

Congressional Voting Record 108th Congress

The National Breast Cancer Coalition (NBCC) presents its interim *Congressional Voting Record*. This is a report of congressional support for the NBCC legislative priorities in the first and second sessions of the 108th Congress.

Formed in 1991, NBCC is a grassroots organization dedicated to ending breast cancer through the power of action and advocacy. Made up of more than 600 member organizations and tens of thousands of individual members, NBCC publishes a Voting Record each year to remind public policy officials and their constituents that breast cancer is both a health issue and a political issue.

This Record contains information about NBCC's legislative priorities only -- it does not include *all* votes and bills related to breast cancer. NBCC's legislative priorities were developed after a great deal of research and analysis, and with input from women and their families across the nation. The Coalition's legislative agenda stems from its three primary goals:

- To increase the effectiveness of and resources available to breast cancer research
- To improve access for all women to high-quality health care and clinical trials
- To expand the influence of breast cancer advocates in all aspects of the breast cancer decision-making process

NBCC is dedicated to helping Members of Congress make informed decisions about breast cancer and to educating women and men across the country about this important public policy issue.

NBCC appreciates the many Members of Congress, from both sides of the aisle, who supported our following priorities during the 108th Congress:

- Guaranteed access to quality health care for all
- Continued funding of a \$150 million earmark for the Department of Defense (DoD) Peer-Reviewed Breast Cancer Research Program (BCRP)
- Enactment of the Breast Cancer and Environmental Research Act (H.R. 1746 / S. 983)
- Enactment of the House version of the Genetic Nondiscrimination in Health Insurance and Employment Act (H.R. 1910) with strong enforcement provisions
- Enactment of the Access to Cancer Therapies Act (H.R.1288 / S. 1037) – A 2003 NBCC priority

NBCC advocates understand that the causes and cures for breast cancer will not be found only in test tubes. They must be fought for – in public policy forums, at research conferences, in drug company boardrooms, and in the voting booth.

Despite support from many committed Members of Congress, NBCC is disappointed that at the close of the 108th Congress only two of our five legislative priorities have been achieved. NBCC grassroots activists will be enlisting friends and family across the nation to hold their representatives in Congress accountable. NBCC activists across the country are now mobilized to ask their public officials: Why hasn't more been done in the 108th Congress to end breast cancer? What, specifically, have you done to enact substantive breast cancer policy this year? With the help of this Voting Record NBCC will continue to apply pressure on the decision makers in Congress for its legislative priorities in 2005.

Please contact NBCC at 1-800-622-2838 or refer to our Web site at www.stopbreastcancer.org for additional information about our legislative agenda, and how you can become more active in helping us progress in our mission to end this disease.

<p style="text-align: center;">HOW TO USE THIS VOTING RECORD:</p>
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This Voting Record measures congressional support of NBCC's legislative agenda by giving credit (✓) for a vote (if the measure was voted on), cosponsorship, or signing a letter.

NBCC acknowledges that it is not always possible to accurately reflect a Member's leadership simply by awarding a "✓" for cosponsorship, signing a letter, or a 'yea' vote. NBCC recognizes that not all support can be documented, and that cosponsorship is just one step of the process. At times, certain Members of Congress play a greater leadership role based on their position as a member of the leadership or as Chairperson or members of a relevant committee or as active champions for our priorities. Therefore, NBCC's Voting Record contains a section highlighting Members of Congress who deserve special recognition for their leadership. The Coalition's main tests of support for our priorities continues to be cosponsorship, which demonstrates an important step in working to enact a bill, signing important letters in support of key programs, and gaining key votes.

<p style="text-align: center;">Summary of NBCC's Legislative Priorities For the 108th Congress</p>
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PRIORITY #1

Guaranteed access to quality health care for all. We will not end breast cancer until all women have guaranteed access to quality health care regardless of their ability to pay. NBCC has established eight principles that are essential to achieving guaranteed access to quality care. NBCC carefully measures all legislation according to these principles, which can be found later in this report. The new health care system must also incorporate NBCC's vision of quality care and reflect the following values: access, information, choice, respect, accountability and improvement.

PRIORITY #2

2003: \$175 million appropriation (\$25 million increase) for the Department of Defense (DOD) peer reviewed Breast Cancer Research Program for fiscal year 2004.

2004: \$150 million appropriation (level funding) for the Department of Defense (DOD) peer reviewed Breast Cancer Research Program for fiscal year 2005. ·

This is a unique, one-of-a-kind research program with innovative grants and structure that brings scientists and consumers together in making policy decisions at every step of the process. This program's success has been corroborated in a number of arenas: in two highly favorable program reviews by the Institute of Medicine (IOM), at three public meetings called the "Era of Hope" to report the program's progress, and in congressional committee report language which recommended that this program continue. Each year a bipartisan group of senators and representatives circulates a letter, signed by more than half the Members of Congress, to the Chairman and Ranking Member of the DOD Appropriations Subcommittee, asking for continued funding for the program.

Priority #3

Enactment of the Breast Cancer and Environmental Research Act (S.983/H.R.1746).

It is generally believed that the environment plays a role in the development of breast cancer, but the extent of that role is not well understood. NBCC believes that this critical issue must be approached thoughtfully and methodically and that a national strategy for increasing knowledge in this area must be developed. The Breast Cancer and Environmental Research Act would create grants for the establishment of multi-institutional, multi-disciplinary research centers to study the potential link between the environment and breast cancer. Grants are awarded based on a competitive, peer-reviewed process that involves consumer advocates.

PRIORITY #4

Enactment of the Genetic Nondiscrimination in Health Insurance and Employment Act (H.R.1910). The Kassebaum-Kennedy Health Insurance Reform Act (1996) took an important step in the fight against genetic discrimination by including genetic information among the factors that may not be used to deny or limit insurance coverage for members in a group plan. Congress must now close the loopholes and provide comprehensive protection against genetic discrimination for all Americans. This legislation, which has strong enforcement mechanisms that include a right to sue, would prohibit health insurers and employers from discriminating against a patient based on his or her genetic information. S.1053, a genetic nondiscrimination bill passed by the Senate on October 15, 2003, is not supported by NBCC because it does not contain sufficient enforcement provisions.

NBCC is also embarking upon a state-by-state strategy to ensure that every state in the nation enacts genetic nondiscrimination legislation with strong enforcement provisions.

FIRST SESSION OF THE 108TH CONGRESS -- 2003 PRIORITY ONLY

Enactment of S.1037/H.R.1288, the Access to Cancer Therapies Act. NBCC believes that Congress should enact comprehensive prescription drug coverage for Medicare beneficiaries. While NBCC supports a broad approach to prescription drug coverage, it believes that a special provision is necessary for coverage of oral anti-cancer drugs in light of certain historical and cost considerations that argue for continued access to cancer therapy under Medicare Part B.

The following is an explanation of NBCC's priorities that had specific legislative proposals in the 108th Congress. Congressional support for these various proposals is recorded in the chart that follows the text.

<p style="text-align: center;">Priority #1 Support Guaranteed Access to Quality Health Care for All</p>

NBCC has developed a set of principles that frame our priority of guaranteed access to quality health care for all. Over the past year, we have analyzed various proposals to address this issue. Currently, NBCC does not support any specific legislation for this priority. Therefore, there are no means for Members of Congress to earn credit in the NBCC Voting Record for this priority.

Background Information

Since its inception in 1991, NBCC has believed that comprehensive, quality health care is a basic human right. Health care must be available to all individuals regardless of their ability to pay. The right research will help NBCC's mission to eradicate breast cancer, but only if individuals have access to comprehensive health care ranging from preventive measures and treatment to end-of-life interventions.

Access to quality care means being able to get appropriate care when it is needed. A necessary component of access is having a way to pay for health care, whether through traditional models such as insurance or through new systems. The lack of affordable health coverage is a severe and growing problem. Those with no coverage or inadequate coverage face serious consequences for their health from delays to poor quality and general lack of access to care. For example, in a May 2002 report titled, "Care Without Coverage: Too Little, Too Late", the Institute of Medicine (IOM) found that 18,000 Americans die prematurely each year due to lack of health insurance. Later, in its January 2004 report titled, "Insuring America's Health: Principles and Recommendations," the IOM concluded that lack of health insurance places a heavy economic burden on our communities and on the entire country. In this report, the IOM recommends that everyone in the U.S. have health insurance by the year 2010.

NBCC strives to ensure that all women at risk of or diagnosed with breast cancer have access to high quality breast cancer care. NBCC has succeeded in making incremental and targeted changes to expand access to health care for some uninsured and underinsured women. For instance, through passage of the Breast and Cervical Cancer Treatment Act (P.L. 106-354), NBCC helped secure Medicaid coverage for low-income, uninsured women who are diagnosed with breast or cervical cancer through a federal screening program. While thousands of low-income women now have coverage for their treatment, that Act alone is just one step in ensuring access to quality care for all.

NBCC Principles for Health Coverage

- Health care is a basic human right.
- Health care is fundamental to maintaining a productive society.
- Health care coverage must be guaranteed for everyone.
- The health care system must provide the same comprehensive benefits to everyone and must meet the public's expectations.

