

LOBBYING REPORT

Lobbying Disclosure Act of 1995 (Section 5) - **All Filers Are Required To Complete This Page**

1. Registrant Name:

GUIDANT CORPORATION

2. Address:

1310 G ST NW #770, WASHINGTON, DC 20005

3. Principal place of business (if different from line 2):

City: INDIANAPOLIS State/Zip(or Country): IN 46204

4. Contact Name: ANN M. GOSIER

Telephone: 202-508-0800

E-mail (optional): agosier@guidant.com

Senate ID #: 17124-12

House ID #: 32931000

7. Client Name: ☒ Self

TYPE OF REPORT

8. Year 2004 Midyear (January 1 - June 30): ☒ **OR** Year End (July 1 - December 31): ☐

9. Check if this filing amends a previously filed version of this report: ☒

10. Check if this is a Termination Report: ☐ => Termination Date: 11. No Lobbying Activity: ☐

INCOME OR EXPENSES

Complete Either Line 12 **OR** Line 13

12. Lobbying Firms

INCOME relating to lobbying activities for this reporting period was:

Less than \$10,000: ☐

\$10,000 or more: ☐ => Income (nearest \$20,000): _____

Provide a good faith estimate, rounded to the nearest \$20,000, of all lobbying related income from the client (including all payments to the registrant by any other entity for lobbying activities on behalf of the client).

13. Organizations

EXPENSES relating to lobbying activities for this reporting period were:

Less than \$10,000: ☐

\$10,000 or more: ☒ => Expenses (nearest \$20,000): 80,000.00

14. Reporting Method.

Check box to indicate expense accounting method. See instructions for description of options.

- ☐ **Method A.** Reporting amounts using LDA definitions only
☐ **Method B.** Reporting amounts under section 6033(b)(8) of the Internal Revenue Code
☒ **Method C.** Reporting amounts under section 162(e) of the Internal Revenue Code

LOBBYING ACTIVITY

Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code: BUD (one per page)

16. Specific lobbying issues:

H.R. 4766: "Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2005"
Legislation making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2005, and for other purposes. Provisions relating to FDA appropriations. PL 108-199, S. 1427, H.R., 2673:
"Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2004" Legislation making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2004, and for other purposes. S. 1356, H.R. 2660: "Departments of Labor, Health and Human Services, and Education, and Related Agencies Act, 2004" Legislation making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes.

17. House(s) of Congress and Federal agencies contacted:

Food & Drug Administration (FDA)

HOUSE OF REPRESENTATIVES

Health & Human Services, Dept of (HHS)

SENATE

18. Name of each individual who acted as a lobbyist in this issue area:

Name: CANTOR-WEINBERG, JULIE

Covered Official Position (if applicable): N/A

Name: GOSIER, ANN M.

Covered Official Position (if applicable): N/A

19. Interest of each foreign entity in the specific issues listed on line 16 above. **None**

LOBBYING ACTIVITY.

Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code: FIN (one per page)

16. Specific lobbying issues:

S. 979, H.R. 1372: "Broad-Based Stock Option Plan Transparency Act of 2003" Legislation to direct the Securities and Exchange Commission to require enhanced disclosures of employee stock options, to require a study on the economic impact of broad-based employee stock option plans, and for other purposes. S. 1890, H.R. 3574, H. Res. 725: "Stock Option Accounting Reform Act" Legislation to require the mandatory expensing of stock options granted to executive officers, and for other purposes. S. 4208: "Executive Stock Option Profit Recapture Act" Legislation to discourage the abuse of stock options by executives of public companies by preventing unjust enrichment through the recapture of profits when shareholders suffer losses.

17. House(s) of Congress and Federal agencies contacted:
HOUSE OF REPRESENTATIVES
SENATE

18. Name of each individual who acted as a lobbyist in this issue area:

Name: CANTOR-WEINBERG, JULIE
Covered Official Position (if applicable): N/A
Name: GOSIER, ANN M.
Covered Official Position (if applicable): N/A

19. Interest of each foreign entity in the specific issues listed on line 16 above. **None**

LOBBYING ACTIVITY

Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code: HCR (one per page)

