



Legislative Bulletin.....July 25, 2007

Contents:

H.R. 3093 – PART II – Commerce, Justice, Science, and Related Agencies Appropriations Act, 2008

H.R. 3093, the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2008 (sponsored by Rep. Mollohan, D-WV), is continuing to be considered on the House floor on Thursday, July 26, 2007, subject to an open rule ([H. Res. 562](#)), 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.

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

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Amendments Made in Order Under the UC

Price (R-GA). Decreases the Department of Commerce's departmental management salaries and expenses by \$2million (from \$56.7 million to \$54.7 million) and increases funds for the National Science Foundation's engineering and science education programs by \$2 million (from \$822.6 million to \$824.6 million).

Campbell (R-CA). 30 MINUTES. Reduces total appropriations in the bill by **0.05%** (which would reduce total appropriations by \$26,775,500).

Capuano (D-MA). Reduces funds in the Act by \$3 million for grants for young witness assistance (as provided by section 1136 of the Violence Against Women and Department of Justice Reauthorization Act of 2005; P.L. 109-162).

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. According to the sponsor's office, this amendment will be offered and withdrawn.

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.

Inslee (D-WA). Regarding federal law enforcement on tribal land. According to the sponsor's office, this amendment has been withdrawn. **(No text available)**

Jackson-Lee (D-TX). Regarding the early release of prisoners. **(No text available)**

Jackson-Lee (D-TX). Regarding transit workers' access to interoperable communications. **(No text available)**

Jackson-Lee (D-TX). Regarding the safety of the International Space Station. **(No text available)**

Jordan (R-OH). 30 MINUTES. Reduces total appropriations in the bill by 3% (which would reduce total appropriations by \$1.6 billion).

Mack (R-FL) / Flake (R-AZ). Regarding limiting funds for certain FBI letters unless certain reporting requirements are met. According to the sponsor's office, this amendment will be withdrawn. **(No text available)**

McHenry (R-NC). Prohibits funds made available in this Act from being used to award grants based solely on the race, ethnicity, or sex of the applicant or prospective contractor or subcontractor.

Musgrave (R-CO). 30 MINUTES. Reduces total appropriations in the bill by **0.5%** (which would reduce total appropriations by \$267,755,000).

Obey (D-WI). Regarding earmarks. **(No text available, though it would presumably prohibit funding any earmark)**

Price (R-GA). 30 MINUTES. Reduces total appropriations in the bill by 1% (\$535,551,000).

Sanchez (D-CA). Regarding the State Criminal Alien Assistance Program. **(No text available)**

Tancredo (R-CO). Prohibits funds made available in this Act from funding the continued operation of the Security and Prosperity Partnership of North America (SPP) within the Department of Commerce. According to the SPP website, the SPP was launched in March of 2005 as an effort to increase security and encourage cooperation and information sharing between the United States, Canada and Mexico. The SPP has received criticism from some regarding its involvement in the erosion of U.S. sovereignty.

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.

Weldon (R-FL). Prohibits funds from being used to provide assistance under the Community Oriented Policing Services (COPS) program to any state or local government that is acting in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. Section 642(a) prohibits any government or entity from restricting information regarding citizenship from the Immigration and Naturalization Service (INS).

King (R-IA). Prohibits funds in the Act for state and local law enforcement assistance under the State Criminal Alien Assistance Program from being provided to any state or unit of local government that has any law, policy, or procedure in effect in contravention of subsection (a) or (b) of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (regarding whistleblower protections).

King (R-IA). Prohibits funds in the Act for state and local law enforcement assistance under the State Criminal Alien Assistance Program from being provided to any state or unit of local government that does not have in effect a program:

- 1) to determine whether each individual who is arrested, detained, or incarcerated by such state or unit is a non-citizen, and
- 2) to notify the Department of Homeland Security of any arrest, detainment, or incarceration of a non-citizen by a state or unit for purposes of determining whether a non-citizen may be subject to removal in proceedings conducted pursuant to sections 235, 238, 240 of the Immigration and Nationality Act (regarding expedited removal of illegal aliens).

King (R-IA). Regarding a study of aliens in prison. According to the sponsor’s office, this amendment will be withdrawn.

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 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 the Institute for Scientific Research, the West High Tech Consortium Foundation, the Vandalia Heritage Foundation, the MountainMade Foundation, and the Canaan Calley Institute.

