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Senators Add the Ornaments and Trimmings

By [KATHARINE Q. SEELYE](#)

The term "Christmas tree" has its own special meaning on Capitol Hill. It usually refers to a bill that has been decorated with "ornaments," loaded up with special goodies for the folks back home.

But with the Senate health legislation, the term is particularly apt, as the majority leader, [Harry Reid](#), aims to have a vote by Christmas Eve on a bill festooned with decorations.

They include these:

The "Louisiana Purchase," as it is being called, a [provision](#) for Senator [Mary L. Landrieu](#), Democrat of Louisiana, who obtained an extra \$300 million in [Medicaid](#) funds for her state.

The Hawaii exemption, a [measure](#) that allows the state to keep its own health care system.

A break on the excise tax on so-called Cadillac [health insurance](#) plans for people in the 17 states where premiums are the highest. (The [measure](#) was initially intended to apply to the 10 states with the highest premiums, a Senate aide said, but some other senators wanted in and the number was bumped to 17.)

An increase in federal money to cover a Medicaid expansion in Nebraska, home to Senator Ben Nelson, a Democrat. Massachusetts and Vermont also won more money to expand Medicaid, but at much lower levels.

While Mr. Nelson held up the bill for an anti-[abortion](#) provision, he won various other items for his state, including an exemption from the insurance tax for Mutual of Omaha. But the abortion language to which he agreed infuriated some abortion opponents when it was made public on Saturday, threatening the entire bill all over again.

Supporters of the bill say these sugar plums are a small price to pay for the votes to pass landmark legislation that will result in most Americans having health insurance, many with subsidies, and will end some of the insurance industry's most discriminatory practices.

Lavish Lobbying

But these ornaments are mere baubles compared with some of the neon measures that some lawmakers and lobbyists have fought to keep out of the bill.

Most prominent was the demand by Senator [Joseph I. Lieberman](#), independent of Connecticut, that leaders drop two provisions that the insurance industry and big business had been lobbying vociferously against.

One, of course, was a [government-run insurance plan](#), or public option, which would have competed with private insurance companies. The other was an expansion of [Medicare](#) to include some people ages 55 to 64, a change

[hospitals](#) and doctors fought because it would have meant taking care of more patients at lower Medicare rates.

Insurers also beat back an attempt to strip the industry of a partial antitrust exemption that it has long enjoyed.

To achieve these goals, the lobbying campaign has been lavish, even by Capitol Hill's inflated standards.

Spending totals for the year will not be known until mid-January. But in the first nine months, health care lobbyists spent at least \$396 million, according to the Center for Responsive Politics, which tracks the [influence](#) of money on elections and policy.

Because the lobbying intensified in the fourth quarter as both the House and Senate prepared their final bills, the year-end total is likely to shatter the previous record for money spent on a single issue in a single year.

Perhaps not surprisingly, that record was set just last year, when health care lobbyists spent \$486 million in anticipation of the legislative action this year.

"If spending this quarter remains on pace with the first three quarters — just on pace — lobbying in the health care sector will obliterate the high-water mark that it set last year," said Dave Levinthal, a spokesman for the center.

But even those figures do not give the full picture of the cash funneled into lobbying on health care in 2009.

For example, the center's health care figures do not include lobbying by the insurance industry. Mr. Levinthal said the center could not isolate the amount the industry spent only on health insurance, as opposed to other forms of insurance.

Nor do the figures include spending by groups like the United States Chamber of Commerce, which has multiple issues pending before Congress but led the effort to kill the public option.

And they do not include the \$170 million that all sides have spent so far this year on television advertising.

Some of the lobbying, especially in the early days, was done on behalf of remaking the health care system. But over all, more has been spent against it. Because Democrats control both houses, they have received more money than Republicans.

Corporate Glee

The insurance companies were probably among the merriest of industries last week. Because the legislation mandates that everyone buy insurance, those companies stand to gain 30 million new customers — and there will be no government plan to compete with.

But the drug companies were certainly joyful, too. So far, they have kept intact a deal with the White House to bar the importation of cheaper drugs from Canada and elsewhere. In exchange, they agreed to give up \$80 billion over 10 years through discounts and rebates.

Some Senators fought the pharmaceutical deal, noting that \$80 billion represents only about 2 percent of the \$3.6 trillion that Americans are expected to spend on drugs in the next 10 years. But the Senate effectively voted last week to keep the drug pact in place.

The pharmaceutical industry has spent more money by far than any other on lobbying in the first nine months of the year, laying out \$199 million. That is also the single highest figure that any industry has ever spent on lobbying

in a nine-month period, according to the Center for Responsive Politics.

Citizens who do not normally pay attention to Congressional gift exchanges may have been galled at the process, particularly with the health care of the nation's citizens and one-sixth of its economy at stake.

But they will see more maneuvering in the weeks ahead, as lobbyists seek to ensure that the measures they kept out of the Senate bill will also be excluded from the final bill that the Senate produces in conference with the House.

On Capitol Hill, decorating the Christmas tree is always in season.

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