16. Specific lobbying issues:

Public Law 107-250: "Medical Device User Fee and Modernization Act of 2002" Implementation of legislation to amend the Federal Food, Drug, and Cosmetic Act to make improvements in the regulation of medical devices, and for other purposes. PL 108-214, S. 1881, H.R. 3493: "Medical Devices Technical Corrections Act" Legislation to amend the Federal Food, Drug, and Cosmetic Act to make technical corrections relating to the amendments made by the Medical Device User Fee and Modernization Act of 2002, and for other purposes. S. 16: "Protecting Americans Medical Privacy Act" Legislation to protect the civil rights of all Americans, and for other purposes. S. 720, H.R. 663: "Patient Safety and Quality Improvement Act" Legislation to amend title IX of the Public Health Service Act to provide for the improvement of patient safety and to reduce the incidence of events that adversely affect patient safety. S. 1450, H.R. 1177 Legislation to amend the Internal Revenue Code of 1986 to provide additional choice regarding unused health benefits in cafeteria plans and flexible spending arrangements. S. 1570: "Fair Care for the Uninsured Act of 2003" Legislation to amend the Internal Revenue Code of 1986 to allow individuals a refundable credit against income tax for the purchase of private health insurance, and to establish State health insurance safety-net programs. S. 1909, H.R. 3658: "Stroke Treatment and Ongoing Prevention Act" Legislation to amend the Public Health Service Act to strengthen education, prevention, and treatment programs relating to stroke, and for other purposes. S. 2003: "Health Information for Quality Improvement Act" Legislation to amend the Public Health Service Act to promote higher quality health care and better health by strengthening health information, information infrastructure, and the use of health information by providers and patients. S. 2163: "Small Employers Health Benefits Program Act of 2004" Legislation to establish a national health program administered by the Office of Personnel Management to offer health benefits plans to individuals who are not Federal employees, and for other purposes. S. 2421: "Health Care Modernization, Cost Reduction, and Quality Improvement Act" Legislation to modernize the health care system through the use of information technology and to reduce costs, improves quality, and provides a new focus on prevention with respect to health care. S. 2553, H.R. 4626: "Screening Abdominal Aortic Aneurysms Very Efficiently Act of 2004" Legislation to amend title XVIII of the Social Security Act to provide for coverage of screening ultrasound for abdominal aortic aneurysms under part B of the Medicare program. S. AMDT 2803: Legislation to provide \$60 billion over five years for greater health security for working Americans and their families through a combination of public and private efforts to expand quality, affordable health insurance coverage and cut health care costs by eliminating certain tax loopholes. H.R. 815: "Aneurysm Awareness Act" Legislation to require the Secretary of Health and Human Services to conduct a study with respect to aneurysms, and for other purposes. H.R. 1709: "Stop Taking Our Health Privacy (STOHP) Act of 2003" Legislation to restore standards to protect the privacy of individually identifiable health information that were weakened by the August 2002 modifications, and for other purposes. H.R. 2698: "Health Insurance Certificate Act of 2003" Legislation to provide for a system of health insurance certificates to increase the number of Americans with health insurance coverage. H.R. 2915: "National Health Information Infrastructure Act of 2003" Legislation to provide for a National Health Information Infrastructure and data and communication standards for health information system interoperability. H.R. 3035: "Medication Errors Reduction Act of 2003" Legislation to establish an informatics grant program for hospitals and skilled nursing facilities in order to encourage health care providers to make major information technology advances. H.R. 4622: "Health Care Choice Act" Legislation to amend the Public Health Service Act to provide for cooperative governing of individual health insurance coverage offered in interstate commerce. H. Res. 522: Expressing the sense of the House of Representatives that there is a critical need to increase awareness and education about heart disease and the risk factors of heart disease among women.

17. House(s) of Congress and Federal agencies contacted:

Food & Drug Administration (FDA)
HOUSE OF REPRESENTATIVES
SENATE

18. Name of each individual who acted as a lobbyist in this issue area:

Name: CANTOR-WEINBERG, JULIE
Covered Official Position (if applicable): N/A
Name: GOSIER, ANN M.
Covered Official Position (if applicable): N/A

19. Interest of each foreign entity in the specific issues listed on line 16 above: **None**

LOBBYING ACTIVITY

Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code: IMM (one per page)

16. Specific lobbying issues:

S. 1452, H.R. 2849: "USA Jobs Protection Act of 2003" Legislation to amend the Immigration and Nationality Act with respect to the H-1B and L-1 visa programs to prevent unintended United States job losses, to increase the monitoring and enforcement authority of the Secretary of Labor over such programs, and for other purposes. S. 1635: "L-1 Visa (Intra-company Transferee) Reform Act of 2003" Legislation to amend the Immigration and Nationality Act to ensure the integrity of the L-1 visa for intra-company transferees. H.R. 2154: Legislation to amend the Immigration and Nationality Act to prevent an employer from placing a nonimmigrant who is an intra-company transferee with another employer. H.R. 2688: Legislation to amend the Immigration and Nationality Act to repeal authorities relating to H1-B visas for temporary workers. H.R. 2702: Legislation to amend the Immigration and Nationality Act with respect to the admission of L-1 intra-company transferee non-immigrants. H.R. 4166: "American Workforce Improvement and Jobs Protection Act" Legislation to amend the Immigration and Nationality Act with respect to nonimmigrants described in subparagraphs (H)(i)(b) and (L) of section 101(a)(15) of such Act, and for other purposes. H.R. 4415: "Save American Jobs Through L Visa Reform Act of 2004" Legislation to amend the Immigration and Nationality Act to eliminate the "specialized knowledge" basis for obtaining nonimmigrant status as an intra-company transferee, to impose an annual numerical limitation on nonimmigrant visas for such transferees, and for other purposes.