- The health care system must be redesigned so that treatment and coverage decisions are based on evidence and best practices.
- All individuals must financially contribute to the system, based on ability to pay.
- The new health care system must be easy to use for patients and providers, and easy to administer.
- Any system of coverage must include these core values:
 - **Access.** Individuals must be able to get all the care they need when they need it. This must include meaningful access to evidence-based interventions.
 - **Information.** Individuals must receive information that is evidence-based, objective, complete and correct.
 - **Choice.** Individuals must have some choice of doctors and care.
 - **Respect.** Our health care system must treat the whole person, not just a person's disease.
 - **Accountability.** Standards regarding care must be clear, uniform, and enforceable. Patients must have a right to sue if their basic human right to health care is violated.
 - **Improvement.** The health care system must have methods for measuring what is and is not working so that the quality of care can continuously be improved. Individuals must have access to well designed and efficiently run clinical trials, and must have coverage of all routine care costs associated with participation in such trials.

Priority #2
**Support for the Department of Defense (DOD) Peer-Reviewed Breast Cancer
Research Program (BCRP)**

2003 Priority: \$175 million appropriation for FY 2004

2004 Priority: \$150 million appropriation (level funding) for FY 2005

2003 Goal: To appropriate \$175 million for the Department of Defense Peer-Reviewed Breast Cancer Research Program (DOD BCRP) for fiscal year (FY) 2004.

2004 Goal: To appropriate \$150 million – level funding – for the DOD BCRP for FY 2005.

**What NBCC Asked
Members of Congress**

To Do:

2003

Sign a letter to the Chairmen and Ranking Members of the House or Senate Defense Appropriations Subcommittees requesting an appropriation of \$175 million dollars for the DOD BCRP for FY04.

2004

Sign a letter to the Chairmen and Ranking Members of the House or Senate Defense Appropriations Subcommittees requesting an appropriation of \$150 million dollars (level funding) for the DOD BCRP for FY 2005.

In July of 2004 Members were asked to sign a letter to the Chairmen and Ranking Members of the House or Senate Defense Appropriations Conference Committee requesting they recede to the House-passed language in order to maintain a separate \$150 million earmark for the program.

**What This
Voting Record
Documents:**

2003

Members receive a ✓ in the Voter Guide for signing onto either the House or Senate version of the FY 2004 DOD BCRP Letter to the Chairmen and Ranking Members of the Appropriations Committees.

2004

Members receive a ✓ in the Voting Record for signing the House or Senate version of the FY 2005 DOD BCRP letter to the Chairmen and Ranking Members.

Members receive a second ✓ in the Voting Record for signing either the House or Senate version of the letter to the Conference Committee urging conferees to recede to the House language.

Status:

2003

The House-passed Defense Appropriations bill included funding for \$150 million for the DOD BCRP. The Senate-passed bill also funded the program at \$150 million, but it included report language that expressed concern about continuing to fund the program and required the Institute of Medicine (IOM) to review the possibility of developing public-private partnerships to fund the BCRP in the future. The original language passed by the Senate subcommittee mandated that public-private partnerships fund the program, which NBCC strongly opposed because it threatened the integrity of the program and had the potential to cut the federal funding for the DOD BCRP. The final, adopted report language requiring an IOM study was the result of input from NBCC. In November of 2003, the House and the Senate Conference Committee approved the final Defense Appropriations bill that included \$150 million for the DOD BCRP for FY04 and the language in the Senate bill requiring an IOM study. This was passed by both the House and Senate and signed into law by the President.

NBCC has been working to protect the DOD BCRP structure and funding. NBCC testified before the IOM supporting the current structure of federal funding for the program.

The IOM report was published on September 8, 2004. The report stresses the importance of the work that the DOD BCRP conducts and recognizes the limitations and potential detrimental consequences of alternative sources of funding.

2004

The House-passed Defense Appropriations bill included a separate earmark for the DOD BCRP, funding it at a level \$150 million for FY2005. The Senate-passed version combined all the DOD-funded cancer research programs into one \$200 million shared account. NBCC strongly opposed the Senate version because it would have compromised the integrity of the program.

NBCC asked Members of Congress to sign a letter to the House or Senate Defense Appropriations Chairmen and Ranking Members requesting \$150 million for the DOD BCRP for FY 2005 (level funding). Sixty-six Senators and more than 230 Representatives signed this letter in support of level funding of \$150 million for the program.

In response to the language passed by the Senate, NBCC circulated a second letter to the Defense Appropriations Conference Committee asking them to recede to the House-passed version. Receding to the House version means that the Senate agrees to use the House language in support of the \$150 million earmark instead of the language in the Senate bill. In only one week, NBCC collected 47 signatures in the Senate and more than 150 signatures in the House.

In July of 2004, the Senate receded to the House-passed language, and the DOD BCRP received its own earmark, funded at \$150 million for FY 2005 in the final version of the Defense Appropriations Act that was passed by both the House and the Senate, and signed into law by the President.

History of The DOD BCRP

The Department of Defense Peer-Reviewed Breast Cancer Research Program (DOD BCRP) was created as a result of NBCC's 1993 "\$300 million more" campaign. NBCC launched this campaign after holding a series of research hearings during which fifteen of the nation's most prominent scientists working in the field of breast cancer testified. As a result of the hearings, the Coalition informed Congress that an additional \$300 million would be needed in 1993 for breast cancer research, for a total of \$430 million for federally funded research.

Led by NBCC, women arrived in Washington, D.C. by the busload and swamped Congress with constituent visits. Phone calls, faxes and telegrams through NBCC's hotline followed demanding \$300 million more for breast cancer research.

The Coalition's requests were met. In 1993, we won more than \$400 million -- the first-ever significant increase in federal breast cancer funding. A substantial portion of that increase, \$210 million, came from the defense budget of the Department of the Army to establish the DOD BCRP. Due to its outstanding success and bipartisan support, Congress has continued to fund this program each year bringing its total to more than \$1.5 billion for peer-reviewed breast cancer research since its inception.

The DOD BCRP has led the way in forging new and innovative directions for breast cancer research. It has been a model that others have replicated. The program is renowned for its efficient use of resources – more than 90% of the funds go directly to research grants. A unique part of the program has been the inclusion of consumer advocates at every level, including the scientific merit review and programmatic review levels.

In addition to the inclusion of consumer advocates, and the program's efficiency, the DOD BCRP is also a model for accountability in federal research programs. This was demonstrated at the third DOD BCRP Era of Hope meeting held in October 2002. The 2002 meeting provided BCRP-funded investigators with the opportunity to share their results with the scientific community, policymakers and public. The meeting also

allowed investigators from different fields to share knowledge and ideas that could lead to novel approaches to difficult research problems.

Special Recognition

The continued success of the DOD BCRP and the achievement of a \$150 million earmark for FY 2004 and FY 2005 would not have been possible without the help of key members of the Senate and House.

Senate:

- **Senate Defense Appropriations Chairman Ted Stevens (R-AK) and Ranking Member Daniel Inouye (D-HI):** In 2003, led Senate Defense Appropriations Subcommittee in meeting NBCC's request for continued funding in FY 2004 for the DOD BCRP.
- **Senators Olympia Snowe (R-ME), Tom Harkin (D-IA), Susan Collins (R-ME), Patrick Leahy (D-VT) and Arlen Specter (R-PA):** In 2003, led the "Dear Colleague" letter in the Senate, which requested colleagues sign a letter to the Senate Defense Appropriations Committee requesting \$175 million for the DOD BCRP for FY 2004. Furthermore, **Senator Leahy** spoke on the Senate Floor in defense of the DOD BCRP and against proposed public-private partnership language.
- **Senators Leahy and Stevens:** In 2003, they conducted a colloquy on the Senate floor lauding the DOD BCRP and defining the scope of the IOM report.
- **Senators Olympia Snowe (R-ME), Tom Harkin (D-IA), Susan Collins (R-ME), Patrick Leahy (D-VT) and Arlen Specter (R-PA):** In 2004, led the "Dear Colleague" letter in the Senate, requesting colleagues sign a letter to the Senate Defense Appropriations Committee requesting \$150 million for the DOD BCRP for FY 2005.
- **Senators Leahy, Specter and Barbara Mikulski (D-MD):** In 2004, spoke at the Defense Appropriations Subcommittee markup in defense of the DOD BCRP and against combining the cancer programs into one earmark.
- **Senators Snowe, Harkin, Collins, Leahy and Specter:** In 2004, led the letter to the conferees requesting that they recede to the House-passed language.
- **Senators Harkin, Specter, and Leahy:** In 2004, were instrumental in the last minute negotiations that resulted in the earmark of \$150 million for FY 2005.
- **Note: Senator Harkin**, along with **Senator Alfonse D'Amato (R-NY)**, led the fight on the Senate floor in 1993 resulting in the initial appropriation of \$210 million that established the DOD BCRP.

House:

- **House Defense Appropriations Chairman Jerry Lewis (R-CA) and Ranking Member John Murtha (D-PA):** In 2003, led House Appropriations Defense Subcommittee in meeting NBCC's request for continued funding in FY 2004 for the DOD BCRP.
- **Representatives Nita Lowey (D-NY), Judy Biggert (R-IL), Tom Davis (R-VA) and James McGovern (D-MA):** In 2003, led the "Dear Colleague" letter in the House requesting colleagues sign a letter to the House Defense Appropriations Subcommittee requesting \$175 million for the DOD BCRP in FY 2004.
- **House Defense Appropriations Chairman Jerry Lewis (R-CA) and Ranking Member John Murtha (D-PA):** In 2004, led the House Appropriations Defense Subcommittee in meeting NBCC's request for continued FY 2005 funding of the DOD BCRP. Representatives Lewis and Murtha also strongly defended House language supporting a \$150 million earmark for the DOD BCRP.
- **Representatives Nita Lowey (D-NY), Judy Biggert (R-IL), Tom Davis (R-VA) and James McGovern (D-MA):** In 2004, led the "Dear Colleague" letter in the House, requesting colleagues sign a letter to the House Defense Appropriations Subcommittee requesting \$150 million for the DOD BCRP in FY 2005.
- **Representatives Lowey, Biggert, Davis and McGovern:** In 2004, led the letter to conferees requesting that they recede to the House-passed language.