Mollohan (D-WV). Regarding funding levels. **(No text available)**

Amendments Considered Wednesday Night and not included in last RSC Amendment Summary

Chabot (R-OH). *Offered and withdrawn last night.* Eliminates funds in the Act (from \$15 million to zero) under Community Oriented Policing Services (COPS) for the offender reentry program; increase funds by \$15 million under COPS to reduce gun crime and gang violence (from \$80 million to \$81 million). The amendment sponsor states “gang membership has grown exponentially to approximately 850,000 individuals operating in more than 3,000 communities” and that the amendment would transfer the money from “a duplicative offender reentry program and give the funds to state and local law enforcement programs to combat violent crime and drug activity associated with gang activity.”

Eshoo (D-CA) / Shimkus (R-IL). *Passed by a vote of 340-87 last night.* Provides \$5 million for the Enhance 9-1-1 program. According to the sponsor’s office, in 2004, Congress and the President enacted the ENHANCE 9-1-1 Act to provide \$1.25 billion in grants to states, tribes, and local governments for up to 50% of the costs of making upgrades to 9-1-1 call centers. Since 2004, the program has not yet been funded.

King (R-IA). *Failed on a vote of 19-389 (with 16 voting present) earlier today.* Decreases then increased by \$1 million funds in the Act for the Federal Bureau of Investigation (for no net change). Amendments such as this are often intended to redirect funds within the program. The sponsor states that the purpose of this amendment is to redirect/earmark \$1 million for the FBI for the ongoing investigation regarding Rep. Mollohan (current CJS subcommittee chairman).

Reichert (R-WA) / Murphy (D-CT). *Passed by a vote of 405-25 last night.* Increase funding for the Court Improvements Program (under the Office on Violence Against Women) by \$5 million. According to the sponsor’s office, this judicial training program was authorized early last year as part of the Violence Against Women Act (VAWA) Reauthorization bill, it was not funded. This increase will be offset by a \$5 million reduction from the Department of Commerce, Departmental Management, Salaries and Expenses. The Court Improvements Program supports training and technical assistance for court staff and judges to improve responses to domestic violence, dating violence, sexual assault and stalking.

Hinchey (D-NY) / Rohrabacher (R-CA) / Farr (D-CA) / Paul (R-TX). *Failed by a vote of 165-262 last night.* Amendment text was not available. Prohibits funds in the Act from being used to prevent the states of Alaska, California, Colorado, Hawaii, Maine, Montana, Rhode Island, Nevada, Oregon, Vermont, or Washington from implementing state laws authorizing the use of medical marijuana, and directing the Attorney General to transfer from available appropriations for the current fiscal year for the Department of Justice any amounts that would have been used for this purpose but for this section to the Drug Enforcement Administration to assist state and local law enforcement with proper removal and disposal of hazardous materials from illegal methamphetamine labs, including funding for training, technical assistance, a container program, and purchase of equipment to adequately remove and store hazardous material. This amendment is likely identical to an amendment offered by Rep. Hinchey to CJS last year; the amendment was withdrawn with no vote taken.

Inslee (D-WA) / Burton (R-IN). *Failed by a vote of 412-18 last night.* Appears to reduce funds in the Act by \$14 million for the Department of Justice General Administration Salaries and Expenses; appears to increase funds in the Act by \$14 million for Office on Violence Against Women – violence against women prevention and prosecution programs as follows:

- \$6 million for grants to assist children exposed to violence
- \$6 million for services to advocate for and respond to youth victims
- \$1 million for a national tribal sex offender and protection order registry
- \$1 million to study violence committed against American Indian and Alaska Native women

According to the sponsor, last year the House unanimously passed a similar amendment on the FY07 SSJC bill. **Note: These are new programs, which have been authorized but not funded. This amendment will result in the funding of four new programs.**

Etheridge (D-NC) / Reichert (R-WA). *Failed by a vote of 421-2 last night.* Increases funding for the Public Safety Officers Benefits Program (PSOB) by \$1.7 million (to \$75.5 million) for staff, management, and operational costs to administer the Public Safety Officers Benefits Program. In FY 2007, this program was funded at \$73.8 million, and the President’s recommended funding for FY 2008 is \$75.1 million. According to the sponsor’s office, “this increase in funding would allow PSOB to expedite cases and streamline the process for claimants. Funds would be used to hire additional benefits specialists, ombudsmen to help claimants navigate the process, additional hearing officers and attorneys to process appeals, and other staff as needed to handle the unresolved claims, and ensure the families or first responders receive help in applying and timely responses to their requests.” According to the committee report, the PSOB program provides benefits to public safety officers who are injured in the line of duty, as well as to the families and survivors of public safety officers who are killed or mortally injured in the line of duty. The amendment has been scored by the CBO as budget-neutral.