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## Legislative Bulletin.....July 17, 2007

### Contents:

**H.R. 3043 – PART I** – Amendments to the Labor, Health and Human Services, and Education Appropriations Bill, FY 2008

H.R. 3043, the Labor, Health and Human Services, and Education Appropriations Act, FY 2008 (sponsored by Rep. Obey, D-WI), is being considered on the House floor on Tuesday, July 17, 2007, subject to an open rule ([H.Res. 547](#)), making in order any germane amendment under the five-minute rule. The rule allows one motion to recommit with or without instructions.

The rule waives all points of order against consideration of the bill, except those regarding PAYGO and earmarks, and allows the Chair to postpone consideration of the legislation at any time during its consideration. The rule also waives the no-authorizing-on-appropriations point of order against provisions in the underlying bill.

Note: The summaries below are based on RSC staff’s review of *actual amendment text*. For a summary of the underlying bill, see a separate RSC document soon to be released.

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### **Amendments Pre-Filed in the Congressional Record**

- 1. Conaway (R-TX).** Prohibits funds made available by this Act for the Low-Income Home Energy Assistance Program from being used while there continues in effect a Federal prohibition on the exploration, leasing, development, or production of oil or natural gas in the Arctic National Wildlife Refuge or the Outer Continental Shelf.
- 2. Conaway (R-TX).** Expresses a sense of the House of Representatives that any reduction in the amount appropriated by this Act achieved as a result of amendments adopted by the House should be dedicated to deficit reduction.
- 3. Gingrey (R-GA).** Prohibits funds from being used by the Commissioner of Social Security or the Social Security Administration to pay the compensation of employees of the Social Security Administration to administer Social Security benefit payments, under any agreement between the United States and Mexico establishing totalization arrangements between the social security system established by title II of the Social Security Act and the social security system of Mexico, which would not otherwise be payable but for such agreement.

A totalization agreement is a coordination of the payment of Social Security taxes and benefits for workers who divide their careers between the United States and another country. In June 2004, the United States and Mexico signed a totalization agreement. In early 2007, a copy of the agreement was made publicly available, but it has not been transmitted to Congress for review, and thus is not final. The main point of controversy over this agreement is its allowance of U.S. Social Security benefits to be paid to the *dependents and survivors* of Mexicans who have legally worked in the United States, even if such dependents and survivors have never lived in the United States.

For more information on totalization agreements and related issues, visit this webpage:  
<http://www.congress.gov/erp/rl/html/RL32004.html>.

**4. Price (R-GA).** Reduces total appropriations in the bill by \$1,517,480,000 (which is 1% of the total).

**5. Sessions (R-TX).** Strikes Section 111 of the underlying bill. Section 111 would delay the implementation of any public-private competition or direct conversion under Office of Management and Budget Circular A-76 (or any successor policy) until after the Government Accountability Office reports to Congress on the use of competitive sourcing at the Labor Department. A-76 is the Bush Administration's effort to provide for public-private competitions for certain functions at federal agencies that are not inherently governmental (for example, janitorial services or lawn mowing at federal buildings).

According to the Labor Department, if Section 111 is implemented, it will prevent the Department from acting on some competitive bidding that is already in progress.

**6. Jordan (R-OH).** Reduces total appropriations in the bill by 4.6% (which would bring the funding back to last year's levels).

**Amendments NOT Pre-Filed in the Congressional Record at Press Time (with more to come)**

**Foxx (R-NC).** Reduces funds for the Fund for the Improvement of Education by \$10 million and increases IDEA state grants by \$10 million.

**Garrett (R-NJ).** Prohibits funds in this Act from being used to send or otherwise pay for the attendance of more than 50 employees from a federal department or agency at any single conference occurring outside the United States.

**Gingrey (R-GA) / Jordan (R-OH).** Prohibits funds in the bill from funding any mandatory school HPV (human papillomavirus) vaccination program.

**Hensarling (R-TX).** Eliminates funding in the bill for the Preventive Health under the Administration on Aging (\$21.4 million). The President did not request funding for this program for FY2008. These funds are awarded to States and territories to support activities that educate older adults about the importance of healthy lifestyles and promote healthy behaviors that can

prevent or delay chronic disease and disability. The President's Budget eliminates funding for this program, because it is "duplicative of services that States can provide through AoA's Community-Based Supportive Services program." Also, "AoA envisions integrating prevention as an underlying principle in its core programs and advocating use of evidence-based programs to better address preventive health needs versus the current mechanism of providing a small funding stream of unfocused seed money through the Preventive Health Services program."

**Hensarling (R-TX).** Eliminates funds for the Job Opportunities for Low-Income Individuals program (\$5.4 million). The President recommended eliminating funding for this program, stating that this and other programs "do not have performance standards to assess their impact, are too narrowly focused to have a major benefit, duplicate other Federal programs, and award grants on a noncompetitive basis."

