H.R. 593 on 2/8/13. The bill proposes to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to modify the discretionary spending limits to take into account savings from the reduction in the number of federal employees. Like H.R. 243, it calls for the federal government to replace every three retiring employees with only one new employee, providing for an attrition rate of 10% to occur at the agency level.
- Sen. Ayotte also introduced S. 18, the Sequester Replacement and Spending Reduction Act of 2013, on 2/27/13. Provisions in the bill call to extend a pay freeze for federal employees through the end of 2014, and would require federal employees to increase contributions to the federal employees retirement system, as well as to the civil service retirement system.

113th Congress Committee Rosters (as of 3/8/13)

Senate

Appropriations Committee	
Full Committee Chair: Barbara Mikulski, MD [new position this yr.]	Full Committee Ranking: Richard Shelby (AL) [new position this yr.]
Labor, HHS, Education Subcommittee	
Chairman: Tom Harkin (IA)	Ranking: Jerry Moran (KS) [new position this yr.]
Patty Murray (WA)	Thad Cochran (MS)
Mary Landrieu (LA)	Richard Shelby (AL)
Richard Durbin (IL)	Lamar Alexander (TN)
Tim Johnson (SD)	Lindsey Graham (SC)
Mary Landrieu (LA)	Mark Kirk (IL)
Jack Reed (RI)	Mike Johanns (NE) [new to comm. this yr.]
Mark Pryor (AR)	John Boozman (AR) [new to comm. this yr.]
Barbara Mikulski (MD)	
Jon Tester (MT)	
Jeanne Shaheen (NH) [new to comm. this yr.]	
Jeff Merkley (OR) [new to comm. this yr.]	
Health, Education, Labor and Pensions Committee	
Chairman: Tom Harkin, IA	Ranking: Lamar Alexander (TN) [new position]
Barbara Mikulski (MD)	Richard Burr (NC)
Patty Murray (WA)	Johnny Isakson (GA)
Bernard Sanders (VT)	(Dr.) Rand Paul (KY)
Bob Casey (PA)	Orrin Hatch (UT)
Kay Hagan (NC)	Pat Roberts (KS)
Al Franken (MN)	Lisa Murkowski (AK)
Michael Bennet (CO)	Mark Kirk (IL)

Sheldon Whitehouse (RI)	Tim Scott (SC) [new to comm. this yr.]
Tammy Baldwin (WI) [new to comm. this yr.]	
Christopher Murphy (CT) [new to comm. this yr.]	
Elizabeth Warren (MA) [new to comm. this yr.]	

House

Appropriations Committee	
Full Committee Chair: Hal Rogers, KY	Full Committee Ranking: Nita Lowey, NY [new position this yr.]
Labor, HHS, Education Subcommittee	
Chairman: Jack Kingston, GA [new position this yr]	Rosa DeLauro, CT
Rodney Alexander, LA	Lucille Roybal-Allard, CA
Mike Simpson, ID	Barbara Lee, CA
Steve Womack, AR [new to subcomm. this yr.]	Mike Honda, CA [new to subcomm. this yr.]
Chuck Fleischmann, TN [new to comm. this yr.]	
David Joyce, OH [new to comm. this yr.]	
(Dr) Andy Harris, MD [new to comm. this yr]	
Energy and Commerce Committee	
Full Committee Chair: Fred Upton, MI	Ranking: Henry Waxman, CA
Health Subcommittee	
Chairman: Joe Pitts, PA	Ranking: Frank Pallone (NJ)
Vice Chairman: (Dr.) Michael Burgess (TX)	John Dingell (MI)
Ralph Hall (TX) [new to Comm. this year]	Eliot Engel (NY)
Ed Whitfield (KY)	Lois Capps (CA)
John Shimkus (IL)	Jan Schakowsky (IL)
Mike Rogers (MI)	Jim Matheson (UT) [new to subcomm. this yr.]
Tim Murphy, PA	Gene Green (TX) [new to subcomm. this yr.]
Marsha Blackburn (TN)	G.K. Butterfield (NC) [new to subcomm. this yr]
(Dr.) Phil Gingrey (GA)	John Barrow (GA) [new to subcomm. this yr.]
Leonard Lance (NJ)	Dr. Donna Christensen (VI)

	[new to comm this yr.]
(Dr.) Bill Cassidy (LA)	Kathy Castor (FL) [new to comm. this yr.]
Brett Guthrie (KY)	John Sarbanes (MD) [new to comm. this yr.]
Morgan Griffith (VA) [new to subcomm. this yr.]	Henry Waxman (CA)
Gus Bilirakis (FL) [new to comm. this yr]	
Renee Ellmers (NC) [new to comm. this yr.]	
Joe Barton (TX)	
Fred Upton (MI)	