

108TH CONGRESS
2D SESSION

H. R. 3920

To allow Congress to reverse the judgments of the United States Supreme Court.

IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 2004

Mr. LEWIS of Kentucky (for himself, Mr. DEMINT, Mr. EVERETT, Mr. POMBO, Mr. COBLE, Mr. COLLINS, Mr. GOODE, Mr. PITTS, Mr. FRANKS of Arizona, Mr. HEFLEY, Mr. DOOLITTLE, and Mr. KINGSTON) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Rules, 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 allow Congress to reverse the judgments of the United States Supreme Court.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Congressional Ac-
5 countability for Judicial Activism Act of 2004”.

1 **SEC. 2. CONGRESSIONAL REVERSAL OF SUPREME COURT**
2 **JUDGMENTS.**

3 The Congress may, if two thirds of each House agree,
4 reverse a judgment of the United States Supreme Court—

5 (1) if that judgment is handed down after the
6 date of the enactment of this Act; and

7 (2) to the extent that judgment concerns the
8 constitutionality of an Act of Congress.

9 **SEC. 3. PROCEDURE.**

10 The procedure for reversing a judgment under section
11 2 shall be, as near as may be and consistent with the au-
12 thority of each House of Congress to adopt its own rules
13 of proceeding, the same as that used for considering
14 whether or not to override a veto of legislation by the
15 President.

16 **SEC. 4. BASIS FOR ENACTMENT.**

17 This Act is enacted pursuant to the power of Con-
18 gress under article III, section 2, of the Constitution of
19 the United States.

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