



## Summary of Potential Legislative Items for July

July 9, 2008

*NOTE: The following summary of potential legislative items for July was compiled by Leadership.*

### Energy:

- Anti-Speculators bill – The Agriculture Committee is holding three hearings this week regarding the impact of speculators on gas prices. The bill that passed prior to the July 4<sup>th</sup> recess with 400+ votes directed the CFTC to curb excessive speculation. Several additional bills have been introduced that would increase regulation of energy commodities markets. One of these bills (or a combination thereof) is expected on the floor later this month.
- Use it or Lose It bill – The Democrats are expected to bring H.R. 6251 under a rule during July. This is the same bill that failed under suspension on June 26. The bill would prohibit the Department of the Interior from issuing new oil or gas leases on onshore or offshore federal lands unless they have certified they are diligently using or have given up all existing leases. It also includes penalties for entities that fail to comply with these requirements.
- Price Gouging bill – The Democrats may also bring the price gouging bill (H.R. 6346) that failed on suspension on June 24 to the floor under a rule during July.

Housing: The Senate is expected to clear several procedural hurdles and complete consideration of a housing assistance bill this week. The bill includes \$300 billion for the Federal Housing Administration to refinance mortgages; an affordable Housing Trust Fund; \$4 billion in CDBG grants for States and local governments to purchase foreclosed homes; an overhaul of Fannie Mae and Freddie Mac as well as the Federal Housing Administration (including increased conforming loan limits); funding for counseling to help homeowners avoid foreclosure; and various housing-related tax incentives. The House passed a similar version on May 8, 2008. The bill has been ping-ponged between the two Chambers several times. The Administration has threatened to veto the latest Senate bill because of the CDBG grants and the increased conforming loan limits, in addition to other concerns.

Appropriations: The House Committee on Appropriations has marked up 5 of its 13 annual appropriations bills thus far, including Mil Con-VA; Homeland Security; Energy & Water; Financial Services; and Commerce-Justice-Science. There is a possibility that a few appropriations bills come to the floor prior to the August District Work Period, with Mil Con-VA and Homeland Security being the most likely candidates. Congressional Democrats, however, may defer ALL appropriations activity until after the elections. It is very unlikely that any regular appropriations bills will be signed into law prior to the elections in November.

Passenger Bill of Rights: The House is expected to consider passenger bill of rights legislation during July that includes requirements for airlines to plan for taking care of passengers on planes waiting on the tarmac for extended periods of time. Similar provisions were already included in the House passed FAA Reauthorization bill. Concerns have been raised that Democrats may attach language reopening contract negotiations between the FAA and the National Air Traffic Controllers Association (NATCA). The NATCA issue was also included in the FAA Reauthorization bill, which sparked strong opposition from House Republicans and the Administration.

Doc Fix/Medicare: The Senate fell one vote short of invoking cloture on the House-passed Medicare/Doc Fix bill prior to the July 4<sup>th</sup> Recess. Senator Reid (D-NV) has indicated that he will schedule another cloture vote on the exact same bill this week. Senate Republicans have pushed for a 30-day extension to prevent a cut in Medicare payment rates for doctors while negotiations continue. Senate Democrats,

however, rejected the 30-day extension, instead allowing the pay cut to go into effect on July 1. Senators Grassley (R-IA) and Baucus (D-MT) have been working on a compromise bill that satisfies both parties. It is unclear what version will ultimately emerge from the Senate. The White House has threatened to veto the House-passed version because it "irresponsibly imperils the long-term fiscal soundness of Medicare and Medicaid" and includes "inappropriate reductions in Medicare Advantage (MA) payments."

Indian Health: The Senate passed a bill (S. 1200) by a vote of 83 to 10 reauthorizing Indian health care programs through 2017 (cost: \$35 billion over 10 years). House Natural Resources Committee filed its Committee Report in April 2008. Energy and Commerce and Ways and Means both discharged the bill in early June 2008. This bill is a possibility for House consideration during July.

FDA Tobacco: The bill gives FDA the authority to regulate the tobacco industry and increases fees for tobacco companies. The Energy and Commerce Committee approved the bill by a vote of 38 to 12 after a long partisan fight. While a manager's amendment was agreed to during markup that alleviated some concerns, many Committee Republicans continue to argue that it is not a task the FDA needs to be saddled with at this point since the agency is already overwhelmed with other issues. The bill has 219 cosponsors.

Higher Education, Consumer Product Safety, Flood Insurance and Mental Health Parity Conference Reports: The House and Senate have both passed their versions of each of these bills. While Conferees have been appointed for the Consumer Product Safety bill, Conferees have not been appointed for the remaining three bills. Nonetheless, a Conference Report for each of these bills is possible prior to the August District Work Period.

NASA and AMTRAK Reauthorizations: Both of these bills passed the House in June 2008. It is possible that one or both of these bills is finalized prior to the August District Work Period through a series of amendments exchanged between the two chambers.

Intelligence Authorization: The House Intelligence Committee filed its report for the FY2009 Intelligence Authorization on May 21, 2008. The annual authorization bill outlines intelligence community resources and programs. Last year's Intelligence Authorization was vetoed by President Bush because of concerns that it added duplicative layers of bureaucracy and impeded the Intelligence Community's effort to protect our nation, including restrictions on interrogation techniques. The FY2009 Intelligence Authorization may come to the floor later this month.

#### ***ADDITIONAL ITEM NOT EXPECTED THIS MONTH***

Second Stimulus: Since passage of the Economic Growth Package in February 2008, Democrats have discussed the possibility of doing a Second Stimulus bill that would likely incorporate LIHEAP funding, infrastructure spending, and expanded food stamps. Given the limited legislative calendar and Democrats' preference for deferring serious Appropriations work until after the November elections, it seems unlikely they would attempt a Second Stimulus bill prior to the August recess.