



Legislative Bulletin.....July 23, 2007

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H.R. 3074 – PART I – Departments of Transportation, and Housing and Urban Development FY 2008 Appropriations Bill

H.R. 3074, the Departments of Transportation, and Housing and Urban Development FY 2008 Appropriations Bill (sponsored by Rep. Olver, D-MA), is continuing to be considered on the House floor on Monday, July 23, 2007, subject to an open rule ([H.Res. 588](#)), making in order any germane amendment under the five-minute rule. **A unanimous consent agreement limiting amendments has not yet been propounded.**

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. The rule allows one motion to recommit with or without instructions.

Note: The summaries below are based on RSC staff's review of *actual amendment text*. For a summary of the underlying bill and other amendments, see separate RSC documents released today.

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Hensarling (R-TX). Eliminates funding for the revitalization of severely distressed public housing (HOPE VI) (\$120 million in FY 2008). The amendment would bring the appropriation in line with the President's budget request, which calls for the program to be zero-funded. According to the Office of Management and Budget (OMB), the HOPE VI program, which was created to revitalize distressed and obsolete public housing, is ineffective.

OMB reports that the program accomplishes its goals inefficiently, taking seven to eight years to complete a project after a grant is awarded. Further, the program has already achieved its stated goal of demolishing 100,000 severely distressed public housing units. Since the program has accomplished its stated mission, OMB recommends that the program should be terminated and the remaining balance used to complete funded projects.

Hensarling (R-TX). Eliminates funding for the Native Hawaiian housing block grant (\$8.7 million in FY 2008). The amount of the current appropriation in the bill is \$2.8 million higher than the President's FY 2008 request. The program provides funding to Native Hawaiians for rental assistance, rehabilitation, new construction, homeownership counseling, and other housing-related activities. The grants are identical to those provided for tribal housing assistance, even though some conservatives believe that Native Hawaiians are a racial group, not a tribe. Providing additional financial assistance to this group is not only duplicative of numerous current federal housing programs, but is also likely subject to strict constitutional scrutiny.

Hensarling (R-TX). Eliminates funding for payments to air carriers through the Airport and Airway Trust Fund (AATF) (\$60 million in FY 2008). This amendment brings the appropriation down to the President's budget request, which would have terminated funding for the trust fund. The AATF, created by the Airport and Airway Revenue Act of 1970, provides funding for the federal commitment to the nation's aviation system.

Hensarling (R-TX). Eliminates funding for Amtrak (\$475 million). Though Amtrak has always taken federal subsidies, it is a for-profit corporation and makes management decisions independently of the government. OMB has cited numerous management and operations problems with Amtrak stemming from its flawed design and ineffective management. Despite receiving an average of \$882 million in annual federal funding between 1984 and 2004, the system-wide on-time arrival rate fell from 79 percent in 1999, to 70 percent in 2005. The President did not request any funding for Amtrak in his budget.

Hensarling (R-TX). Decreases funds in the Act for Amtrak Capital and Debt Service Grants by \$425 million, bringing the funding for Capital and Debt Service Grants down to the President's requested level of \$500 million.

Hensarling (R-TX). Eliminates funding in the Act for the intercity passenger rail grant program (\$50 million).

Hensarling (R-TX). Eliminates funding in the Act for 'Motorcyclist Safety', funded under the Highway Traffic Safety Grant Program (\$6 million).

Price (R-GA). Prohibits any funds from being used for managing an Affordable Housing Fund.

Garret (R-NJ). Prohibits any funds from being used by the Federal Aviation Administration (FAA) to implement the Preferred Alternative of the New York/New Jersey/Philadelphia Airspace Redesign project. The project, meant to redesign the way that air traffic is handled above the New York area, released its preferred alternative for the airspace earlier this year. The sponsor is concerned that the alternative plan does not give enough weight to the changes in airline noise that will affect communities across the airspace region. The amendment would prohibit the DOT from using funds to implement the current redesign plan.

Chabot (R-OH). Reduces funds for Section 8 tenet-based rental assistance by \$333 million (from \$14.744 billion to \$14.437 billion). The reduction brings the appropriation to the level of the President's budget request. Section 8 assistance funds are designed to increase affordable housing choices for very low-income households by using federal funds for families to choose privately owned rental housing. Although the program is often criticized for its high costs and the continued lack of time limits and work requirements for the Section 8 voucher program recipients, the current appropriation drastically increases funding.

King (R-IA). Prohibits funds from being used to implement Davis-Bacon wage requirement provisions. The Davis-Bacon Act requires that each federal government contract worth more than \$2,000 for any public work set a minimum wage to be paid to laborers at no less than locally prevailing wage. Prevailing minimum wages, which are often based on union-negotiated wages and generally exceed the average wage in the area, are forced onto government contractors under the provisions of the Davis-Bacon Act. By artificially inflating labor rates, Davis-Bacon wages usually increase the costs of federal projects, and pass the bill along to taxpayers.

Sessions (R-TX). Prohibits federal funding in the Act for the Sunset Limited Amtrak line, which operates between New Orleans and California. According to the sponsor, in FY 2006, the Sunset Limited lost \$.57 per mile/per passenger. In FY 2006, the Sunset Limited line received \$6.5 million in revenue, while labor costs alone were \$12.1 million. Additionally, the Sunset Limited suffered \$20.4 million in avoidable costs in FY 2006, and in May 2007 the train ran on time only 11.1% of the time. The National Taxpayers Union and Americans for Tax Reform encourage support of this amendment. The National Taxpayers Union will include this vote in their annual Rating of Congress.

Bachmann (R-MN). This amendment would increase funding for Homeless Assistance Grants by \$106 million, offsetting this amount by bringing funding for Amtrak back to FY07 levels (just under \$1.3 billion). The underlying bill funds Homeless Assistance Grants at approximately \$1.6 billion, \$25 million below the President's request.

Jordan (R-OH). Reduces total appropriations in the bill by 6.7% (which would bring the funding back to last year's levels and reduce total appropriations by \$3.2 billion).

Price (R-GA). Reduces total appropriations in the bill by \$507,380,000 (which is 1% of the total).

Musgrave (R-CO). Reduces total appropriations in the bill by \$253,690,000 (which is .5% of the total).

Green (D-TX). Increases funding for the Department of Housing and Urban Development's (HUD) Fair Housing Initiative's Program (FHIP) by \$5.82 million, bringing funding up to the program's \$26 million authorized level. According to a 2007 PART Assessment, FHIP received a rating from the Administration of "results not

demonstrated.” Additionally, the assessment states that FHIP “outputs and outcome performance measurements are weak or lacking” and “lacks standardized reporting for Fair Housing Initiative Program grant activities.”