



Legislative Bulletin.....July 24, 2007

Contents:

H.R. 3074 – PART II – 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 Tuesday, July 24, 2007, subject to an open rule ([H.Res. 588](#)), making in order any germane amendment under the five-minute rule. However, a **unanimous consent agreement limiting amendments has recently been propounded.** The amendment summaries below reflect the amendments made in order under the UC. No other amendments are in order.

All amendments are debatable for 10 minutes, except where indicated below. An amendment will be considered to fit the description stated in the UC request if it addresses in whole or in part the object described.

Note: The summaries below are based on RSC staff's review of *actual amendment text*, when available. At times, Democrat offices do not provide the text of amendments to the RSC; in such cases, we may base our summaries on Dear Colleague and other available information.

Any numbers before amendments below represent their *Congressional Record* number. Amendments without numbers were not pre-filed in the *Congressional Record*.

For a summary of the underlying bill and other amendments, see separate RSC documents released yesterday.

RSC Staff Contact: Andy Koenig; andy.koenig@mail.house.gov; (202) 226-9717
Sarah Makin; sarah.makin@mail.house.gov; (202) 226-8587

Amendments Made in Order Under the UC

Crowley (D-NY). An amendment regarding a study to determine staffing needs for air traffic controllers. **(No text available)**

6. 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.” **(Withdrawn.)**

Slaughter (D-NY). Increases funding to HUD’s Office of Lead Hazard Control, which is currently funded at \$130 million. **(Withdrawn)**

4. Brown-Waite (R-FL). Requires a study of the Federal Housing Administration (FHA) reverse mortgage program to determine appropriate reserves and appropriate insurance premiums.

17. Miller (R-CA). Regarding the authorization for additional Moving to Work Demonstrations. **(No text available)**

Blunt (R-MO). Regarding Corporate Average Fuel Economy (CAFÉ) standards. **(No text available)**

Conaway (R-TX). Expresses the sense of the House that any reduction in the amount appropriated by this Act achieved as a result of amendments should be dedicated to deficit reduction.

DeFazio (D-OR). Prohibiting use of funds for certain cross-border motor carrier demonstration projects. **(No text available)**

Flake (R-AZ). Prohibits funds from being used for the National Mule and Packers Museum in Woodlake, California. The amendment makes a corresponding reduction to the Community Development Fund of \$50,000.

Flake (R-AZ). Prohibits funds from being used for the Los Angeles Fashion District in Los Angeles, California. The amendment makes a corresponding reduction to the Community Development Fund of \$100,000.

Flake (R-AZ). Prohibits funds from being used for the Bel Alton High School Alumni Association Program Community Development Corporation in Bel Alton, Maryland. The amendment makes a corresponding reduction to the Community Development Fund of \$400,000.

Flake (R-AZ). Prohibits funds from being used for the Hunting and Fishing Museum of Pennsylvania in Tionesta, Pennsylvania. The amendment makes a corresponding reduction to the Community Development Fund of \$100,000.

Flake (R-AZ). Prohibits funds from being used for the Houston Zoo in Houston, Texas. The amendment makes a corresponding reduction to the Community Development Fund of \$300,000.

Flake (R-AZ). Prohibits funds from being used for the Walter Clore Wine and Culinary Center in Prosser, Washington. The amendment makes a corresponding reduction to the Community Development Fund of \$250,000.

Flake (R-AZ). Prohibits funds from being used for the Belmont Complex in Kittanning, Pennsylvania. The amendment makes a corresponding reduction to the Community Development Fund of \$300,000.

Flake (R-AZ). Prohibits funds from being used for the North Central Wisconsin Regional Planning Commission in Wausau, Wisconsin. The amendment makes a corresponding reduction to the Community Development Fund of \$400,000.

Flake (R-AZ). Prohibits funds from being used for the Arlington Chamber of Commerce in Arlington, Texas. The amendment makes a corresponding reduction to the Community Development Fund of \$100,000.