**Hensarling (R-TX).** Eliminates funding in the bill for Rural Community Facilities (\$8 million). Funding is used to provide training and technical assistance in developing and managing water facilities; improve coordination of federal, state, and local agencies with waste and water management; and distribute information to local communities on available federal resources. The President recommended eliminating funding for this program, stating that the "program is duplicative of other Federal entities such as the Bureau of Reclamation's Rural Water Program, which is responsible for water and waste water treatment facilities."

**Jindal (R-LA).** Reduces funds for the Bureau of International Labor Affairs by \$50 million (to \$22.5 million) and increases funds for the Centers for Disease Control and Prevention (CDC), Disease Control, Research, and Training by \$50 million (to \$6.2 billion). The amendment sponsor intends the increases to be for the CDC's Division of Tuberculosis Elimination (DTBE)

**Jindal (R-LA).** Reduces and then increases by \$37.2 million funds for the Health Resources and Services Administration (HRSA). The amendment sponsor asserts that this amendment is intended to direct \$37.2 million more of existing funds in the HRSA account to nursing education and retention.

**King (R-IA).** Reduces total appropriations in the bill by 4.8%. The amendment sponsor notes that such a reduction would bring the bill level down to that of the chairman's mark for FY2007.

**King (R-IA).** Prohibits funds from being used to employ illegal workers (workers described in section 274A(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(3)).

**King (R-IA).** Prohibits funds from being used by the Public Broadcasting Service to sponsor events at the Filmmaker Lodge at the Sundance Film Festival.

**Kline (R-MN).** Increases funds for the Employment Standards Administration, Salaries and Expenses, by \$2.0 million (to \$436.4 million) and reduces funds for the Bureau of International Labor Affairs by \$3.0 million (to \$69.5 million). The amendment sponsor asserts that the funding increase is intended for the Office of Labor-Management Standards (OLMS). The OLMS investigates union fraud. The Independent Electrical Contractors and the Associated Builders and Contractors are both strongly supporting this amendment.

**Marchant (R-TX).** Reduces funds for the International Labor Affairs Bureau to the President's requested level of \$14 million (from \$72.5 million). The Bureau was originally responsible for the Department of Labor's overseas research projects and international labor workers' rights (primarily research and advocacy); however, in recent years the Bureau has taken on grant-making activities. The Bureau's grant assistance is already provided by the Department of State, and this amendment would restructure the Bureau's activities to advocacy and research.

**McCaul (R-TX).** Reduces funds for the Department of Labor, Departmental Management by \$2.0 million (to \$294.9 million), increases funds for special education by \$2.0 million (to \$5.47 billion).

**Musgrave (R-CO).** Reduces total appropriations in the bill by 0.5%.

**Musgrave (R-CO).** Prohibits funds from being used for Attachment Therapy (AT) or Holding Therapy. The amendment sponsor writes that, "The objective of AT is — literally — to force the children into attaching to their parents. A typical holding or rage reduction session might include placing a child on the ground with their arms and legs pinned. The child is yelled at over and over again in order to establish who is in control. The brutal methods employed in AT are intended to overcome the resistance of a child to total obedience. They are employed until the child's will is completely broken."

**Musgrave (R-CO).** Reduces the salary of the Executive Director of the Global Fund, an organization to fight deadly diseases in the world's poorest countries, from \$320,000 to \$145,000. The amendment sponsor notes that this would bring the salary in line with that of the U.S. Global AIDS Coordinator. The sponsor also writes that the Global Fund has been "spending money on activities well outside of its mission."

**Pence (R-IN).** Prohibits funds in the bill from funding Planned Parenthood Federation of America or any of its affiliates. Essentially, this amendment would prohibit Title X funds from going to Planned Parenthood. In FY2007, Planned Parenthood received approximately \$65 million in Title X federal funds.

**Pence (R-IN).** Eliminates funding in the bill for the Community Economic Development programs (\$32.7 million). The federal government provides a broad array of duplicative federal grant programs to support economic development activities. In addition to being duplicative, most are ineffective, are not well targeted, and are subject to significant congressional earmarking.

**Schmidt (R-OH).** Prohibits funds in the bill from going to Title X grantees that fail to comply with state law reporting requirements (as determined by a federal or state agency or court) regarding child abuse, child molestation, sexual abuse, rape or incest.

**Smith (R-NJ).** Reserves an additional \$11 million of the \$7 billion for the Health Resources and Services Administration for the National Cord Blood Inventory (for a total of \$15 million).

**Stearns (R-FL).** Reduces funds for AmeriCorps grants by \$25 million and increases funds for TRIO by \$12.5 million and for geriatric programs by \$12.5 million.