Support for the Breast Cancer and Environmental Research Act (S.983/H.R.1746)

Goal: To enact the bipartisan Breast Cancer and Environmental Research Act, which would authorize \$30 million for each year for 5 years to the National Institute of Environmental Health Sciences (NIEHS) to make grants for the development and operation of research centers regarding the study of the potential links between environmental factors and breast cancer. These centers would be multi-institutional and multi-disciplinary, and would award grants based on a competitive, peer-reviewed process that involves consumer advocates.

What NBCC Asked Members of Congress

To Do: Sign on as cosponsors to S.983 or H.R.1746, the bipartisan Breast Cancer and Environmental Research Act, and work towards enacting it into law in the 108th Congress.

What This Voting Record

Documents: Members receive a ✓ in the Voting Record for cosponsoring S.983 or H.R.1746.

Members also receive a special mark for signing onto one or more of the strategic letters described below.

Status: At the end of 2004, H.R.1746 had 211 cosponsors in the House of Representatives, and was referred to the House Commerce Committee with no further action taken. S.983 had 62 cosponsors in the Senate, and was referred to the Senate Committee on Health, Education, Labor and Pensions (HELP), and was hotlined. Despite strong support for the bill, no official vote was taken on it in the 108th Congress.

In 2003, language was included in the FY 2004 Labor-HHS Appropriations bill that strongly supported the goals of this legislation and encouraged NIEHS to establish multi-institutional and multi-disciplinary centers to research possible links between breast cancer and the environment. In response, NIEHS, with additional funding from the National Cancer Institute, established four centers to begin studying the possible links between breast cancer and the environment.

In 2004, NBCC worked with congressional champions for the Senate version of the bill to earn the opportunity for it to be considered by the HELP Committee. In a year's time, the number of the bill's cosponsors nearly doubled, through the perseverance of our advocates. Senator Chafee led a letter signed by 14 of his fellow republicans to the Chairman of the HELP Committee, Senator Judd Gregg,

urging him to bring up the legislation in committee and get it enacted. Senators Chafee, Harkin, Clinton, and Kennedy circulated a joint letter signed by 13 of the bill's bipartisan HELP committee cosponsors and others urging Chairman Gregg to do the same. Senators Daschle and Reid also sent a letter to a number of their democrat colleagues urging them to cosponsor this critical legislation and to help enact it.

At the end of the legislative year in 2004, NBCC advocates staged a final push to get S.983 passed in the Senate. This was in response to a bill to illuminate the St. Louis Arch with pink lights was passed by both the House and the Senate and signed into law by the President in only 15 days. NBCC considered this an outrage because the Breast Cancer and Environmental Research Act had not received similar attention or action. NBCC advocates went to the Hill to demand that the House and Senate put the same amount of effort into the Breast Cancer and Environmental Research Act as they did into the other bill. NBCC got 47 Senators to sign on to a letter lead by Senators Chafee, Reid and Harkin to Senator Frist, urging him to bring the bill out of committee, and on to the Senate floor for a vote. Senator Reid, the Democrat sponsor of the bill, agreed to "hotline" the bill, which means that the bill would be pulled out of the Health, Education, Labor and Pensions (HELP) Committee, where it was stalled, and brought to the Senate floor for a vote. Many bills are passed in the Senate by unanimous consent this way. Each office has the right to object and it only takes one Senator to object and block the bill. Objections are anonymous. The hotline cleared the Democratic side, but NBCC learned that on the Republican side, someone had put a hold on it, meaning that a Senator was going to or had already objected to the bill. Once there was an objection to the bill, it was no longer able to pass by unanimous consent. While NBCC was not successful in getting the bill passed, this was a strong show of force from NBCC, and many advocates and Senators rallied around this bill and built strong momentum for the 109th Congress.

Background Information

Breast cancer is a complex disease that occurs in an environmentally complex world. It is generally believed that the environment plays some role in the development of breast cancer, but the extent of that role is not understood. NBCC believes that more research is needed to determine the impact of the environment on breast cancer, which has not been sufficiently studied in the past.

NBCC supports enactment of S.983/H.R.1746, the bipartisan Breast Cancer and Environmental Research Act, because it establishes the national, comprehensive strategy necessary for better understanding the links between environmental factors and breast cancer.

Special Recognition

NBCC thanks the following Members of Congress for their leadership in helping to move the Breast Cancer and Environmental Research Act forward in the 108th Congress:

Senate:

- **Senators Lincoln Chafee (R-RI) and Harry Reid (D-NV):** Introduced S.983, the Breast Cancer and Environmental Research Act in the Senate.
- **Senate Subcommittee on Labor Health and Human Services Chairman Arlen Specter (R-PA) and Ranking Member Tom Harkin (D-IA):** Included strong language in the Labor HHS Committee Report for FY 2004 in support of the goals of S.983. **Senator Reid** also played a large role in securing this language.
- **Senator Chafee:** Led a letter signed by 14 fellow Republicans to the Chairman of the HELP Committee urging him to bring up the legislation in committee and get it enacted this year.
- **Senators Chafee, Harkin, Hillary Clinton (D-NY), and Ted Kennedy (D-MA):** Led a joint letter signed by 13 of the bill's bipartisan HELP committee cosponsors and others urging the chairman of the HELP Committee to bring up the legislation in committee and get it enacted in 2004.
- **Senators Tom Daschle (D-SD) and Reid:** Sent a letter to their fellow colleagues in the Democrat party urging them to cosponsor this critical legislation and to help enact it in 2004.
- **Senators Chafee, Reid and Harkin:** Led a letter signed by 47 of the bill's cosponsors to Senator Frist, urging him to bring the bill out of Committee and on to the Senate Floor for a vote.

House:

Representatives Nita Lowey (D-NY) and Sue Myrick (R-NC): Introduced H.R.1746, the Breast Cancer and Environmental Research Act in the House of Representatives.

Enactment of the Genetic Nondiscrimination in Health Insurance and Employment Act (H.R.1910)

Goal: To enact H.R.1910, the Genetic Nondiscrimination in Health Insurance and Employment Act, that would prohibit health insurance and employment discrimination based on genetic information. NBCC did not support the Senate version of this bill, S.1053.

What We Asked

Members of

Congress

To Do: NBCC urged Members of Congress to cosponsor H.R.1910, the Genetic Nondiscrimination in Health Insurance and Employment Act, and to pass this legislation into law in the 108th Congress. At the end of the 108th Congress, the bill had 243 cosponsors. **Note: NBCC did not support S.1053, the Senate version of this legislation passed by the Senate in October of 2003, because it did not contain sufficient enforcement provisions.**

What This

Voting Record

Documents: Members of the House of Representatives receive a ✓ in the Voting Record for cosponsoring H.R.1910. Senators receive a "N/A" indicating this category does not apply to them because NBCC does not support the Senate bill. Those Senators who submitted statements for the Congressional Record urging stronger enforcement provisions in the legislation earn a special mark.

Status: H.R.1910, the Genetic Nondiscrimination in Health Insurance and Employment Act was introduced in the House in May 2003. In years past, a companion bill was introduced in the Senate. In the 108th Congress, however, a Senate companion was not introduced. Instead, a compromise bill, the Genetic Information Nondiscrimination Act of 2003 (S.1053) was offered by Senator Snowe. The bill was significantly modified by the HELP committee and was not supported by NBCC. The bill passed the Senate in October 2003. In July 2004 the House Subcommittee on Employer-Employee Relations held a hearing on the subject of genetic discrimination. NBCC submitted testimony for the record outlining support for H.R.1910 and concerns about the weak enforcement provisions in S.1053.

Background Information

As the mapping of the human genome continues to generate information about human predisposition to disease and as new genetic tests are developed, NBCC believes strongly that legislative and regulatory strategies must be established to protect individuals from the misuse of their genetic information. Improper disclosure can lead to significant harm,

including discrimination in the areas of employment and health insurance. In addition, concern about the misuse of genetic information dissuades individuals from participating in medical research and clinical trials.

H.R.1910, the Genetic Nondiscrimination in Health Insurance and Employment Act, would go beyond the protections offered in the Kassenbaum-Kennedy Health Insurance Reform Act of 1996. The legislation would prevent health plans from discriminating against individuals based upon his or her genetic information, family history of a genetic disease, or a request for genetic services. These prohibitions would apply to health plans operating in both the individual and group insurance markets. The legislation also prohibits plans and insurers from requiring, collecting or purchasing genetic information from patients.

The legislation would also extend protections to the employment arena. H.R.1910 makes it an unlawful employment practice for an employer to discriminate against an individual based on his or her genetic information.

Health plans and insurers who violate this law would be subject to monetary penalties. In addition, individual victims of discrimination from their health plan; insurer or their employer would have the right to seek legal and equitable relief (including monetary compensation and/or restitution).

