



August 2003

## **Upcoming Legislation for the Fall**

This document is by no means exhaustive and is subject to change.  
It is not intended to urge the passing of any particular bill.

### [Planned Committee Markup](#)s

**H.J.Res. 22:** Proposing a balanced budget amendment to the Constitution of the United States

This resolution would propose a constitutional amendment that would: 1) prohibit outlays for a fiscal year (except those for repayment of debt principal) from exceeding total receipts for that fiscal year (except those derived from borrowing) unless Congress, by a three-fifths roll-call vote of each House, authorizes a specific excess of outlays over receipts; 2) require a three-fifths roll-call vote of each House to increase the public debt limit; 3) direct the President to submit a balanced budget to Congress annually; and 4) prohibit any bill to increase revenue from becoming law unless approved by a majority of the whole number of each House by roll-call vote.

*Judiciary Committee*

**H.R. 7:** Charitable Giving Act

This bill would amend the Internal Revenue Code of 1986 to provide a variety of tax incentives for charitable contributions by individuals and businesses.

*Ways & Means Committee*

**H.R. 708:** Mendocino National Forest Conveyance Act

This bill would require the Secretary of Agriculture to convey about 120 acres of Mendocino National Forest System lands in Lake County, California, to the owner of Faraway Ranch and would provide that the proceeds be available for acquisition of land in California for the National Forest System and for reimbursement for conveyance costs.

*Resources Committee*

**H.R. 884:** Western Shoshone Claims Distribution Act

This bill would provide for the distribution of specified funds appropriated in satisfaction of a judgment award granted to the Western Shoshone Indians.

*Resources Committee*

**H.R. 1092:** Nevada National Forest Land Disposal Act

This bill would authorize the Secretary of Agriculture to sell certain parcels of federal land in Carson City and Douglas County, Nevada, and provide that 65% of the proceeds be used for wildland fire management in Nevada.

*Resources Committee*

**H.R. 1302:** Federal Courts Improvement Act

This bill would make a variety of changes in the operation and administration of the federal courts (relating to such things as conditions for probation, automatic excuses from jury duty, judicial librarians, personnel policy and benefits for judicial employees, and email privacy).

*Judiciary Committee*

**H.R. 2179:** Securities Fraud Deterrence and Investor Restitution Act

This bill would, among other things, enhance the authority of the Securities and Exchange Commission to investigate, punish, and deter securities laws violations and to improve its ability to return funds to defrauded investors.

*Financial Services Committee*

**H.R. 2696:** Southwest Forest Health and Wildfire Prevention Act

This bill would authorize \$15 million a year to establish three institutes (one in each of Arizona, New Mexico, and Colorado) to promote the use of adaptive ecosystem management to reduce the risk of wildfires and restore the health of forest and woodland ecosystems in the interior West.

*Resources Committee/ Agriculture Committee*

**H.R. 2728:** Occupational Safety and Health Small Business Day in Court Act

This bill would exempt employers from a 15-day deadline for notifying the Secretary of Labor of their intent to contest OSHA citations, notices of uncorrected violations, and proposed penalties, if their failure to meet the deadline results from mistake, inadvertence, surprise, or excusable neglect.

*Education & the Workforce Committee*

**H.R. 2729:** Occupational Safety and Health Review Commission Efficiency Act

This bill would increase the membership of the Occupational Safety and Health Review Commission from three to five.

*Education & the Workforce Committee*

**H.R. 2730:** Occupational Safety and Health Independent Review of OSHA Citations Act

This bill would revise judicial review provisions to require deference to be given to reasonable conclusions of the Occupational Safety and Health Review Commission with respect to all questions of law relating to OSHA citations against businesses for OSHA violations.

*Education & the Workforce Committee*

**H.R. 2751:** GAO Human Capital Reform Act

This bill would increase the flexibility of human resources policy at the General Accounting Office (in some cases by making permanent existing authorities) and change the name of the Office to the “Government Accountability Office.”

*Government Reform Committee*

## Other Legislation Likely to See Action This Fall

### **H.R. 1:** Medicare Prescription Drug and Modernization Act

This bill would provide for a prescription drug benefit under Medicare.

*Resolving Differences in a Conference Committee*

### **H.R. 6:** Energy Policy Act

This bill is the omnibus energy bill, combining legislation from various committees.

*Resolving Differences in a Conference Committee*

### **H.R. 13:** Museum and Library Services Act

This bill would reauthorize the Museum and Library Services Act.

*Resolving Differences in a Conference Committee*

### **H.R. 49:** Internet Tax Nondiscrimination Act

This bill would amend the Internet Tax Freedom Act to permanently ban taxes on Internet access and multiple or discriminatory taxes on electronic commerce.

*Reported by the Judiciary Committee*

### **H.R. 1303:** To amend the E-Government Act of 2002 with respect to rulemaking authority of the Judicial Conference

This bill would clarify the authority of the Supreme Court to promulgate rules to protect privacy and security concerns relating to the electronic filing of documents and to make such documents publicly available. The Judicial Conference would be given the authority to issue interim rules and to monitor the adequacy of the final rules over time.

*Reported by the Judiciary Committee*

### **H.R. 1308:** All-American Tax Relief Act

This bill would, among other things, accelerate the increase in refundability of the child tax credit, eliminate the marriage penalty in the child tax credit, and alter how capital gains taxes are computed for homes of Armed Services and Foreign Service members and their spouses.

*Resolving Differences in a Conference Committee*

### **H.R. 1474:** Check Clearing for the 21st Century Act

This bill would authorize substitute checks.

