



# The Daily Whip

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**FRIDAY, DECEMBER 8, 2006**

House Meets At...	Last Vote Predicted At...
9:30 a.m.: Legislative Business Five "One Minutes" Per Side	9:00 – 10:00 p.m. ???

**FLOOR SCHEDULE AND BILL SUMMARY**

**[H.Res. 1102](#)** – **Martial Law Rule** providing for same day consideration of any rule reported on the legislative day of December 8, 2006 and for consideration of motions to Suspend the rules (*Rep. Capito - Rules*).

**[H.Res. 1101](#)** - **Rule proving for consideration of the Conference Report on [H.R. 5682](#) - U.S.- India Peaceful Atomic Energy Cooperation Act of 2006** (*Rep. Bishop (UT) - Rules*).

**[H.Res. 1099](#)** – **Rule to provide for the disposition of the Senate amendment to [H.R. 6111](#) (Rules)**. The Rule replaces [H.R. 6111](#) with the text of [H.R. 4608](#) and several other provisions. The Rule allows one motion to amend which is debatable for 10 minutes.

**[H.R. 6111](#) - Tax Relief and Health Care Act of 2006 –Tax/OCS/Physician Payment Bill** (*Rep. Thomas - Ways and Means*). This bill will cost approximately \$45 billion over 10 years, \$36 billion of that coming from a two-year extension (through 2007) of annual tax extenders that include: the R&D Tax credit, the college tuition deduction, the state sales taxes exemption, the welfare to work tax credit, and teacher classroom expenses deduction. The bill does not include an Alternative Minimum Tax fix extension through 2007. This bill also includes approximately \$1 billion worth of provisions that lift high deductible limits and provide greater flexibility to use of Health Savings Accounts (HSAs); and also includes a package of modifications to the Medicare program including: Prevention of physician payment cuts in 2007 by freezing payment rates for physician services and establishing a fund to promote physician payment stability and physician quality initiatives in 2008; Ensures access to vaccines under the new Medicare Rx drug benefit (Part D); Reduces the Medicare Advantage (MA) Stabilization (slush) Fund and extends and expands the recovery audit contractor (RAC) program to identify and collect inaccurate Medicare overpayments. The bill also includes nearly three dozen miscellaneous and energy provisions that cost approximately \$7 billion including: The provisions of [S.3711](#), allowing for exploration and drilling in portions of the Outer Continental Shelf (OCS) in the Gulf of Mexico and revenue sharing with affected coastal states; an extension through 2008 of the renewable energy production tax credit and a variety of smaller solar, ethanol and renewable energy tax provisions; provisions that address the Abandoned Mine Land program; Continuation of the Washington, DC Education Voucher program.

**[H.Res. 1100](#)** – **Rule providing for consideration of [H.R. 6406](#) to modify temporarily certain rates of duty (Rules)**. The closed Rule provides one hour of debate, provides one motion to recommit and provides that [H.R. 6406](#) be added to the text of [H.R. 6111](#) during engrossment of that bill.

**[H.R. 6406](#) - To modify temporarily certain rates of duty and make other amendments to the trade laws, to extend certain trade preference programs, and for other purposes** (*Rep. Thomas - Ways and Means*). This bill includes several trade components:

- The measure extends through December 31, 2008, the Generalized System of Preferences program, which was set to expire December 31<sup>st</sup>. The system provides duty-free entry for a range of consumer goods and raw materials for manufacturing products imported from more than 100 developing countries. The bill includes language to tighten the rules after six month and restrict preferences to poorer, less-developed countries. This change is expected to affect Brazil, India, Venezuela and Russia.
- The measure enacts the Miscellaneous Tariff Bill, which suspends or reduces tariff rates on more than 500 selected products, many of which are niche chemicals not available in the U.S. The measure renews and amends through September 30, 2012, certain trade benefits in industries other than mining, oil and gas for sub-Saharan African countries covered under the African Growth and Opportunity Act (AGOA). The bill allows these countries to continue to use third-country fabrics for apparel exported to the U.S. as long as the country does not exceed 3.5% of total US apparel imports. The bill includes an exception to the third-country fabric benefit for goods that use materials produced in beneficiary countries and are determined by the International Trade Commission to be in "abundant supply" and commercially available for use by the lesser-developed countries in Africa.
- The measure would allow Haiti to import fabric from third countries to sell duty-free finished textile products to the US, applying the same criteria as under the AGOA extension. In the first through third years of the new rule, at least 50% of any exported product must be of Haitian or U.S. origin, or must have its origin in a country covered by AGOA, NAFTA, the Caribbean Basin Initiative, ATPA, or another free trade agreement. In the fourth year, that threshold increases to 55% and in the fifth year to 60%. Duty-free treatment applies as long as imports do not exceed 1% of total U.S. apparel imports, to be increased annually by 0.25%.



