



The Ehlers e-Newsletter

For the Week of July 25, 2005

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News from Congressman Ehlers ...

EHLERS 'PLEASED' WITH SUPREME COURT NOMINEE ROBERTS -

Congressman Vernon J. Ehlers, R-Grand Rapids, issued the following statement in reaction to President George W. Bush's Tuesday evening announcement that he was nominating U.S. Court of Appeals for the D.C. Circuit Judge John C. Roberts Jr. for the opening on the U.S. Supreme Court caused by the retirement of Justice Sandra Day O'Connor.

To read Congressman Ehlers' statement, please visit our website:

http://www.house.gov/apps/list/press/mi03_ehlers/072005RobertsSupCtNom.html

WITNESSES WARN CONGRESS THAT INNOVATION MUST BECOME A NATIONAL PRIORITY OR U.S. WILL CEDE ITS POSITION AS GLOBAL LEADER

– Top executives from IBM and Cisco, and the President of Johns Hopkins University testified today that the changing dynamics of the global economy is threatening America's economic position and they said that innovation is crucial to the nation's future economic growth.

To read this Science Committee release, please visit our website:

http://www.house.gov/apps/list/press/mi03_ehlers/072105SciInnovation.html

REPUBLICANS PROPOSE INNOVATIVE MATH & SCIENCE HIGHER EDUCATION PACKAGE TO STRENGTHEN U.S. COMPETITIVENESS

– The U.S. House Education & the Workforce Committee last night adopted a comprehensive proposal to increase the number of American students pursuing advanced math and science studies in higher education. Led by Reps. Howard P. "Buck" McKeon, R-Calif., and Vernon J. Ehlers, R-Grand Rapids, Republicans proposed a multi-faceted approach to strengthening American competitiveness by increasing opportunities for students to study math and science. The proposal was included as an amendment to the College Access & Opportunity Act (H.R. 609), Republican higher education reform legislation expected to be approved today by the Committee.

To read this Education & the Workforce Committee release, please visit our website:

http://www.house.gov/apps/list/press/mi03_ehlers/072205EWMathSci.html

THIS WEEK IN THE U.S. HOUSE OF REPRESENTATIVES

MONDAY, JULY 25, 2005

On Monday, the House will meet at 12:30 p.m. for morning hour and 2 p.m. for legislative business. Votes will be postponed until 6:30 p.m.

Suspensions (14 bills):

(Bills on suspension are generally considered non-controversial and have reduced debate time, but require a two-thirds majority vote to be passed.)

- 1) **H.J.Res. 59 - Expressing the sense of Congress with respect to the establishment of an appropriate day for the commemoration of the women suffragists who fought for and won the right of women to vote in the United States**
- 2) **H.Con.Res. 181 - Supporting the goals and ideals of National Life Insurance Awareness Month:** Resolves that Congress supports the goals and ideals of Life Insurance Awareness Month. The resolution also requests that the President issue a proclamation calling on the Federal Government, States, localities, schools, nonprofit organizations, businesses, other entities, and the people of the United States to observe the month with appropriate programs and activities.
- 3) **H.Res. 329 - Honoring former President William Jefferson Clinton on the occasion of his 59th birthday**
- 4) **H.Res. 289 - Supporting the goals and ideals of National Health Center Week in order to raise awareness of health services provided by community, migrant, public housing, and homeless health centers**
- 5) **H.Res. 294 - Supporting the goals of "A Day of Commemoration of the Great Upheaval":** Resolves that the House of Representatives supports the goals of Acadian Heritage Week, and supports the goals of "A Day of Commemoration of the Great Upheaval", as established by Queen Elizabeth II's Royal Proclamation, signed on December 9, 2003, in which the sufferings of the Acadian people were acknowledged.
- 6) **H.R. 2977 - Paul Kasten Post Office Building Designation Act** (*Brockway, Montana*)
- 7) **H.R. 2894 - Abraham Lincoln Birthplace Post Office Building Designation Act** (*Hodgenville, Kentucky*)
- 8) **S. 904 - Brian P. Parrello Post Office Building Designation Act** (*West Milford, New Jersey*)
- 9) **S. 775 - Boone Pickens Post Office Designation Act** (*Holdenville, Oklahoma*)
- 10) **S. 571 - Congresswoman Shirley A. Chisholm Post Office Building Designation Act** (*Brooklyn, New York*)
- 11) **H.R. 3339 - James T. Molloy Post Office Building Designation Act** (*Buffalo, New York*)
- 12) **H.R. 1797 - Spokane Tribe of Indians of the Spokane Reservation Grand Coulee Dam Equitable Compensation Settlement Act:** Establishes in the Treasury the Spokane Tribe of Indians Settlement Fund. The bill requires the payment of compensation to the Spokane Business Council for the use of tribal lands for the generation of hydropower from the Grand Coulee Dam. The measure also requires the use of such funds, in part, for a Cultural Resource Repository and Interpretive Center concerning the culture and history of the Spokane Tribe.
- 13) **H.Res. 308 - Supporting the goals of National Marina Day and urging marinas continue providing environmentally friendly gateways to boating**

- 14) **H.Res. 376 - Expressing the sense of the House of Representatives that the Federal Trade Commission should investigate the publication of the video game "Grand Theft Auto: San Andreas" to determine if the publisher intentionally deceived the Entertainment Software Ratings Board to avoid an "Adults-Only" rating**

TUESDAY, JULY 26, 2005

On Tuesday, the House will meet at 9 a.m. for morning hour and 10 a.m. for legislative business.