Flake (R-AZ). Prohibits funds from being used for the Strand Theatre Performing Arts Center in Plattsburgh, New York. The amendment makes a corresponding reduction to the Community Development Fund of \$100,000.

Flake (R-AZ). Prohibits funds from being used for the Huntsville Museum of Art in Huntsville, Alabama. The amendment makes a corresponding reduction to the Community Development Fund of \$200,000.

Flake (R-AZ). Prohibits funds from being used for the Friends of Cheat Rails to Trails program. The amendment makes a corresponding reduction to the Community Development Fund of \$300,000.

Frank (D-MA). Regarding community service requirements. **(No text available)**

Frelinghuysen (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. **This amendment will likely be offered by Rep. Garrett (R-NJ).**

Gingrey (R-GA). Limits funds for certain development activities which obtain property rights through eminent domain. According to sponsor's this amendment will be withdrawn.

25. Hastings (D-FL). Prohibits funds from being used by the FAA to eliminate, consolidate, de-consolidate, co-locate, execute inter-facility reorganization, or plan for the consolidation/deconsolidation, inter-facility reorganization, or co-location of any FAA air traffic control facility. The amendment makes an exception for the reversal of the transfer of the radar functions from the Palm Springs Terminal Radar Approach Control (TRACON) to the Southern California TRACON.

Jackson-Lee (D-TX). Regarding noise mitigation studies. **(No text available)**

Jackson-Lee (D-TX). Prohibits funding in this Act from being used to limit the use of current technology or alternative housing solutions in the development of temporary disaster housing.

Jackson-Lee (D-TX). Prohibits funding in this Act from being used to engage in any unfair labor practices under section 8 of the National Labor Relations Act of 1935, against workers on federally-funded transportation projects.

Jackson-Lee (D-TX). Prohibits funding in this Act from being used to prohibit transportation workers from having communication equipment.

7. Jordan (R-OH). 40 MINUTES. Reduces total appropriations in the bill by 6.3% (which would bring the funding back to last year's levels and reduce total appropriations by \$3.2 billion).

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.

King (R-IA). Prohibits the funds in this Act from being used to employ workers described in section 274A(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(3)). In general, this amendment would prohibit HUD from using funds in this Act for hiring or paying for an employee who is not legally allowed to be employed in the United States.

King (R-IA). Prohibits funds from being used for the Alpine Heritage Preservation located in Thomas, West Virginia

16. Miller (R-CA). Prohibiting use of funds to take certain actions on standards for mortgagor's investment in mortgaged properties. **(No text available)**

1. Musgrave (R-CO). **40 MINUTES.** Reduces total appropriations in the bill by 0.5% (\$253,690,000).

Pallone (D-NJ) / Murphy (D-PA). Regarding waste processing and transferring facilities. **(No text available)**

20. Price (R-GA). **40 MINUTES.** Reduces total appropriations in the bill by 1% (\$507,380,000).

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, Americans for Tax Reform, and the Council for Citizens Against Government Waste encourage support of this amendment. The National Taxpayers Union will include this vote in their annual Rating of Congress, as will the CCAGW.

Shuler (D-NC). Regarding use of funds designed for North Shore Road in Swain County North Carolina. **(No text available)**

Upton (R-MI). Prohibits funds from being used to purchase light bulbs, unless the light bulbs have the "ENERGY STAR" or "Federal Energy Management Program" designation.

Price (R-GA). Prohibits the Federal Housing Administration (FHA) from using funds in this Act to pay money into an affordable housing fund. According to the sponsor's office, two "dedicated" streams of funding have been created in the bills reforming the Government-Sponsored Enterprise's (GSE) (i.e. Fannie and Freddie) and FHA (which has not yet come to the floor). This amendment would shut off the funding from FHA, which is derived from the surplus. The sponsor contends that this funding is duplicative, as HUD has numerous programs already dedicated to preserving existing affordable housing and expanding affordable home ownership. Additionally, the sponsor explains that this funding could add to the instability at FHA, and/or provide pressure for them to continually increase the mortgage premiums they charge (eventually resulting in higher mortgage costs for their customers).