*Resolving Differences in a Conference Committee*

### **H.R. 1769:** Job Protection Act (see H.R. 2896 below)

This bill would amend the Internal Revenue Code to repeal the foreign sales corporation/extraterritorial income (FSC/ETI) exclusion and to allow a 10% deduction for income attributable to qualified U.S. production activities.

*Ways & Means Committee*

### **H.R. 1776:** Pension Preservation and Savings Expansion Act

This bill would make the retirement savings opportunities implemented in the Bush tax cut of 2001 permanent, expand and improve retirement savings vehicles, extend pension coverage through regulatory simplification and small business incentives, enhance pension portability, revitalize defined benefit plans, provide additional defined contribution plan protections, and assist individuals in preserving their income throughout retirement.

*Reported by the Ways & Means Committee/ Not yet considered by the Education & the Workforce Committee*

**H.R. 1997:** Laci and Conner's Law (Unborn Victims of Violence Act)

This bill would create a separate federal offense for injuring or killing an unborn child, punishable in the same way as would be the same offense on the unborn child's mother.

*Forwarded by the Constitution Subcommittee to the full Judiciary Committee/ Not yet considered by the Armed Services Committee*

**H.R. 2086:** Office of National Drug Control Policy Reauthorization Act

This bill would reauthorize the Office of National Drug Control Policy.

*Reported by the Government Reform and Judiciary Committees*

**H.R. 2115:** Flight 100--Century of Aviation Reauthorization Act

This bill would reauthorize programs for the Federal Aviation Administration.

*Reported by a Conference Committee*

**H.R. 2297:** Veterans Benefits Act

This bill would modify a variety of benefits for veterans.

*Reported by the Veterans Affairs' Committee*

**H.R. 2417:** Intelligence Authorization Act for Fiscal Year 2004

This bill would authorize appropriations for fiscal year 2004 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System.

*Resolving Differences in a Conference Committee*

**H.R. 2420:** Mutual Funds Integrity and Fee Transparency Act

This bill would increase transparency relating to the fees and costs that mutual fund investors incur and would increase corporate governance of mutual funds.

*Reported by the Financial Services Committee*

**H.R. 2443:** Coast Guard and Maritime Transportation Act

This bill would authorize \$7.1 billion in appropriations for the Coast Guard for fiscal year 2004 and amend various laws administered by the Coast Guard. The Homeland Security Appropriations Act (H.R. 2555) already passed by the House contains \$6.7 billion for the Coast Guard in FY2004.

*Reported by the Transportation and Infrastructure Committee*

**H.R. 2535:** Economic Development Administration Reauthorization Act

This bill would reauthorize the Economic Development Administration.

*Reported by the Transportation and Infrastructure Committee; Financial Services Committee granted an extension for further consideration ending not later than September 2, 2003*

**H.R. 2575:** Secondary Mortgage Market Enterprises Regulatory Improvement Act

This bill would transfer supervisory and regulatory authority over Fannie Mae and Freddie Mac to the Director of the Office of Housing Finance Supervision (formerly the Office of Thrift Supervision) from the Office of Federal Housing Enterprise Oversight of the Department of Housing and Urban Development (HUD). The bill would also establish new operating, administrative, and regulatory provisions for this oversight and abolish the Office of Federal Housing Enterprise Oversight.

*The subject of a hearing in the Financial Services Committee in early September*

**H.R. 2608:** National Earthquake Hazards Reduction Program Reauthorization Act

This bill would reauthorize the National Earthquake Hazards Reduction Program.

*Reported by the Science Committee; Resources Committee requested executive comment from the Interior Department*

**H.R. 2692:** United States Fire Administration Authorization Act

This bill would reauthorize the United States Fire Administration.

*Reported by the Science Committee*

**H.R. 2734:** Federal Aviation Administration Research and Development Reauthorization Act

This bill would reauthorize the civil aviation research and development projects and activities of the Federal Aviation Administration.

*Reported by the Science Committee*

**H.R. 2765:** District of Columbia Appropriations Act, 2004

This bill would make \$466.0 million in appropriations for the District of Columbia and authorize the use of \$7.4 billion of DC funds for the fiscal year ending September 30, 2004. The total federal appropriation is 8.4% below FY2003 and 10.8% above the Bush request. An amendment allowing private school choice in DC is likely to be made in order under the rule.

*Reported by the Appropriations Committee*

**H.R. 2802:** Small Business Reauthorization and Manufacturing Revitalization Act

This bill would reauthorize and amend the Small Business Act (15 U.S.C. 631) and the Small Business Investment Act of 1958 (15 U.S.C. 662).

*Reported by the Small Business Committee*

**H.R. 2896:** American Jobs Creation Act (*see H.R. 1769 above*)

This bill would amend the Internal Revenue Code to repeal the foreign sales corporation/extraterritorial income (FSC/ETI) exclusion and to implement a variety of corporate growth provisions, discourage expatriation, and reduce tax shelters.

*Ways & Means Committee*

**H.R. 2989:** Transportation, Treasury, and Independent Agencies Appropriations Act, 2004

This bill would make \$89.6 billion in appropriations for the Transportation Department, the Treasury Department, and independent agencies for the fiscal year ending September 30, 2004. The total appropriation is 3.2% above FY2003 and 4.0% above the Bush request.

*Reported by the Appropriations Committee*

Note: The two appropriations bills just listed are the only two that have not been considered on the House floor yet. Conference reports from the other 11 appropriations bills are very likely to come to the House floor this fall.

**S. 3: Partial-Birth Abortion Ban Act**

This bill would make it a federal crime to knowingly perform a partial-birth abortion.

*Resolving Differences in a Conference Committee*

Higher Education Act Reauthorization *(no bill introduced yet)*

Child Nutrition/School Lunch Program Reauthorization *(no bill introduced yet)*