



The Daily Whip

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WEDNESDAY, JULY 14, 2004

House Meets At...	Last Vote Predicted At...
10:00 a.m.: Legislative Business Ten "One Minutes" Per Side	5:00 – 6:00 p.m.

**** DEMOCRATS ARE URGED TO SIGN THE FROST DISCHARGE PETITION (No.9) AVAILABLE TODAY TO DISCHARGE A BILL THAT WOULD REQUIRE THE SECRETARY OF HEALTH AND HUMAN SERVICES TO NEGOTIATE DRUG PRICES UNDER MEDICARE AND REQUIRES HHS TO OFFER A NATIONWIDE PLAN UNDER MEDICARE.**

FLOOR SCHEDULE AND BILL SUMMARY

H.Res. 712 – Rule providing for consideration of H.R. 4759 - United States-Australia Free Trade Agreement Implementation Act (Rep. Dreier/Rules). The Rules Committee has recommended a closed rule that provides two hours of debate and waives all points of order against consideration of the bill. The Rule provides that during consideration of the bill, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker.

Suspensions (4 bills):

- 1) **H.R. 3463** - SUTA Dumping Prevention Act of 2003 (*Rep. Herger - Ways & Means*)
- 2) **H.Res. 705** - Urging the President to resolve the disparate treatment of direct and indirect taxes presently provided by the World Trade Organization (*Rep. English - Ways & Means*)
- 3) **H.R. 4418** - Customs Border Security Act of 2004 (*Rep. Crane / Ways and Means / Judiciary*)
- 4) **H.Res. 576** - Urging the Government of the People's Republic of China to improve its protection of intellectual property rights (*Rep. Watson - International Relations*)

H.R. 4759 - United States-Australia Free Trade Implementation Act (Rep. DeLay - Ways & Means) (Subject to a Rule). This bill is a comprehensive trade agreement that would commit the U.S. and Australia to eliminate tariffs on most of their bilateral trade goods, and would seek to ensure nondiscriminatory treatment in most areas of bilateral trade services, government procurement, and foreign investments as well as improved protection of intellectual property rights. This would be the 7th agreement the U.S. has entered into -- Israel 1985, Canada 1989, NAFTA 1994, Jordan 2001, Singapore 2003, and Chile 2003. This bill was reported out of the Ways and Means Committee on a voice vote on July 8th.

Some of the items included in this trade agreement include:

- **Manufactured Goods.** More than 99% of U.S. and 97% of Australian exports of manufactured goods will become duty-free immediately upon entry into force of the agreement.
- **Agriculture.** All U.S. agricultural exports to Australia will receive immediate duty-free access. U.S. tariff-rate quotas on Australian beef would be phased-out over an 18-year period (the quota levels would be gradually increased and finally lifted at the end of that period). The lifting of the quotas would begin when U.S. imports of beef from Australia reach their 2003 level -- the level before the discovery of "mad cow" disease -- or 3 years after the agreement goes into effect, whichever is earlier. The U.S. quota on Australian dairy products would be increased an average of 5% per year and tariffs on above-quota imports would remain unchanged. The U.S. tariff-rate quota on sugar would remain unchanged under the agreement.
- **Pharmaceuticals.** The agreement makes no substantial changes to Australia's drug-pricing program. The agreement does require Australia to establish an independent process to review product listings to enhance transparency and accountability in the operation of Australia's Pharmaceuticals Benefits Scheme (PBS), which is a program through which the Australian government subsidizes the cost of pharmaceuticals. The agreement also prohibits the importation into the U.S. of drugs from Australia without the approval of the drug's patent holder. The Australian government itself bans the export of subsidized drugs, which account for over 90% of drugs prescribed in Australia.
- **Services.** The agreement would provide market access to sectors such as telecommunications, express delivery, computer and related services, tourism, energy, construction and engineering, financial services and environmental. Regarding financial services, the agreement codifies existing rules for new investment and acquisitions, and grants new rights for life insurance branches.
- **Intellectual Property.** The agreement would establish protections and non-discriminatory treatment for intellectual property and other digital products (software, music, text, e-commerce, and videos).