Special Recognition

NBCC recognizes the outstanding leadership of the following Members of Congress who helped to move the genetic nondiscrimination issue forward:

Senate:

- **Senators Hillary Clinton (D-NY), Jon Corzine (D-NJ), Christopher Dodd (D-CT), John Kerry (D-MA) and Charles Schumer (D-NY):** Submitted statements for the Congressional Record emphasizing the need for genetic discrimination legislation while voicing their concern that the Senate-passed S.1053 does not have strong enforcement provisions.
- Note: NBCC could not support Senator Snowe's (R-ME) genetic nondiscrimination bill (S.1053) because we do not believe it goes far enough to ensure enforcement of the rights defined by the legislation. While NBCC appreciates Senator Snowe's effort to address the issue of genetic discrimination, we believe that without strong enforcement mechanisms, including an individual right to private action, this legislation would fail to adequately protect individuals.

House:

- **Representative Louise Slaughter (D-NY):** Lead House sponsor of H.R.1910, the Genetic Nondiscrimination in Health Insurance and Employment Act.

**Support for the Access to Cancer Therapies Act (S.1037/H.R.1288)
2003 NBCC Priority**

Goal: To enact the Access to Cancer Therapies Act (S.1037/H.R.1288) which would extend coverage to all oral cancer drugs, for Medicare beneficiaries under Medicare Part B.

**What NBCC Asked
Members of
Congress**

To Do: Sign on as cosponsors to Access to Cancer Therapies Act (S.1037/H.R.1288) in 2003, and work toward enacting it into law. During the debate on the Medicare Modernization Act, NBCC worked with congressional champions to create a Special Demonstration Program that provides interim coverage for oral cancer medications based on the Access to Cancer Therapies Act.

**What This
Voter Record**

Documents: Members of Congress receive a ✓ in the Voting Guide for cosponsoring Access to Cancer Therapies Act (S.1037/H.R.1288).

Status: The Medicare Modernization Act (MMA) was signed into law in December 2003 and contained a provision that creates a Section 641 Special Demonstration Program based on the Access to Cancer Therapies Act. The Special Demonstration Program will provide limited Medicare coverage for some oral cancer medications, including five breast cancer drugs, between September 2004 and December 2005. The program will conclude when the new Part D Medicare Prescription Drug benefit, created by the MMA, goes into effect.

While NBCC is pleased that some interim coverage will be made available for breast cancer patients, we have strong concerns about the benefit structure and high costs for patients covered by both Medicare Part D as well as the Special Demonstration Program, which is loosely based on the Part D benefit.

H.R.1288 had 218 cosponsors in the House of Representatives and S.1037 had 33 cosponsors in the Senate. During debate on the MMA, the Access to Cancer Therapies Act was incorporated into the bill as the Section 641 Special Demonstration Program. The Special Demonstration Program has limited funding to \$500 million and participation is capped at 50,000 individuals.

Following enactment of the MMA, NBCC worked hard to ensure that the Special Demonstration Program would cover breast cancer drugs. The efforts of grassroots advocates nationwide were rewarded when the Centers for Medicare

and Medicaid Services announced in the summer of 2004 that the program would cover five oral breast cancer medications.

NBCC has since worked to ensure that eligible Medicare beneficiaries know about the program and fill out applications to enroll for coverage.

Special Recognition

While the Access to Cancer Therapies Act and the Special Demonstration Program had strong bipartisan support, we are grateful to the leadership of the following Members of Congress on this important legislation:

Senate:

- **Senators Olympia Snowe (R-ME) and John “Jay” Rockefeller (D-WV):** Introduced Access to Cancer Therapies Act (S.1037) in the Senate and worked to include the Special Demonstration Program in the MMA. These Senators also worked to ensure that the program would cover breast cancer medications.
- **Senators Orrin Hatch (R-UT) and Snowe** were also instrumental in the negotiations that resulted in the inclusion of the Access to Cancer Therapies Act in the MMA.

House:

- **Representatives Deborah Pryce (R-OH), Sue Myrick (R-NC), and Lois Capps (D-CA):** Introduced Access to Cancer Therapies Act (H.R.1288) in the House of Representatives and worked to include the Special Demonstration Program in the MMA. These Representatives also worked to ensure that the program would cover breast cancer medications.
- **Representatives Pryce and Myrick** were also instrumental in the negotiations that resulted in the inclusion of the Access to Cancer Therapies Act in the MMA.

WHERE DO WE GO FROM HERE?

At the outset of the 109th Congress in February 2005, NBCC will set our new legislative priorities for the year.

In looking ahead to 2005, NBCC's priority will be to work with Members of Congress and other policy makers to develop legislation that guarantees access to quality health care for all. It will also be our goal to continue working with Members of Congress towards maintaining the highly successful Department of Defense Peer-Reviewed Breast Cancer Research Program and securing the meaningful involvement of consumers wherever important decisions about breast cancer are made.

NBCC will continue to be rigorous in holding Members accountable for their failure to support a substantive breast cancer agenda and we will also continue to acknowledge those Members who do support our agenda. As always, we remain committed to reporting Members' positions only on the priority issues NBCC believes are most likely to move us forward in ending this disease. We do not attempt to reflect everything that Members of Congress do towards this end, but we recognize the most significant actions taken on the most important legislation.

We remain grateful for the hard work that Members of Congress have done and continue to do. We welcome their efforts in joining us to eradicate breast cancer.

For more information, please refer to our Web site at www.stopbreastcancer.org or contact us directly at 1-800-622-2838.

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AK	Sen. Ted Stevens (R)					N/A	
AK	Sen. Lisa A. Murkowski (R)	✓	✓	✓	✓	N/A	
AK	Rep. Don Young (R-01)	✓	✓	✓			
AL	Sen. Richard C. Shelby (R)					N/A	
AL	Sen. Jeff Sessions (R)					N/A	
AL	Rep. Jo Bonner (R-01)						
AL	Rep. Terry Everett (R-02)						
AL	Rep. Michael D. Rogers (R-03)						
AL	Rep. Robert B. Aderholt (R-04)						
AL	Rep. Robert E. Cramer Jr. (D-05)						✓
AL	Rep. Spencer Bachus (R-06)	✓	✓	✓		✓	✓
AL	Rep. Artur Genestire Davis (D-07)	✓	✓	✓			
AR	Sen. Blanche Lincoln (D)	✓	✓		✓❄	N/A	✓
AR	Sen. Mark Pryor (D)	✓	✓	✓	✓❄	N/A	
AR	Rep. Marion Berry (D-01)					✓	
AR	Rep. Vic Snyder (D-02)	✓	✓			✓	✓
AR	Rep. John N. Boozman (R-03)						
AR	Rep. Mike Ross (D-04)					✓	✓
AS	Rep. Eni F. H. Faleomavaega (D-01)						
AZ	Sen. John McCain (R)				✓*❄❄	N/A	
AZ	Sen. Jon L. Kyl (R)					N/A	
AZ	Rep. Richard G. Renzi (R-01)						
AZ	Rep. Trent Franks (R-02)						✓
AZ	Rep. John B. Shadegg (R-03)						
AZ	Rep. Ed Pastor (D-04)	✓	✓		✓	✓	✓
AZ	Rep. J. D. Hayworth (R-05)	✓	✓	✓			✓
AZ	Rep. Jeff Flake (R-06)						
AZ	Rep. Raul M. Grijalva (D-07)	✓	✓	✓	✓	✓	✓
AZ	Rep. Jim Kolbe (R-08)					✓	✓
CA	Sen. Dianne Feinstein (D)	✓	✓		✓❄	N/A	✓
CA	Sen. Barbara Boxer (D)	✓	✓	✓	✓❄	N/A	

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CA	Rep. Mike Thompson (D-01)	✓	✓	✓	✓	✓	
CA	Rep. Wally Herger (R-02)						
CA	Rep. Doug Ose (R-03)	✓	✓	✓	✓		✓
CA	Rep. John T. Doolittle (R-04)						
CA	Rep. Robert T. Matsui (D-05)	✓	✓	✓	✓	✓	✓
CA	Rep. Lynn C. Woolsey (D-06)	✓	✓	✓	✓	✓	✓
CA	Rep. George Miller (D-07)	✓	✓		✓	✓	✓
CA	Rep. Nancy Pelosi (D-08)	✓	✓	✓		✓	
CA	Rep. Barbara Lee (D-09)		✓	✓	✓	✓	✓
CA	Rep. Ellen O. Tauscher (D-10)	✓	✓	✓	✓	✓	✓
CA	Rep. Richard W. Pombo (R-11)		✓				
CA	Rep. Tom Lantos (D-12)	✓	✓	✓	✓	✓	✓
CA	Rep. Fortney Pete Stark (D-13)	✓	✓	✓	✓	✓	
CA	Rep. Anna G. Eshoo (D-14)	✓	✓	✓	✓	✓	✓
CA	Rep. Michael M. Honda (D-15)	✓	✓	✓	✓	✓	
CA	Rep. Zoe Lofgren (D-16)	✓	✓		✓	✓	
CA	Rep. Sam Farr (D-17)		✓	✓	✓	✓	✓
CA	Rep. Dennis A. Cardoza (D-18)	✓	✓		✓	✓	
CA	Rep. George Radanovich (R-19)						
CA	Rep. Calvin M. Dooley (D-20)	✓	✓	✓			✓
CA	Rep. Devin Nunes (R-21)						
CA	Rep. William M. Thomas (R-22)	✓					
CA	Rep. Lois Capps (D-23)	✓	✓	✓	✓	✓	✓
CA	Rep. Elton Gallegly (R-24)					✓	
CA	Rep. Howard P. McKeon (R-25)						
CA	Rep. David Dreier (R-26)	✓					
CA	Rep. Brad Sherman (D-27)	✓	✓		✓	✓	
CA	Rep. Howard L. Berman (D-28)	✓	✓	✓	✓	✓	✓
CA	Rep. Adam B. Schiff (D-29)	✓	✓	✓	✓	✓	✓
CA	Rep. Henry A. Waxman (D-30)	✓	✓	✓	✓	✓	✓
CA	Rep. Xavier Becerra (D-31)	✓	✓		✓	✓	

