

108TH CONGRESS
1ST SESSION

H. R. 3146

To extend the Temporary Assistance for Needy Families block grant program, and certain tax and trade programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 23, 2003

Mr. THOMAS introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To extend the Temporary Assistance for Needy Families block grant program, and certain tax and trade programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **TITLE I—FAMILY ASSISTANCE**
2 **PROVISIONS**

3 **SEC. 101. EXTENSION OF THE TEMPORARY ASSISTANCE**
4 **FOR NEEDY FAMILIES BLOCK GRANT PRO-**
5 **GRAM THROUGH MARCH 31, 2004.**

6 (a) IN GENERAL.—Activities authorized by part A of
7 title IV of the Social Security Act, and by sections 510,
8 1108(b), and 1925 of such Act, shall continue through
9 March 31, 2004, in the manner authorized for fiscal year
10 2002, notwithstanding section 1902(e)(1)(A) of such Act,
11 and out of any money in the Treasury of the United States
12 not otherwise appropriated, there are hereby appropriated
13 such sums as may be necessary for such purpose. Grants
14 and payments may be made pursuant to this authority for
15 carrying out such activities during the first two quarters
16 of fiscal year 2004 at the level provided for the first two
17 quarters of fiscal year 2002.

18 (b) CONFORMING AMENDMENTS.—

19 (1) SUPPLEMENTAL GRANTS FOR POPULATION
20 INCREASES IN CERTAIN STATES.—Section
21 403(a)(3)(H) of the Social Security Act (42 U.S.C.
22 603(a)(3)(H)) is amended—

23 (A) in the subparagraph heading, by strik-
24 ing “OF GRANTS FOR FISCAL YEAR 2002”; and

25 (B) in clause (ii)—

1 (i) by striking “2003” and inserting
2 “March 31, 2004”; and

3 (ii) by striking “2001” and inserting
4 “fiscal year 2001”.

5 (2) CONTINGENCY FUND.—Section
6 403(b)(3)(C)(ii) of such Act (42 U.S.C.
7 603(b)(3)(C)(ii)) is amended by striking “2003” and
8 inserting “2004”.

9 (3) MAINTENANCE OF EFFORT.—Section
10 409(a)(7) of such Act (42 U.S.C. 609(a)(7)) is
11 amended—

12 (A) in subparagraph (A), by striking “or
13 2004” and inserting “2004, or 2005”; and

14 (B) in subparagraph (B)(ii), by striking
15 “2003” and inserting “2004”.

16 **SEC. 102. EXTENSION OF THE NATIONAL RANDOM SAMPLE**
17 **STUDY OF CHILD WELFARE AND CHILD WEL-**
18 **FARE WAIVER AUTHORITY THROUGH MARCH**
19 **31, 2004.**

20 Activities authorized by sections 429A and 1130(a)
21 of the Social Security Act shall continue through March
22 31, 2004, in the manner authorized for fiscal year 2002,
23 and out of any money in the Treasury of the United States
24 not otherwise appropriated, there are hereby appropriated
25 such sums as may be necessary for such purpose. Grants

1 and payments may be made pursuant to this authority for
2 carrying out such activities during the first two quarters
3 of fiscal year 2004 at the level provided for the first two
4 quarters of fiscal year 2002.

5 **SEC. 103. PROVISIONS TREATED AS DIRECT SPENDING.**

6 For purposes of the Scorekeeping Guidelines, as ap-
7 plied by the chairman of the Committee on the Budget
8 of the Senate and the chairman of the Committee on the
9 Budget of the House of Representatives under the Con-
10 gressional Budget Act of 1974, and by the Director of the
11 Office of Management and Budget (Appendix A, OMB
12 Circular A-11, dated July 2003), the provisions of this
13 title shall be treated as direct spending.

14 **TITLE II—TAX PROVISIONS**

15 **SEC. 201. DISCLOSURE OF RETURN INFORMATION TO**
16 **CARRY OUT INCOME CONTINGENT REPAY-**
17 **MENT OF STUDENT LOANS.**

18 (a) IN GENERAL.—Subparagraph (D) of section
19 6103(l)(13) of the Internal Revenue Code of 1986 (relat-
20 ing to termination) is amended by striking “September 30,
21 2003” and inserting “December 31, 2004”.

22 (b) EFFECTIVE DATE.—The amendment made by
23 subsection (a) shall apply to requests made after Sep-
24 tember 30, 2003.

1 **SEC. 202. EXTENSION OF INTERNAL REVENUE SERVICE**
2 **USER FEES.**

3 (a) IN GENERAL.—Chapter 77 of the Internal Rev-
4 enue Code of 1986 (relating to miscellaneous provisions)
5 is amended by adding at the end the following new section:

6 **“SEC. 7528. INTERNAL REVENUE SERVICE USER FEES.**

7 “(a) GENERAL RULE.—The Secretary shall establish
8 a program requiring the payment of user fees for—

9 “(1) requests to the Internal Revenue Service
10 for ruling letters, opinion letters, and determination
11 letters, and

12 “(2) other similar requests.

13 “(b) PROGRAM CRITERIA.—

14 “(1) IN GENERAL.—The fees charged under the
15 program required by subsection (a)—

16 “(A) shall vary according to categories (or
17 subcategories) established by the Secretary,

18 “(B) shall be determined after taking into
19 account the average time for (and difficulty of)
20 complying with requests in each category (and
21 subcategory), and

22 “(C) shall be payable in advance.

23 “(2) EXEMPTIONS, ETC.—

24 “(A) IN GENERAL.—The Secretary shall
25 provide for such exemptions (and reduced fees)

1 under such program as the Secretary deter-
2 mines to be appropriate.