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- **Labor.** The agreement requires that Australia and the U.S. effectively enforce their own domestic labor laws, and this obligation is enforceable through the agreement's dispute settlement procedures --- Australia is widely regarded to have some of the strongest worker protection laws in the world. In addition, procedural guarantees in the agreement also ensure that workers and employers will continue to have fair, equitable and transparent access to labor tribunals / courts.

S. 15 - Project Bioshield Act of 2004 (Sen. Gregg - Energy & Commerce) (Unanimous Agreement with 90 minutes of general debate and no amendments). This bill authorizes \$5.6 billion over the next 10 years for President Bush's "Project Bioshield" initiative to encourage the development of new countermeasures to treat diseases and conditions caused by bioterrorism attacks, or chemical, radiological, and nuclear agents. This bill gives the government the authority to promote research and development of bioterrorism countermeasures; streamlines procurement authority for adding countermeasures to the Strategic National Stockpile; and allows the government, in the event of a national emergency, to distribute certain drugs and treatments that have not yet been approved by the Food and Drug Administration. This bill is similar to H.R. 2122, which was adopted by the House last year on a 421-2 vote (Roll Call No. 373).

Suspensions (13 bills):

- 5) **H.R. 1587** - Viet Nam Human Rights Act of 2003 (*Rep. Smith {NJ} - International Relations*)
- 6) **H.Con.Res. 422** - Concerning the importance of the distribution of food in schools to hungry or malnourished children around the world (*Rep. McGovern - International Relations*)
- 7) **H.Res. 615** - Expressing the sense of the House of Representatives in support of full membership of Israel in the Western European and Others Group (WEOG) at the United Nations (*Rep. Ros-Lehtinen / International Relations*)
- 8) **H.Res. ___** - Deploring the misuse of the International Court of Justice by a majority of the United Nations General Assembly for a narrow political purpose, the willingness of the International Court of Justice to acquiesce in an effort likely to undermine its reputation and interfere with a resolution of the Palestinian-Israel Conflict (*Rep. Pence / International Relations*)
- 9) **H.Con.Res. 462** - Reaffirming unwavering commitment to the Taiwan Relations Act (*Rep. Hyde - International Relations*)
- 10) **H.Res. 688** - Commending the Government of Portugal and the Portuguese people for their long-standing friendship, stalwart leadership, and unwavering support of the United States in the effort to combat international terrorism (*Rep. Nunes - International Relations*)
- 11) **S. 2264** - Northern Uganda Crisis Response Act (*Sen. Feingold - International Relations*)
- 12) **H.R. 1914** - Jamestown 400th Anniversary Commemorative Coin Act of 2003 (*Rep. JoAnn Davis - Financial Services*)
- 13) **H.R. 3277** - Marine Corps 230th Anniversary Commemorative Coin Act (*Rep. Murtha - Financial Services*)
- 14) **H.R. 2768** - John Marshall Commemorative Coin Act (*Rep. Bachus - Financial Services*)
- 15) **H.R. 3884** - To designate the Federal building and United States courthouse located at 615 East Houston Street in San Antonio, Texas, as the "Hipolito F. Garcia Federal Building and United States Courthouse" (*Rep. Gonzalez - Transportation & Infrastructure*)
- 16) **H.R. 4056** - Commercial Aviation MANPADS Defense Act of 2004 (*Rep. Mica - Transportation & Infrastructure*)
- 17) **H.R. 4012** - To amend the District of Columbia College Access Act of 1999 to permanently authorize the public school and private school tuition assistance programs established under the Act (*Rep. Tom Davis - Government Reform*)

TOMORROW'S OUTLOOK

The GOP Leadership has announced the following schedule: On Thursday, the House will meet at 10:00 a.m. for legislative business. The House will consider **H.R. ___** - Foreign Operations, Export Financing, and Related Programs Appropriations Act for FY05 (*Rep. Kolbe - Appropriations*) (*Subject to a Rule*).

Daily Quote...

"New government estimates suggest that employers will reduce or eliminate prescription drug benefits for 3.8 million retirees when Medicare offers such coverage in 2006. That represents one-third of all the retirees with employer-sponsored drug coverage, according to documents from the Department of Health and Human Services."

- A story in *The New York Times* today