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CA	Rep. Hilda L. Solis (D-32)	✓	✓	✓	✓	✓	
CA	Rep. Diane E. Watson (D-33)	✓	✓		✓	✓	
CA	Rep. Lucille Roybal-Allard (D-34)	✓	✓		✓	✓	✓
CA	Rep. Maxine Waters (D-35)	✓	✓	✓	✓	✓	
CA	Rep. Jane Harman (D-36)	✓	✓	✓	✓	✓	✓
CA	Rep. Juanita Millender-McDonald (D-37)	✓	✓	✓	✓	✓	
CA	Rep. Grace F. Napolitano (D-38)	✓	✓	✓		✓	
CA	Rep. Linda T. Sanchez (D-39)	✓	✓	✓	✓	✓	✓
CA	Rep. Edward R. Royce (R-40)						
CA	Rep. Jerry Lewis (R-41)						
CA	Rep. Gary G. Miller (R-42)		✓	✓			
CA	Rep. Joe Baca (D-43)	✓	✓	✓	✓		✓
CA	Rep. Ken Calvert (R-44)					✓	
CA	Rep. Mary Bono (R-45)				✓	✓	
CA	Rep. Dana Rohrabacher (R-46)						
CA	Rep. Loretta Sanchez (D-47)	✓	✓			✓	✓
CA	Rep. Christopher Cox (R-48)						
CA	Rep. Darrell E. Issa (R-49)						
CA	Rep. Randy Cunningham (R-50)						✓
CA	Rep. Bob Filner (D-51)	✓	✓	✓	✓	✓	✓
CA	Rep. Duncan Hunter (R-52)						
CA	Rep. Susan A. Davis (D-53)	✓	✓	✓	✓	✓	✓
CO	Sen. Ben Nighthorse Campbell (R)				✓*❄	N/A	✓
CO	Sen. Wayne A. Allard (R)					N/A	
CO	Rep. Diana DeGette (D-01)	✓	✓			✓	✓
CO	Rep. Mark Udall (D-02)	✓	✓	✓	✓	✓	✓
CO	Rep. Scott McInnis (R-03)	✓	✓	✓			
CO	Rep. Marilyn N. Musgrave (R-04)				✓		✓
CO	Rep. Joel Hefley (R-05)				✓	✓	✓
CO	Rep. Thomas G. Tancredo (R-06)						✓
CO	Rep. Bob Beauprez (R-07)	✓					✓
CT	Sen. Christopher J. Dodd (D)	✓	✓	✓	✓♦❄	N/A★	✓

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CT	Sen. Joseph I. Lieberman (D)	✓	✓	✓	✓✱	N/A	
CT	Rep. John B. Larson (D-01)	✓	✓	✓	✓	✓	✓
CT	Rep. Rob Simmons (R-02)	✓	✓	✓	✓	✓	✓
CT	Rep. Rosa L. DeLauro (D-03)	✓	✓		✓	✓	✓
CT	Rep. Christopher Shays (R-04)	✓	✓		✓	✓	✓
CT	Rep. Nancy L. Johnson (R-05)		✓				
DC	Rep. Eleanor Holmes Norton (D-01)	✓	✓		✓	✓	
DE	Sen. Joseph R. Biden Jr. (D)	✓	✓	✓	✓✱	N/A	
DE	Sen. Thomas R. Carper (D)	✓		✓	✓✱	N/A	✓
DE	Rep. Michael N. Castle (R-01)	✓	✓				✓
FL	Sen. Bob Graham (D)					N/A	
FL	Sen. Bill Nelson (D)	✓	✓	✓		N/A	✓
FL	Rep. Jefferson B. Miller (R-01)						
FL	Rep. Allen Boyd Jr. (D-02)					✓	
FL	Rep. Corrine Brown (D-03)	✓	✓		✓	✓	
FL	Rep. Ander Crenshaw (R-04)						
FL	Rep. Virginia Brown-Waite (R-05)			✓			
FL	Rep. Cliff Stearns (R-06)	✓	✓				✓
FL	Rep. John L. Mica (R-07)	✓	✓			✓	✓
FL	Rep. Ric Keller (R-08)						
FL	Rep. Michael Bilirakis (R-09)	✓	✓	✓			
FL	Rep. C. W. Young (R-10)						
FL	Rep. Jim Davis (D-11)	✓	✓	✓		✓	✓
FL	Rep. Adam H. Putnam (R-12)						
FL	Rep. Katherine Harris (R-13)	✓	✓				
FL	Rep. Porter J. Goss (R-14)						
FL	Rep. Dave Weldon (R-15)						✓
FL	Rep. Mark Foley (R-16)	✓			✓	✓	✓
FL	Rep. Kendrick B. Meek (D-17)	✓	✓				
FL	Rep. Ileana Ros-Lehtinen (R-18)	✓	✓	✓	✓	✓	✓
FL	Rep. Robert Wexler (D-19)	✓	✓		✓	✓	✓

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FL	Rep. Peter Deutsch (D-20)	✓	✓	✓	✓		
FL	Rep. Lincoln Diaz-Balart (R-21)	✓			✓		
FL	Rep. E. Clay Shaw Jr. (R-22)	✓	✓		✓		✓
FL	Rep. Alcee L. Hastings (D-23)				✓	✓	
FL	Rep. Tom Feeney (R-24)						
FL	Rep. Mario Diaz-Balart (R-25)	✓					
GA	Sen. Zell B. Miller (D)	✓	✓		✓	N/A	
GA	Sen. Saxby Chambliss (R)	✓			✓	N/A	
GA	Rep. Jack Kingston (R-01)						
GA	Rep. Sanford D. Bishop Jr. (D-02)		✓		✓	✓	
GA	Rep. James C Marshall (D-03)	✓	✓	✓		✓	
GA	Rep. Denise L. Majette (D-04)					✓	
GA	Rep. John Lewis (D-05)					✓	
GA	Rep. Johnny Isakson (R-06)	✓				✓	✓
GA	Rep. John Linder (R-07)						
GA	Rep. Mac Collins (R-08)						
GA	Rep. Charlie Norwood Jr. (R-09)	✓	✓		✓	✓	
GA	Rep. Nathan Deal (R-10)	✓					✓
GA	Rep. J. Phillip Gingrey MD (R-11)						
GA	Rep. Max Burns (R-12)	✓	✓	✓			
GA	Rep. David A. Scott (D-13)	✓	✓			✓	
GU	Rep. Madeleine Z. Bordallo (D-01)				✓	✓	
HI	Sen. Daniel K. Inouye (D)				✱	N/A	
HI	Sen. Daniel K. Akaka (D)	✓	✓	✓		N/A	
HI	Rep. Neil Abercrombie (D-01)	✓	✓		✓	✓	✓
HI	Rep. Ed Case (D-02)	✓	✓			✓	✓
IA	Sen. Charles E. Grassley (R)	✓	✓		✓*	N/A	
IA	Sen. Tom Harkin (D)	✓	✓	✓	✓♦✱	N/A	✓
IA	Rep. Jim Nussle (R-01)	✓	✓		✓		
IA	Rep. James A. Leach (R-02)	✓	✓	✓	✓	✓	✓
IA	Rep. Leonard L. Boswell (D-03)	✓	✓	✓	✓	✓	

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IA	Rep. Tom Latham (R-04)		✓	✓	✓	✓	✓
IA	Rep. Steven A. King (R-05)	✓	✓	✓	✓		
ID	Sen. Larry Craig (R)					N/A	✓
ID	Sen. Michael D. Crapo (R)					N/A	
ID	Rep. C. L. Otter (R-01)						
ID	Rep. Michael K. Simpson (R-02)						
IL	Sen. Richard J. Durbin (D)	✓	✓	✓		N/A	✓
IL	Sen. Peter G. Fitzgerald (R)	✓	✓	✓	✓*✱	N/A	✓
IL	Rep. Bobby L. Rush (D-01)	✓	✓		✓	✓	
IL	Rep. Jesse L. Jackson Jr. (D-02)	✓		✓	✓	✓	
IL	Rep. William O. Lipinski (D-03)	✓	✓	✓	✓	✓	✓
IL	Rep. Luis V. Gutierrez (D-04)	✓	✓	✓	✓	✓	✓
IL	Rep. Rahm I. Emanuel (D-05)	✓	✓		✓	✓	✓
IL	Rep. Henry J. Hyde (R-06)					✓	✓
IL	Rep. Danny K. Davis (D-07)	✓	✓	✓	✓	✓	✓
IL	Rep. Philip M. Crane (R-08)	✓					
IL	Rep. Janice D. Schakowsky (D-09)	✓	✓	✓	✓	✓	✓
IL	Rep. Mark Steven Kirk (R-10)	✓			✓	✓	✓
IL	Rep. Jerry Weller (R-11)	✓					
IL	Rep. Jerry F. Costello (D-12)	✓	✓		✓	✓	✓
IL	Rep. Judy Biggert (R-13)	✓	✓	✓	✓	✓	✓
IL	Rep. J. Dennis Hastert (R-14)						
IL	Rep. Timothy V. Johnson (R-15)	✓	✓				✓
IL	Rep. Donald A. Manzullo (R-16)	✓	✓	✓	✓		✓
IL	Rep. Lane Evans (D-17)	✓	✓		✓	✓	✓
IL	Rep. Ray LaHood (R-18)				✓	✓	✓
IL	Rep. John Shimkus (R-19)	✓					✓
IN	Sen. Richard G. Lugar (R)	✓	✓			N/A	
IN	Sen. B. Evan Bayh (D)	✓	✓	✓	✓✱	N/A	✓
IN	Rep. Peter J. Visclosky (D-01)					✓	✓
IN	Rep. Joseph C. Chocoma (R-02)						