17. House(s) of Congress and Federal agencies contacted:
HOUSE OF REPRESENTATIVES
SENATE

18. Name of each individual who acted as a lobbyist in this issue area:

Name: CANTOR-WEINBERG, JULIE
Covered Official Position (if applicable): N/A
Name: GOSIER, ANN M.
Covered Official Position (if applicable): N/A

19. Interest of each foreign entity in the specific issues listed on line 16 above. **None**

LOBBYING ACTIVITY.

Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code: MMM (one per page)

16. Specific lobbying issues:

PL 108-173: "Medicare Prescription Drug, Improvement, and Modernization Act of 2003" Implementation of legislation to amend title XVIII of the Social Security Act to provide for a voluntary prescription drug benefit under the Medicare program and to strengthen and improve the Medicare program, and for other purposes. S. 2053: "Medicare Enhancements for Needed Drugs Act of 2004" Legislation to reduce the costs of prescription drugs for Medicare beneficiaries, and for other purposes. Department of Health & Human Services, Centers for Medicare & Medicaid Services, 42 CFR Parts 403, 412, 413, 418, 460, 480, 482, 483, 485, and 489 Medicare Program; Proposed Changes to the Hospital Inpatient Prospective Payment Systems and Fiscal Year 2005 Rates, Proposed Rule, May 18, 2004. Communications with the Centers for Medicare and Medicaid Services regarding reconsideration of coverage for carotid artery stenting. Communications with the Centers for Medicare and Medicaid Services regarding the national coverage reconsideration of implantable cardioverter defibrillators. Communications with the Centers for Medicare and Medicaid Services regarding outpatient payment for Cardiac Rhythm Management technologies. Communications with the AHRQ regarding Docket 2004S-0170 Medicare Prescription Drug, Improvement and Modernization Act-Section 1013: Suggested Priority Topics for Research.

17. House(s) of Congress and Federal agencies contacted:

Agency for Health Care Policy & Research
Centers For Medicare and Medicaid Services (CMS)
Executive Office of the President
HOUSE OF REPRESENTATIVES
Health & Human Services, Dept of (HHS)
SENATE

18. Name of each individual who acted as a lobbyist in this issue area:

Name: CANTOR-WEINBERG, JULIE

Covered Official Position (if applicable): N/A

Name: GOSIER, ANN M.

Covered Official Position (if applicable): N/A

19. Interest of each foreign entity in the specific issues listed on line 16 above: **None**

LOBBYING ACTIVITY

Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code: TAX (one per page)

16. Specific lobbying issues:

S. 596, H.R. 767: "Invest in the U.S. Act of 2003: "Homeland Investment Act of 2003" Legislation to amend the Internal Revenue Code of 1986 to encourage the investment of foreign earnings within the United States for productive business investments and job creation. S. 664, H.R. 463: "Investment in America Act of 2003" Legislation to amend the Internal Revenue Code of 1986 to permanently extend the research credit, to increase the rates of the alternative incremental credit, and to provide an alternative simplified credit for qualified research expenses. S. 970; H.R. 1769: "Job Protection Act of 2003" Legislation to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States. S. 1475: "Promote Growth and Jobs in the USA Act of 2003" Legislation to amend the Internal Revenue Code of 1986 to promote the competitiveness of American businesses, and for other purposes. S. 1637; H.R. 2896: "Corporate Tax Breaks for U.S. Manufacturers Bill" Legislation to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, and for other purposes. S. 1693: "Health Care Tax Credit Expansion Act of 2003" Legislation to amend section 35 of the Internal Revenue Code of 1986 to allow individuals receiving unemployment compensation to be eligible for a refundable, advanceable credit for health insurance costs. S. 1922, S. 1964: "American Manufacturing Jobs Act of 2003" Legislation to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves manufacturing jobs and production activities in the United States, and for other purposes. H.R. 583: "Fair Care for the Uninsured Act of 2003" Legislation to amend the Internal Revenue Code of 1986 to allow individuals a refundable credit against income tax for the purchase of private health insurance, and to establish State health insurance safety-net programs. H.R. 1162: "Invest in America Act of 2003" Legislation to amend the Internal Revenue Service Code of 1986 to allow a deduction for certain distributions from a controlled foreign corporation to encourage companies to invest in worker hiring and training, infrastructure investments, capital investments, financial stabilization of the company, and research and development. H.R. 1177: Legislation to amend the Internal Revenue Code of 1986 to provide additional choice regarding unused health benefits in cafeteria plans and flexible spending arrangements. H.R. 1236: "Securing Access, Value, and Equality in Health Care Act" Legislation to amend the Internal Revenue Code of 1986 to allow individuals a refundable credit against income tax for the purchase of private health insurance. H.R. 2351: "Health Savings Account Availability Act" Legislation to amend the Internal Revenue Code of 1986 to allow a deduction to individuals for amounts contributed to health savings accounts and to provide for the disposition of unused health benefits in cafeteria plans and flexible spending arrangements. H.R. 3901: Legislation to amend the Internal Revenue Code of 1986 to allow a deduction for premiums for high deductible health plans required with respect to health savings accounts. H.R. 4279, H.R. 4280, H.R. 4281, H. Res. 638: "Health Act of 2004" Legislation to amend the Internal Revenue Code of 1986 to provide for the disposition of unused health benefits in cafeteria plans and flexible spending arrangements, to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system, and to amend title I of the Employee Retirement Income Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees.