Suspensions (2 bills):

- 1) **H.R. 3200 - Servicemembers' Group Life Insurance Enhancement Act of 2005:** *A summary of this legislation was not available at time of publication.*
- 2) **H.R. 3283 - United States Trade Rights Enforcement Act:** Authorizes the application of the U.S. countervailing duty law to exports from nonmarket economies such as China. The bill establishes a system of comprehensive monitoring of Chinese compliance with its trade obligations on: intellectual property rights; market access for U.S. goods, services, and agriculture; and accounting of Chinese subsidies. This system would require the President to issue semi-annual reports to Congress on the specific steps taken by the Chinese government to meet the obligations and an assessment as to whether China is attempting in good faith to meet the commitments. It also requires a description of the steps that the President will take to obtain compliance if the President determines that China is failing to meet its commitments, including pursuing U.S. rights under the dispute settlement provisions of the WTO, as appropriate. In the case of obligations to be met by the end of 2005, these reports are to be issued on a monthly basis. H.R. 3283 expresses the sense of Congress that the United States should strive to expand membership in the Government Procurement Agreement of the World Trade Organization, seek China's entry into this agreement, and seek a commitment from China to suspend implementation of its law on government procurement pending the conclusion of accession negotiations. It emphasizes the sense of Congress as expressed overwhelmingly by the House at the start of the WTO Doha Round negotiations that the negotiations shall preserve the ability of the United States to enforce rigorously its trade laws.

H.R. 525 - Small Business Health Fairness Act of 2005: Addresses both the access and cost issues at the heart of the health care reform debate. The bill would allow small businesses to join together through association health plans (AHPs) to purchase health insurance for their workers at a lower cost. The measure would increase small businesses' bargaining power with health care providers, give them freedom from costly state-mandated benefit packages, and lower their overhead costs by as much as 30 percent.

H.R. 22 - Postal Accountability and Enhancement Act: Incorporates most of the seventeen legislative recommendations made by the President's Commission on the U.S. Postal Service. The bill would mandate transparency in the Service's finances, costs, and operations. The legislation would: create a modern system of rate regulation; establish fair competition rules and a powerful new regulator; address the Postal Service's

universal service obligation and the scope of the mail monopoly; and institute improvements to the collective bargaining process. However, unlike the unconstrained pricing flexibility recommended by the President's Commission for competitive products, the bill would impose limited but important controls to protect the public interest from unfair competition.

WEDNESDAY, JULY 27, 2005 AND THE BALANCE OF THE WEEK

On Wednesday and Thursday, the House will meet at 10 a.m. for legislative business. On Friday, the House will meet at 9 a.m. for legislative business.

Suspensions (4 bills):

- 1) **H.R. 3204 - State High Risk Pool Funding Extension Act of 2005:** Extends federal funding that was made available under the Trade Promotion Authority (TPA) Act of 2002 for the establishment and operation of State high-risk health insurance pools. High-risk pools provide health insurance for individuals who have been unable to purchase coverage due to pre-existing conditions, chronic illnesses or conditions that make them too expensive to insure. Risk pools allow eligible individuals to purchase health insurance, pay premiums and receive health coverage through private insurers. In states that operate pools, total premiums are capped at a fixed percentage of market-based premiums, which helps to guarantee that the product remains affordable. Because high-risk pools cover many individuals who have major health problems, the costs of operating the pools exceed the funds received through beneficiary premiums. States operating pools have historically made up for this shortfall through taxes upon health insurers.
- 2) **S. 1395 - Controlled Substances Export Reform Act of 2005:** Amends the Controlled Substances Import and Export Act to authorize the Attorney General to allow any controlled substance that is in schedule I or II, or that is a narcotic drug in schedule III or IV, to be exported from the United States to a country (first country) for subsequent export to another country (second country) under certain conditions.
- 3) **S. 544 - Patient Safety and Quality Improvement Act of 2005:** Intended to encourage the reporting and analysis of medical errors by providing peer review protection of information reported to patient safety organizations for the purposes of quality improvement and patient safety. These protections will facilitate an environment in which health care providers are able to discuss errors openly and learn from them. The protections apply to certain categories of documents and communications termed "patient safety work product" that are developed in connection with newly created patient safety organizations.
- 4) **S. 45 - To amend the Controlled Substances Act to lift the patient limitation on prescribing drug addiction treatments by medical practitioners in group practices:** Amends the Controlled Substances Act to eliminate the 30-patient limit for medical group practices allowed to dispense narcotic drugs in schedules III, IV, or V for maintenance or detoxification treatment. The bill retains the 30-patient limit for an individual physician.