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IN	Rep. Mark E. Souder (R-03)						✓
IN	Rep. Steve Buyer (R-04)						
IN	Rep. Dan Burton (R-05)	✓	✓	✓	✓	✓	✓
IN	Rep. Mike Pence (R-06)	✓	✓		✓		✓
IN	Rep. Julia Carson (D-07)	✓	✓		✓	✓	
IN	Rep. John N. Hostettler (R-08)						✓
IN	Rep. Baron P. Hill (D-09)						
KS	Sen. Sam Brownback (R)					N/A	✓
KS	Sen. Pat Roberts (R)					N/A	✓
KS	Rep. Jerry Moran (R-01)						✓
KS	Rep. Jim Ryun (R-02)					✓	✓
KS	Rep. Dennis Moore (D-03)	✓		✓		✓	✓
KS	Rep. Todd Tiahrt (R-04)						✓
KY	Sen. Mitch McConnell (R)	✓	✓			N/A	
KY	Sen. Jim Bunning (R)	✓	✓			N/A	
KY	Rep. Ed Whitfield (R-01)	✓					
KY	Rep. Ron Lewis (R-02)	✓					
KY	Rep. Anne M. Northup (R-03)				✓	✓	
KY	Rep. Ken Lucas (D-04)	✓	✓		✓	✓	✓
KY	Rep. Harold Rogers (R-05)						
KY	Rep. Albert Benjamin Chandler III (D-06)			✓	✓		
LA	Sen. John B. Breaux (D)	✓	✓	✓		N/A	
LA	Sen. Mary L. Landrieu (D)		✓		✓*	N/A	✓
LA	Rep. David Vitter (R-01)				✓	✓	✓
LA	Rep. William J. Jefferson (D-02)	✓	✓	✓	✓	✓	✓
LA	Rep. W. J. Tauzin (R-03)						
LA	Rep. Jim McCrery (R-04)						
LA	Rep. Rodney Alexander (R-05)						
LA	Rep. Richard H. Baker (R-06)		✓		✓	✓	✓
LA	Rep. Christopher John (D-07)	✓	✓	✓			✓
MA	Sen. Edward M. Kennedy (D)	✓	✓	✓	✓♦*	N/A	

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MA	Sen. John F. Kerry (D)	✓	✓	✓	✓☼	N/A★	✓
MA	Rep. John W. Olver (D-01)	✓	✓	✓	✓	✓	
MA	Rep. Richard E. Neal (D-02)	✓	✓	✓	✓	✓	
MA	Rep. James P. McGovern (D-03)	✓	✓	✓	✓	✓	✓
MA	Rep. Barney Frank (D-04)	✓	✓	✓	✓	✓	
MA	Rep. Martin T. Meehan (D-05)	✓	✓	✓	✓	✓	✓
MA	Rep. John F. Tierney (D-06)	✓	✓	✓	✓	✓	✓
MA	Rep. Edward J. Markey (D-07)	✓	✓	✓	✓	✓	✓
MA	Rep. Michael E. Capuano (D-08)	✓	✓	✓	✓	✓	
MA	Rep. Stephen F. Lynch (D-09)	✓	✓	✓	✓	✓	✓
MA	Rep. William D. Delahunt (D-10)	✓	✓	✓	✓	✓	
MD	Sen. Paul S. Sarbanes (D)	✓	✓	✓	✓☼	N/A	✓
MD	Sen. Barbara A. Mikulski (D)	✓	✓	✓	✓◆☼	N/A	✓
MD	Rep. Wayne T. Gilchrest (R-01)	✓				✓	
MD	Rep. C.A. Ruppersberger (D-02)	✓	✓	✓	✓	✓	✓
MD	Rep. Benjamin L. Cardin (D-03)	✓	✓		✓	✓	
MD	Rep. Albert Russell Wynn (D-04)	✓	✓	✓	✓	✓	✓
MD	Rep. Steny H. Hoyer (D-05)					✓	
MD	Rep. Roscoe G. Bartlett (R-06)						
MD	Rep. Elijah E. Cummings (D-07)	✓	✓	✓	✓	✓	✓
MD	Rep. Christopher Van Hollen Jr. (D-08)	✓	✓	✓	✓	✓	✓
ME	Sen. Olympia J. Snowe (R)	✓	✓	✓	✓*	N/A	✓
ME	Sen. Susan M. Collins (R)	✓	✓	✓	✓*☼	N/A	✓
ME	Rep. Thomas H. Allen (D-01)	✓	✓	✓	✓	✓	✓
ME	Rep. Michael H Michaud (D-02)	✓	✓	✓	✓	✓	✓
MI	Sen. Carl Levin (D)	✓	✓	✓	✓☼	N/A	
MI	Sen. Debbie Stabenow (D)	✓	✓	✓	✓☼	N/A	
MI	Rep. Bart Stupak (D-01)	✓	✓			✓	
MI	Rep. Peter Hoekstra (R-02)						
MI	Rep. Vernon J. Ehlers (R-03)						
MI	Rep. Dave Camp (R-04)	✓			✓		
MI	Rep. Dale E. Kildee (D-05)	✓	✓		✓	✓	✓

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MI	Rep. Fred Upton (R-06)	✓	✓	✓	✓		
MI	Rep. Nick Smith (R-07)						✓
MI	Rep. Mike Rogers (R-08)						✓
MI	Rep. Joe Knollenberg (R-09)						✓
MI	Rep. Candice S. Miller (R-10)						
MI	Rep. Thaddeus G McCotter (R-11)						
MI	Rep. Sander M. Levin (D-12)	✓	✓			✓	
MI	Rep. Carolyn C. Kilpatrick (D-13)			✓		✓	✓
MI	Rep. John Conyers Jr. (D-14)					✓	
MI	Rep. John D. Dingell (D-15)	✓	✓		✓	✓	✓
MN	Sen. Mark Dayton (D)	✓	✓	✓	✓*	N/A	
MN	Sen. Norm Coleman (R)	✓	✓		✓	N/A	
MN	Rep. Gil Gutknecht Jr. (R-01)	✓					
MN	Rep. John Paul Kline Jr. (R-02)	✓					
MN	Rep. Jim Ramstad (R-03)	✓	✓	✓	✓		
MN	Rep. Betty McCollum (D-04)	✓	✓	✓	✓	✓	✓
MN	Rep. Martin Olav Sabo (D-05)				✓	✓	
MN	Rep. Mark R. Kennedy (R-06)	✓					
MN	Rep. Collin C. Peterson (D-07)	✓	✓	✓	✓	✓	✓
MN	Rep. James L. Oberstar (D-08)	✓	✓	✓	✓	✓	✓
MO	Sen. Christopher S. Bond (R)	✓	✓			N/A	
MO	Sen. Jim Talent (R)	✓	✓	✓	✓	N/A	✓
MO	Rep. William Lacy Clay Jr. (D-01)	✓	✓	✓	✓	✓	
MO	Rep. W. Todd Akin (R-02)						
MO	Rep. Richard A. Gephardt (D-03)	✓	✓	✓		✓	
MO	Rep. Ike Skelton (D-04)					✓	
MO	Rep. Karen McCarthy (D-05)	✓	✓	✓		✓	✓
MO	Rep. Sam Graves (R-06)			✓			
MO	Rep. Roy Blunt (R-07)						
MO	Rep. Jo Ann Emerson (R-08)						
MO	Rep. Kenny C. Hulshof (R-09)						

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MS	Sen. Thad Cochran (R)				✓	N/A	
MS	Sen. Trent Lott (R)					N/A	
MS	Rep. Roger F. Wicker (R-01)		✓		✓	✓	✓
MS	Rep. Bennie G. Thompson (D-02)	✓	✓			✓	
MS	Rep. Charles W. Pickering Jr. (R-03)	✓					
MS	Rep. Gene Taylor (D-04)					✓	
MT	Sen. Max Baucus (D)				✓*	N/A	
MT	Sen. Conrad Burns (R)					N/A	
MT	Rep. Dennis R. Rehberg (R-01)						
NC	Sen. John R. Edwards (D)	✓	✓	✓	✓*	N/A	
NC	Sen. Elizabeth Dole (R)	✓	✓	✓		N/A	
NC	Rep. Frank Ballance (D-01)(retired 2004)	✓	✓		✓		
NC	Rep.G.K. Butterfield (D-01)(term started 2004)						
NC	Rep. Bob Etheridge (D-02)	✓				✓	✓
NC	Rep. Walter B. Jones Jr. (R-03)	✓					✓
NC	Rep. David E. Price (D-04)	✓	✓			✓	✓
NC	Rep. Richard Burr (R-05)						
NC	Rep. Howard Coble (R-06)	✓	✓				
NC	Rep. Mike McIntyre (D-07)	✓	✓		✓	✓	✓
NC	Rep. Robin Hayes (R-08)						
NC	Rep. Sue Wilkins Myrick (R-09)	✓			✓		✓
NC	Rep. Cass Ballenger (R-10)				✓		
NC	Rep. Charles H. Taylor (R-11)						
NC	Rep. Melvin L. Watt (D-12)	✓	✓		✓	✓	✓
NC	Rep. Ralph B. Miller (D-13)	✓	✓		✓	✓	✓
ND	Sen. Kent Conrad (D)				✓*	N/A	
ND	Sen. Byron L. Dorgan (D)				✓	N/A	✓
ND	Rep. Earl Pomeroy (D-01)				✓	✓	✓
NE	Sen. Chuck Hagel (R)	✓	✓	✓	✓*	N/A	
NE	Sen. E. Benjamin Nelson (D)	✓	✓	✓	✓*	N/A	✓
NE	Rep. Doug Bereuter (R-01) (retired 2004)				✓		