17. House(s) of Congress and Federal agencies contacted:

HOUSE OF REPRESENTATIVES

SENATE

Treasury, Dept of

18. Name of each individual who acted as a lobbyist in this issue area:

Name: CANTOR-WEINBERG, JULIE

Covered Official Position (if applicable): N/A

Name: GOSIER, ANN M.

Covered Official Position (if applicable): N/A

19. Interest of each foreign entity in the specific issues listed on line 16 above. **None**

LOBBYING ACTIVITY.

Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code: TOR (one per page)

16. Specific lobbying issues:

S. 11: "Medical Malpractice Liability Bill" Legislation to protect patients' access to quality and affordable health care by reducing the effects of excessive liability costs. S. 607; H.R. 5, H. Res. 139: "HEALTH Act of 2003" Legislation to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system. S. 1518: "Reliable Medical Justice Act" Legislation to restore reliability to the medical justice system by fostering alternatives to current medical tort litigation, and for other purposes. Discussions with FDA regarding role of FDA in preempting conflicting state law; impact on tort reform debate.

17. House(s) of Congress and Federal agencies contacted:

Food & Drug Administration (FDA)

HOUSE OF REPRESENTATIVES

SENATE

18. Name of each individual who acted as a lobbyist in this issue area:

Name: CANTOR-WEINBERG, JULIE

Covered Official Position (if applicable): N/A

Name: GOSIER, ANN M.

Covered Official Position (if applicable): N/A

19. Interest of each foreign entity in the specific issues listed on line 16 above. **None**

LOBBYING ACTIVITY

Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code: TRD (one per page)

16. Specific lobbying issues:

S. Con Res. 80, H Con Res. 324: Legislation urging Japan to honor its commitments under the 1986 Market-Oriented Sector-Selective (MOSS) Agreement on Medical Equipment and Pharmaceuticals, and for other purposes. Removal of trade barriers impacting U.S. medical technology companies in Japan. PL 108-175: "Syria Accountability and Lebanese Sovereignty Restoration Act of 2003" Legislation to halt Syrian support for terrorism, end its occupation of Lebanon, stop its development of weapons of mass destruction, cease its illegal importation of Iraqi oil and illegal shipments of weapons and other military items to Iraq, and by so doing hold Syria accountable for the serious international security problems it has caused in the Middle East, and for other purposes. Provisions on access to medical technology. S. 2312: "SAFE-ID Act" Legislation to regulate the transmission of personally identifiable information to foreign affiliates and subcontractors. S. 2471: "Safeguarding Americans From Exporting Identification Data Act" Legislation to regulate the transmission of personally identifiable information to foreign affiliates and subcontractors. S. 2472: "Increasing Notice of Foreign Outsourcing Act" Legislation to require that notices to consumers of health and financial services include information on the outsourcing of sensitive personal information abroad, to require relevant Federal agencies to prescribe regulations to ensure the privacy and security of sensitive personal information outsourced abroad, to establish requirements for foreign call centers, and for other purposes. S. AMDT 2918: Amendment on outsourcing of health and financial information and building privacy protections for such data. H.R. 4366: "Personal Data Off-Shoring Protection Act of 2004" Legislation to prohibit the transfer of personal information to any person outside the United States, without notice and consent, and for other purposes.

17. House(s) of Congress and Federal agencies contacted:

Commerce, Dept of (DOC)
HOUSE OF REPRESENTATIVES
SENATE
U.S. Trade Representative (USTR)

18. Name of each individual who acted as a lobbyist in this issue area:

Name: CANTOR-WEINBERG, JULIE
Covered Official Position (if applicable): N/A
Name: GOSIER, ANN M.
Covered Official Position (if applicable): N/A

19. Interest of each foreign entity in the specific issues listed on line 16 above. **None**

Signature: ON FILE Date: Aug 11, 2004

Printed Name and Title: ANN M. GOSIER - VICE PRESIDENT, GOVERNMENT AFFAIRS