8. Hensarling (R-TX). Eliminates funding in the bill for the Essential Air Service (payment to air carriers) program (\$60 million in FY 2008). According to the Administration, the purpose of the Essential Air Service program is to guarantee that small communities that were served by certificated airlines before deregulation maintain commercial service. OMB stated that the program has not demonstrated adequate

progress in achieving its long-term performance goals, and was not presently developing long-term performance goals. This amendment brings the appropriation down to the President's budget request, which would have terminated funding for the trust fund.

9. Hensarling (R-TX). Eliminates funding in the Act for 'Motorcyclist Safety', funded under the Highway Traffic Safety Grant Program (\$6 million). Motorcyclist Safety Grants is a relatively new program authorized by SAFETEA-LU. The program is administered by the National Highway Traffic Safety Administration (NHTSA) at the federal level and the State Highway Safety Offices (SHSO) at the state level. Funds for the Highway Trust Fund are collected from excise taxes on gasoline, sales on truck tires, sales of trucks and trailers, and heavy vehicle use. Thus, all drivers are subsidizing motorcycle rider training classes on state and local level.

12. Hensarling (R-TX). Eliminates funding in the bill for the new intercity passenger rail grant program (under the National Railroad Passenger Corporation – Amtrak account), saving \$50 million. Intercity Passenger Rail Grants is another name for Amtrak federal subsidies. According the Department of Homeland Security, Amtrak is the sole eligible applicant under this program.

13. 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.

21. Hensarling (R-TX). Prohibits funds from being used for parking facilities.

22. Hensarling (R-TX). Prohibits funds from being used for the Edmunds Center for the Arts located in Edmunds, Washington. The City of Edmunds Center for the Arts project is funded in this bill at \$150,000.

King (R-IA). Prohibits the funds in this Act from assisting individuals who do not qualify under 274A(h)(3) of the Immigration and Nationality Act with Homeownership assistance applications. In general, this amendment would prohibit HUD from using funds in this Act for assisting an individual with Homeownership assistance applications who is not legally allowed to be employed in the United States.

King (R-IA). Prohibits the funds in the Act from being used to fund ACORN, the Association of Community Organizations for Reform Now. ACORN is the nation's largest community organization of low- and moderate-income families who work through direct actions, negotiations, and with public officials, with a membership of over 350,000, in more than 850 neighborhood chapters and over 100 cities across the United States. Additionally, ACORN is engaged in significant voter registration projects in numerous states, and in 2004 ACORN registered over one million voters throughout the United States. Acorn's employees have been indicted in several states for voter fraud.

Crowley (D-NY). Limiting funds for the Blairstown historic Preservation Commission in Blairstown, New Jersey. **(No text available)**

Crowley (D-NY). Limiting funds for the City of Marshall, Texas. **(No text available)**

Crowley (D-NY). Limiting funds to the City of Muncie, Indiana. **(No text available)**

Crowley (D-NY). Limiting funds for the 1-25 North of HS 66 project in Colorado. **(No text available)**

Crowley (D-NY). Limiting funds for the State Route 374 (from SR149 to 77) project in Montgomery County, Tennessee. **(No text available)**

24. Walberg (R-MI). Prohibits funds from being used by the Department of Transportation to promulgate any regulations based solely on race, ethnicity, or sex.

Hensarling (R-TX). Prohibits funds in the bill from being used to fund museums.

Peterson (R-PA). Limiting funds for tolling on I-80 in Pennsylvania. **(No text available)**

Hunter (R-CO). Limiting funds for a U.S.-Mexico freeway. **(No text available)**

Obey (D-WI). Regarding earmarks. **(No text available)**

Olver (D-MA). Regarding funding. **(No text available)**