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NE	Rep. Lee Terry (R-02)	✓	✓	✓	✓		✓
NE	Rep. Tom Osborne (R-03)	✓	✓	✓	✓		
NH	Sen. Judd Gregg (R)	✓	✓			N/A	
NH	Sen. John E. Sununu (R)	✓	✓		✓✱	N/A	
NH	Rep. Joseph E Bradley III (R-01)	✓	✓	✓	✓	✓	✓
NH	Rep. Charles F. Bass (R-02)	✓	✓	✓	✓	✓	✓
NJ	Sen. Frank Lautenberg (D)	✓	✓	✓	✓✱	N/A	✓
NJ	Sen. Jon S. Corzine (D)	✓	✓	✓	✓✱	N/A★	✓
NJ	Rep. Robert E. Andrews (D-01)	✓	✓		✓	✓	✓
NJ	Rep. Frank A. LoBiondo (R-02)	✓	✓	✓	✓	✓	✓
NJ	Rep. Jim Saxton (R-03)	✓	✓		✓	✓	✓
NJ	Rep. Christopher H. Smith (R-04)		✓	✓			✓
NJ	Rep. E. Scott Garrett (R-05)		✓		✓		✓
NJ	Rep. Frank Pallone Jr. (D-06)	✓	✓	✓	✓	✓	✓
NJ	Rep. Mike Ferguson (R-07)		✓				
NJ	Rep. Bill Pascrell Jr. (D-08)	✓	✓	✓	✓	✓	✓
NJ	Rep. Steven R. Rothman (D-09)	✓			✓	✓	
NJ	Rep. Donald M. Payne (D-10)	✓	✓	✓	✓	✓	✓
NJ	Rep. Rodney P. Frelinghuysen (R-11)					✓	✓
NJ	Rep. Rush D. Holt (D-12)	✓	✓	✓	✓	✓	✓
NJ	Rep. Robert Menendez (D-13)			✓	✓	✓	✓
NM	Sen. Pete V. Domenici (R)		✓			N/A	
NM	Sen. Jeff Bingaman (D)	✓	✓	✓	✓✱	N/A	
NM	Rep. Heather Wilson (R-01)		✓	✓	✓		
NM	Rep. Stevan Pearce (R-02)						
NM	Rep. Tom Udall (D-03)	✓	✓		✓	✓	✓
NV	Sen. Harry Reid (D)	✓	✓	✓	✓+✱	N/A	
NV	Sen. John Ensign (R)	✓	✓			N/A	
NV	Rep. Shelley Berkley (D-01)	✓	✓	✓	✓	✓	✓
NV	Rep. Jim Gibbons (R-02)	✓				✓	
NV	Rep. Jon C. Porter Sr. (R-03)	✓	✓				

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NY	Sen. Charles E. Schumer (D)	✓	✓	✓	✓❄	N/A★	✓
NY	Sen. Hillary Rodham Clinton (D)	✓	✓	✓	✓◆❄	N/A★	✓
NY	Rep. Timothy H. Bishop (D-01)	✓	✓	✓	✓	✓	✓
NY	Rep. Steve Israel (D-02)	✓	✓	✓	✓	✓	✓
NY	Rep. Peter T. King (R-03)	✓	✓	✓	✓	✓	✓
NY	Rep. Carolyn McCarthy (D-04)	✓	✓	✓	✓	✓	✓
NY	Rep. Gary L. Ackerman (D-05)	✓	✓	✓	✓	✓	✓
NY	Rep. Gregory W. Meeks (D-06)		✓		✓	✓	
NY	Rep. Joseph Crowley (D-07)	✓	✓	✓	✓	✓	✓
NY	Rep. Jerrold Nadler (D-08)	✓	✓		✓	✓	✓
NY	Rep. Anthony D. Weiner (D-09)	✓	✓		✓	✓	
NY	Rep. Edolphus Towns (D-10)		✓	✓			
NY	Rep. Major R. Owens (D-11)	✓	✓	✓	✓	✓	✓
NY	Rep. Nydia M. Velazquez (D-12)	✓	✓		✓	✓	✓
NY	Rep. Vito Fossella (R-13)	✓	✓	✓			
NY	Rep. Carolyn B. Maloney (D-14)	✓	✓	✓	✓	✓	✓
NY	Rep. Charles B. Rangel (D-15)	✓	✓		✓	✓	✓
NY	Rep. Jose E. Serrano (D-16)	✓	✓		✓	✓	✓
NY	Rep. Eliot L. Engel (D-17)	✓	✓	✓	✓	✓	✓
NY	Rep. Nita M. Lowey (D-18)	✓	✓	✓	✓	✓	✓
NY	Rep. Sue W. Kelly (R-19)	✓	✓		✓	✓	✓
NY	Rep. John E. Sweeney (R-20)	✓	✓		✓	✓	✓
NY	Rep. Michael R. McNulty (D-21)	✓	✓		✓	✓	✓
NY	Rep. Maurice D. Hinchey (D-22)	✓	✓	✓	✓	✓	✓
NY	Rep. John M. McHugh (R-23)				✓	✓	✓
NY	Rep. Sherwood L. Boehlert (R-24)	✓	✓	✓	✓		✓
NY	Rep. James T. Walsh (R-25)	✓	✓	✓	✓	✓	✓
NY	Rep. Thomas M. Reynolds (R-26)	✓	✓	✓	✓		✓
NY	Rep. Jack Quinn (R-27)	✓	✓		✓	✓	✓
NY	Rep. Louise McIntosh Slaughter (D-28)	✓	✓	✓		✓	✓
NY	Rep. Amo Houghton (R-29)	✓			✓		✓

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OH	Sen. Mike DeWine (R)	✓	✓		✓✱	N/A	
OH	Sen. George V. Voinovich (R)				✓*	N/A	
OH	Rep. Steve Chabot (R-01)	✓	✓				
OH	Rep. Rob Portman (R-02)	✓	✓	✓			✓
OH	Rep. Michael R. Turner (R-03)						
OH	Rep. Michael G. Oxley (R-04)						
OH	Rep. Paul E. Gillmor (R-05)					✓	
OH	Rep. Ted Strickland (D-06)	✓	✓	✓	✓	✓	✓
OH	Rep. David L. Hobson (R-07)						✓
OH	Rep. John A. Boehner (R-08)						
OH	Rep. Marcy Kaptur (D-09)	✓	✓		✓	✓	✓
OH	Rep. Dennis J. Kucinich (D-10)	✓	✓	✓	✓	✓	✓
OH	Rep. Stephanie Tubbs Jones (D-11)	✓		✓		✓	✓
OH	Rep. Patrick J. Tiberi (R-12)	✓	✓				✓
OH	Rep. Sherrod Brown (D-13)	✓	✓	✓	✓	✓	✓
OH	Rep. Steven C. LaTourette (R-14)					✓	✓
OH	Rep. Deborah Pryce (R-15)						✓
OH	Rep. Ralph Regula (R-16)					✓	
OH	Rep. Timothy J. Ryan (D-17)	✓	✓	✓	✓	✓	
OH	Rep. Robert W. Ney (R-18)					✓	
OK	Sen. Don Nickles (R)					N/A	
OK	Sen. James M. Inhofe (R)					N/A	
OK	Rep. John A. Sullivan (R-01)						✓
OK	Rep. Brad Carson (D-02)	✓	✓			✓	✓
OK	Rep. Frank D. Lucas (R-03)						✓
OK	Rep. Tom Cole (R-04)						
OK	Rep. Ernest J. Istook Jr. (R-05)						
OR	Sen. Ron Wyden (D)	✓	✓	✓	✓✱	N/A	
OR	Sen. Gordon H. Smith (R)	✓	✓		✓✱	N/A	✓
OR	Rep. David Wu (D-01)				✓	✓	
OR	Rep. Greg Walden (R-02)						