3 “(B) EXEMPTION FOR CERTAIN REQUESTS
4 REGARDING PENSION PLANS.—The Secretary
5 shall not require payment of user fees under
6 such program for requests for determination
7 letters with respect to the qualified status of a
8 pension benefit plan maintained solely by 1 or
9 more eligible employers or any trust which is
10 part of the plan. The preceding sentence shall
11 not apply to any request—

12 “(i) made after the later of—

13 “(I) the fifth plan year the pen-
14 sion benefit plan is in existence, or

15 “(II) the end of any remedial
16 amendment period with respect to the
17 plan beginning within the first 5 plan
18 years, or

19 “(ii) made by the sponsor of any pro-
20 totype or similar plan which the sponsor
21 intends to market to participating employ-
22 ers.

23 “(C) DEFINITIONS AND SPECIAL RULES.—

24 For purposes of subparagraph (B)—

1 “(i) PENSION BENEFIT PLAN.—The
2 term ‘pension benefit plan’ means a pen-
3 sion, profit-sharing, stock bonus, annuity,
4 or employee stock ownership plan.

5 “(ii) ELIGIBLE EMPLOYER.—The
6 term ‘eligible employer’ means an eligible
7 employer (as defined in section
8 408(p)(2)(C)(i)(I)) which has at least 1
9 employee who is not a highly compensated
10 employee (as defined in section 414(q))
11 and is participating in the plan. The deter-
12 mination of whether an employer is an eli-
13 gible employer under subparagraph (B)
14 shall be made as of the date of the request
15 described in such subparagraph.

16 “(iii) DETERMINATION OF AVERAGE
17 FEES CHARGED.—For purposes of any de-
18 termination of average fees charged, any
19 request to which subparagraph (B) applies
20 shall not be taken into account.

21 “(3) AVERAGE FEE REQUIREMENT.—The aver-
22 age fee charged under the program required by sub-
23 section (a) shall not be less than the amount deter-
24 mined under the following table:

“Category	Average Fee
Employee plan ruling and opinion	\$250

“Category	Average Fee
Exempt organization ruling	\$350
Employee plan determination	\$300
Exempt organization determination	\$275
Chief counsel ruling	\$200.

1 “(c) **TERMINATION.**—No fee shall be imposed under
2 this section with respect to requests made after December
3 31, 2004.”.

4 (b) **CONFORMING AMENDMENTS.**—

5 (1) The table of sections for chapter 77 of such
6 Code is amended by adding at the end the following
7 new item:

“Sec. 7528. Internal Revenue Service user fees.”.

8 (2) Section 10511 of the Revenue Act of 1987
9 is repealed.

10 (3) Section 620 of the Economic Growth and
11 Tax Relief Reconciliation Act of 2001 is repealed.

12 (c) **LIMITATIONS.**—Notwithstanding any other provi-
13 sion of law, any fees collected pursuant to section 7528
14 of the Internal Revenue Code of 1986, as added by sub-
15 section (a), shall not be expended by the Internal Revenue
16 Service unless provided by an appropriations Act.

17 (d) **EFFECTIVE DATE.**—The amendments made by
18 this section shall apply to requests made after the date
19 of the enactment of this Act.

1 **TITLE III—TRADE PROVISIONS**

2 **SEC. 301. EXTENSION OF COBRA FEES.**

3 Section 13031(j)(3) of the Consolidated Omnibus
4 Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3))
5 is amended by striking “September 30, 2003” and insert-
6 ing “March 31, 2004”.

7 **TITLE IV—MEDICARE COST-**
8 **SHARING PROVISIONS**

9 **SEC. 401. EXTENSION OF MEDICARE COST-SHARING FOR**
10 **CERTAIN QUALIFYING INDIVIDUALS.**

11 (a) EXTENSION OF SUNSET.—Section
12 1902(a)(10)(E)(iv) of the Social Security Act (42 U.S.C.
13 1396a(a)(10)(E)(iv)) is amended—

14 (1) by striking subclause (II);

15 (2) beginning in the matter preceding subclause
16 (I), by striking “ending with December 2002” and
17 all that follows through “for medicare cost-sharing
18 described” in subclause (I) and inserting “ending
19 with March 2004) for medicare cost-sharing de-
20 scribed”; and

21 (3) by striking “, and” at the end and inserting
22 a semicolon.

23 (b) TOTAL AMOUNT AVAILABLE FOR ALLOCATION.—
24 Section 1933(c) of the Social Security Act (42 U.S.C.
25 1396u–3(c)) is amended—

1 (1) in paragraph (1)(E), by striking “fiscal year
2 2002” and inserting “each of fiscal years 2002 and
3 2003”; and

4 (2) in paragraph (2)(A), by striking “the sum
5 of” and all that follows through
6 “1902(a)(10)(E)(iv)(II) in the State; to” and insert-
7 ing “the total number of individuals described in
8 section 1902(a)(10)(E)(iv) in the State; to”.

9 (c) SPECIAL RULE FOR FIRST QUARTER OF 2004.—
10 Section 1933 of the Social Security Act (42 U.S.C.
11 1396u-3) is amended by adding at the end the following:

12 “(g) SPECIAL RULE.—With respect to the period that
13 begins on January 1, 2004, and ends on March 31, 2004,
14 a State shall select qualifying individuals, and provide
15 such individuals with assistance, in accordance with the
16 provisions of this section as in effect with respect to cal-
17 endar year 2003, except that for such purpose—

18 “(1) references in the preceding subsections of
19 this section to ‘fiscal year’ and ‘calendar year’ shall
20 be deemed to be references to such period; and

21 “(2) the total allocation amount under sub-
22 section (c) for such period shall be \$100,000,000.”.

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