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- The measure would renew for six months the Andean Trade Preferences Act (ATPA), covering Bolivia, Colombia, Ecuador and Peru, and set to expire December 31. The bill grants Bolivia and Ecuador an additional six months if they complete free trade agreements (FTAs) with the United States. An additional six months will be allotted for Colombia and Peru if they complete their respective legislative processes for the FTAs already signed.
- The measure includes [H.R. 5602](#), which grants the President authority to declare normal trade relations on a permanent basis for Vietnam, thereby providing the same treatment of Vietnamese exports to the United States as provided to most other countries. Upon Vietnam's upcoming accession to the World Trade Organization (WTO), the bill will allow the U.S. to benefit from the lower tariffs for U.S. exports mandated by WTO rules. Earlier, in 2001, Congress enacted legislation (PL107-52) ratifying a U.S.- Vietnam bilateral trade agreement and extending normal trade relations to Vietnam. Two-way trade between the U.S. and Vietnam totaled more than \$7.8 billion in 2005. [H.R. 5602](#) was defeated under Suspension of the Rules by a 228-161 vote on November 13<sup>th</sup>.
- The measure extends the current 15-day window to 30 days for implementation of changes to tariff lines in the U.S. Harmonized Tariff Schedule. This would give the private sector extra time to make changes necessary to conform to the Congressionally-notified changes agreed upon in the World Customs Organization.

**Conference Report on [H.R. 5682](#) - U.S.- India Peaceful Atomic Energy Cooperation Act of 2006 (Rep. Hyde - International Relations).** This conference report authorizes the President to waive certain prohibitions in the Atomic Energy Act of 1954 (Sections 123, 128 and 129) governing transfer of nuclear material to non-Nuclear Non-Proliferation Treaty signatories, so that he can reach an agreement to sell nuclear material to India for domestic uses. Among the conditions set by the conference report, the President in the proceeding nuclear agreement must determine that India has provided the United States with a credible plan to separate civil and military nuclear facilities and programs; that the International Atomic Energy Agency (IAEA) and India are making progress toward more thorough inspections of nuclear facilities; that India is working with the United States and international efforts to prevent the spread of enrichment and reprocessing technology; and that India is taking necessary steps to secure nuclear and other sensitive materials and technology. The conference report requires any nuclear agreement between India and the United States be returned to both houses of Congress for an affirmative vote before it can be implemented. In addition, the conference report includes certain "additional protocol" which would implement an agreement between the U.S. and the IAEA regarding IAEA inspections of U.S. civil nuclear facilities. Finally, the conference report includes policy language calling for India-Pakistan-China to join together in a moratorium on fissile material for nuclear explosive purposes; calling for the implementation of a fissile material cut-off treaty; and calling for India's full and active participation in U.S. efforts to dissuade, isolate and if necessary sanction Iran for its efforts to acquire weapons of mass destruction. [H.R. 5682](#) passed the Senate on November 16, by a vote of 85-12 and the House by a vote of 359-68 on July 26.

**[H.J.Res. 102](#) - Making further continuing appropriations for the fiscal year 2007, and for other purposes (Rep. Lewis (CA) - Appropriations) (Subject to a Rule).**

#### Suspensions (4 bills):

- 1) [H.R. 6060](#) - Department of State Authorities Act (Rep. Smith (NJ) - International Relations)
- 2) [S. 3421](#) - Veterans Benefits, Health Care, and Information Technology (Sen. Craig - Veterans' Affairs)
- 3) [H.R. 6407](#) - Postal Accountability and Enhancement Act (Rep. Tom Davis - Govt. Reform)
- 4) [S. 4046](#) - Iraq Reconstruction Accountability Act of 2006 (Sen. Collins - Armed Services)

#### Postponed Suspension Votes (4 bills):

- 1) [H.Res. 1088](#) - Expressing support for Lebanon's democratic institutions and condemning the recent terrorist assassination of Lebanese parliamentarian and Industry Minister Pierre Amin Gemayel (Rep. Dreier - International Relations)
- 2) [H.Res. 1091](#) - Condemning in the strongest terms Iran's commitment to hold an international Holocaust denial conference on December 11-12, 2006 (Rep. Hastings (FL) - IR)
- 3) [H.R. 5948](#) - Belarus Democracy Reauthorization Act (Rep. Smith (NJ) - International Relations)
- 4) [H.R. 6375](#) - To amend title 10, US Code, to require the Defense Secretary to submit to Congress an annual report and to provide notice to the public on congressional initiatives in funds authorized or made available to the Defense Department (Rep. Souder - Armed Services)

#### Daily Quote...

- "[Former Republican Rep.] J.C. Watts imagines averages workers at a water cooler, average families at a kitchen table. Republicans, he says, have stopped addressing their needs."

- A story in *USA Today* this morning