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OR	Rep. Earl Blumenauer (D-03)					✓	
OR	Rep. Peter A. DeFazio (D-04)	✓	✓	✓		✓	
OR	Rep. Darlene Hooley (D-05)				✓	✓	✓
PA	Sen. Arlen Specter (R)	✓	✓	✓	✓*✱	N/A	
PA	Sen. Richard J. Santorum (R)					N/A	
PA	Rep. Robert A. Brady (D-01)	✓	✓		✓	✓	
PA	Rep. Chaka Fattah (D-02)	✓			✓	✓	
PA	Rep. Phil English (R-03)	✓	✓				
PA	Rep. Melissa A. Hart (R-04)	✓	✓				
PA	Rep. John E. Peterson (R-05)						
PA	Rep. Jim Gerlach (R-06)						
PA	Rep. Curt Weldon (R-07)					✓	
PA	Rep. James C. Greenwood (R-08)	✓			✓	✓	✓
PA	Rep. William Shuster (R-09)						✓
PA	Rep. Don Sherwood (R-10)						
PA	Rep. Paul E. Kanjorski (D-11)					✓	
PA	Rep. John P. Murtha (D-12)				✓	✓	✓
PA	Rep. Joseph M. Hoeffel III (D-13)	✓	✓		✓	✓	✓
PA	Rep. Michael F. Doyle Jr. (D-14)	✓			✓	✓	
PA	Rep. Patrick J. Toomey (R-15)						
PA	Rep. Joseph R. Pitts (R-16)						
PA	Rep. Tim Holden (D-17)	✓	✓	✓	✓	✓	✓
PA	Rep. Timothy F. Murphy (R-18)	✓					
PA	Rep. Todd Russell Platts (R-19)	✓	✓	✓	✓	✓	✓
PR	Rep. Anibal Acevedo-Vila (D-01)		✓	✓		✓	
RI	Sen. John F. Reed (D)	✓	✓	✓	✓◆✱	N/A	
RI	Sen. Lincoln D. Chafee (R)	✓	✓	✓	✓*◆✱	N/A	✓
RI	Rep. Patrick J. Kennedy (D-01)	✓	✓	✓	✓	✓	✓
RI	Rep. James R. Langevin (D-02)	✓	✓		✓	✓	✓
SC	Sen. Ernest F. Hollings (D)					N/A	✓
SC	Sen. Lindsey O. Graham (R)				✓*◆	N/A	

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SC	Rep. Henry E. Brown Jr. (R-01)						
SC	Rep. Addison Graves Wilson (R-02)				✓	✓	✓
SC	Rep. J. Gresham Barrett (R-03)						
SC	Rep. Jim DeMint (R-04)						
SC	Rep. John M. Spratt Jr. (D-05)				✓	✓	
SC	Rep. James E. Clyburn (D-06)	✓			✓	✓	✓
SD	Sen. Thomas A. Daschle (D)	✓	✓	✓	✓+	N/A	
SD	Sen. Tim P. Johnson (D)	✓	✓	✓	✓*	N/A	
SD	Rep. Stephanie Herseth (D-01) (term started 2004)			✓	✓	✓	
TN	Sen. Bill Frist MD (R)					N/A	
TN	Sen. Lamar Alexander (R)	✓	✓	✓		N/A	
TN	Rep. William L. Jenkins (R-01)	✓	✓	✓	✓		✓
TN	Rep. John J. Duncan Jr. (R-02)	✓	✓			✓	✓
TN	Rep. Zach Wamp (R-03)	✓	✓			✓	✓
TN	Rep. Lincoln Davis (D-04)	✓	✓				✓
TN	Rep. James Cooper (D-05)	✓	✓	✓	✓	✓	✓
TN	Rep. Bart Gordon (D-06)	✓	✓		✓	✓	✓
TN	Rep. Marsha W. Blackburn (R-07)	✓	✓				
TN	Rep. John S. Tanner (D-08)	✓	✓	✓	✓		✓
TN	Rep. Harold E. Ford Jr. (D-09)	✓	✓	✓		✓	✓
TX	Sen. Kay Bailey Hutchison (R)					N/A	
TX	Sen. John Cornyn (R)					N/A	
TX	Rep. Max Sandlin (D-01)	✓	✓	✓		✓	
TX	Rep. Jim Turner (D-02)	✓	✓	✓		✓	✓
TX	Rep. Sam Johnson (R-03)						
TX	Rep. Ralph M. Hall (R-04)						
TX	Rep. Thomas J. Hensarling (R-05)						
TX	Rep. Joe Barton (R-06)	✓	✓				
TX	Rep. John Abney Culberson (R-07)						
TX	Rep. Kevin Brady (R-08)						
TX	Rep. Nick Lampson (D-09)					✓	

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TX	Rep. Lloyd Doggett (D-10)		✓			✓	
TX	Rep. Chet Edwards (D-11)					✓	
TX	Rep. Kay Granger (R-12)					✓	
TX	Rep. Mac Thornberry (R-13)						
TX	Rep. Ron Paul (R-14)	✓	✓	✓			✓
TX	Rep. Ruben Hinojosa (D-15)	✓	✓	✓	✓	✓	
TX	Rep. Silvestre Reyes (D-16)				✓	✓	
TX	Rep. Charles W. Stenholm (D-17)						✓
TX	Rep. Sheila Jackson-Lee (D-18)	✓	✓	✓	✓	✓	
TX	Rep. Robert Neugebauer (R-19)						
TX	Rep. Charles A. Gonzalez (D-20)	✓	✓	✓	✓	✓	✓
TX	Rep. Lamar S. Smith (R-21)	✓	✓				
TX	Rep. Tom DeLay (R-22)						
TX	Rep. Henry Bonilla (R-23)	✓	✓		✓		✓
TX	Rep. Martin Frost (D-24)	✓	✓	✓	✓	✓	✓
TX	Rep. R. Christopher Bell (D-25)			✓	✓	✓	
TX	Rep. Michael C. Burgess (R-26)						✓
TX	Rep. Solomon P. Ortiz (D-27)	✓	✓	✓		✓	
TX	Rep. Ciro D. Rodriguez (D-28)	✓	✓	✓	✓	✓	✓
TX	Rep. Gene Green (D-29)	✓	✓	✓	✓	✓	✓
TX	Rep. Eddie Bernice Johnson (D-30)					✓	
TX	Rep. John R. Carter (R-31)						
TX	Rep. Pete Sessions (R-32)						✓
UT	Sen. Orrin G. Hatch (R)	✓	✓		✓*✦	N/A	
UT	Sen. Robert F. Bennett (R)					N/A	
UT	Rep. Robert W. Bishop (R-01)						
UT	Rep. Jim Matheson (D-02)	✓	✓	✓	✓	✓	✓
UT	Rep. Chris Cannon (R-03)						
VA	Sen. John William Warner (R)	✓	✓		✓*✦	N/A	✓
VA	Sen. George F. Allen (R)	✓	✓	✓	✓*✦	N/A	✓
VA	Rep. Jo Ann Davis (R-01)	✓	✓		✓	✓	✓

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✦ = Signed HELP Committee letter to Senator Gregg
+ = Sent letter to Democrats asking them to cosponsor
★ = Made statement on Senate floor about enforcement
✧ = Signed letter to Senator Frist

State	Member Name	DOD Letter FY04	DOD Letter FY05	DOD Letter to the Conferees FY05	Breast Cancer and Environmental Research Act S.983/H.R.1746	Genetic Non-discrimination Act H.R. 1910	Access to Cancer Therapies Act S.1037/H.R. 1288
VA	Rep. Edward L. Schrock (R-02)						✓
VA	Rep. Robert C. Scott (D-03)	✓	✓		✓		
VA	Rep. James Randy Forbes (R-04)	✓	✓	✓			✓
VA	Rep. Virgil H. Goode Jr. (R-05)				✓		✓
VA	Rep. Bob Goodlatte (R-06)						✓
VA	Rep. Eric Cantor (R-07)	✓	✓	✓			
VA	Rep. James P. Moran (D-08)	✓	✓		✓	✓	✓
VA	Rep. Rick Boucher (D-09)	✓	✓				
VA	Rep. Frank R. Wolf (R-10)	✓	✓	✓	✓	✓	✓
VA	Rep. Thomas M. Davis (R-11)	✓	✓	✓			✓
VI	Rep. Donna Christensen MD (D-01)		✓			✓	✓
VT	Sen. Patrick J. Leahy (D)	✓	✓	✓	✓✱	N/A	
VT	Sen. James M. Jeffords (I)	✓	✓		✓◆✱	N/A	✓
VT	Rep. Bernard Sanders (I-01)		✓		✓	✓	✓
WA	Sen. Patty Murray (D)	✓	✓	✓	✓◆✱	N/A	
WA	Sen. Maria Cantwell (D)	✓	✓	✓	✓✱	N/A	✓
WA	Rep. Jay Inslee (D-01)	✓	✓	✓	✓	✓	✓
WA	Rep. Rick Larsen (D-02)	✓	✓	✓	✓	✓	✓
WA	Rep. Brian Baird (D-03)					✓	
WA	Rep. Doc Hastings (R-04)						
WA	Rep. George R. Nethercutt Jr. (R-05)						✓
WA	Rep. Norman D. Dicks (D-06)				✓	✓	✓
WA	Rep. Jim McDermott (D-07)	✓	✓		✓	✓	✓
WA	Rep. Jennifer Dunn (R-08)				✓		
WA	Rep. Adam Smith (D-09)				✓	✓	
WI	Sen. Herbert H. Kohl (D)	✓	✓	✓	✓✱	N/A	
WI	Sen. Russ Feingold (D)	✓	✓	✓	✓✱	N/A	
WI	Rep. Paul Ryan (R-01)	✓			✓		✓
WI	Rep. Tammy Baldwin (D-02)	✓	✓	✓	✓	✓	✓
WI	Rep. Ron Kind (D-03)	✓	✓	✓	✓	✓	✓
WI	Rep. Gerald D. Kleczka (D-04)	✓	✓	✓		✓	
WI	Rep. F. James Sensenbrenner Jr. (R-05)				✓		

Legend
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