H.R. 5 - Help Efficient, Accessible, Low-Cost, Timely Healthcare (HEALTH) Act of

2005: Makes changes to the health care liability system, including compensation for injured patients and other issues arising out of health care law suits. The measure provides for a three-year statute of limitations with certain exceptions for minors, fraud, intentional concealment, and the presence of a foreign body. It provides for a \$250,000 cap on non-economic or "pain and suffering" damages. Guidelines governing the award of punitive damages provide that awards not exceed the greater of \$250,000 or twice economic damages. Damages are governed by a "fair share" rule, by which damages are allocated fairly, in direct proportion to fault.

H.R. 3045 - Dominican Republic-Central America-United States Free Trade Agreement (DR-CAFTA) Implementation Act:

- 1 **Title I** would provide the general congressional approval of the Agreement and procedures for the President to follow to execute his authority to implement the Agreement such as consultation with Congress, layover, and advice from advisory committees. It also would authorize the United States to resolve certain claims covered by the Investor-State Dispute Settlement Procedures set forth in the Agreement.
- 2 **Title II** would provide authority for the President to proclaim tariff modifications to carry out the Agreement and sets out the rules of origin for goods to qualify for preferential treatment. In particular, the Agreement would require a "yarn forward" rule of origin for most textile and apparel goods.

Section 202 of the bill would implement the agricultural safeguard provisions of Article 3.15 and Annex 3.15 of the Agreement. Article 3.15 would permit the United States to impose an "agricultural safeguard measure," in the form of additional duties, on imports of certain goods of Agreement countries specified in the Schedule of the United States to Annex 3.15 of the Agreement that exceed the volume thresholds set out in that annex.

Other provisions in the bill would provide for the exemption from the Customs merchandise processing fee for Dominican Republic and Central American goods and enforcement authority to prevent circumvention of textile or apparel requirements.

- 1 **Title III** would provide a temporary mechanism to impose import relief when increased quantities of Dominican Republic or Central American imports are a substantial cause of serious injury or a threat of serious injury to the domestic industry. Another provision would provide a special safeguard relief procedure for textile and apparel imports. Finally, another provision would exempt from relief any article that is: (i) subject to import relief under the global safeguard provisions in U.S. law (chapter 1 of Title II of the Trade Act of 1974 (P.L. 93-618)), or (ii) the product of *de minimis* supplying country.
- 2 **Title IV** contains miscellaneous provisions on procurement and modifications to the Caribbean Basin Economic Recovery Act (P.L. 98-67, Title II) (CBERA) which would preserve existing trade for the CBERA countries that are not DR-CAFTA signatories.

It also would create periodic reporting and meeting requirements on labor provisions of the Agreement and White Paper prepared by Agreement countries,

in particular capacity building on labor issues.

** Possible Motions to go to Conference*

** Possible Motions to Instruct Conferees*

Historical Tidbits

On July 25 ...

1861 - The Crittenden Resolution, which called for the American Civil War to be fought to preserve the Union and not for slavery, was passed by the U.S. Congress.

1868 - The U.S. Congress passed an act creating the Wyoming Territory.

1941 - The U.S. government froze all Japanese and Chinese assets.

1952 - Puerto Rico became a self-governing commonwealth of the U.S.

On July 26 ...

1775 - A postal system was established by the 2nd Continental Congress of the United States. The first Postmaster General was Benjamin Franklin.

1788 - New York became the 11th state to ratify the U.S. Constitution.

1947 - U.S. President Truman signed The National Security Act. The act created The National Security Council, the Department of Defense, the Central Intelligence Agency and the Joint Chiefs of Staff.

1948 - U.S. President Truman signed executive orders that prohibited discrimination in the U.S. armed forces and federal employment.

On July 27 ...

1789 - The Department of Foreign Affairs was established by the U.S. Congress. The agency was later known as the Department of State.

1965 - In the U.S., the Federal Cigarette Labeling and Advertising Act was signed into law. The law required health warnings on all cigarette packages.

1974 - The U.S. Congress asked for impeachment procedures against President Richard Nixon.

1995 - The Korean War Veterans Memorial was dedicated in Washington, DC, by U.S. President Clinton and South Korean President Kim Young-sam.

On July 28 ...

1866 - The metric system was legalized by the U.S. Congress for the standardization of weights and measures throughout the United States.

1868 - The Fourteenth Amendment to the U.S. Constitution was declared in effect. The amendment guaranteed due process of law.

1932 - Federal troops forcibly dispersed the "Bonus Army" of World War I veterans who had gathered in Washington, DC. They were demanding money they were not scheduled to receive until 1945.

On July 29 ...

1958 - The National Aeronautics and Space Administration (NASA) was authorized by the U.S. Congress.

(Information from www.on-this-day.com)

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