



June 27, 2006

## Amendments to the Science, State, Justice, and Commerce Appropriations Act, 2007 Appropriations Act, 2007, H.R. 5672

### Part 1

The following contains information on the 26 amendments pre-printed in the Congressional Record, and others not pre-printed that may be offered.

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### Amendments Pre-printed in the Congressional Record

**1. Cardoza (D-CA).** Decreases by \$10 million (from \$190 million to \$180 million), funds for salaries and expenses at the Bureau of the Census, decreases by \$10 million (from \$46 million to \$36 million), funds for the salaries and expenses at the Department of Commerce, and increases by \$20 million (from \$0 to \$20 million), funds for the Drug Endangered Children grant program, which was authorized by the Patriot Act of 2005, but not funded through the appropriations process. This amendment would provide for the appropriation of funds for a **new program**, which has not previously received federal funding.

**2. Chocola (R-IN).** Prohibits funds in the Act from being used by the National Aeronautics and Space Administration for travel policies and practices in violation of Office of Management and Budget circular No. A-126, which is the federal travel regulations governing the use of agency-owned passenger aircraft. According to the sponsor's office, "The Office of Management and Budget (OMB) prohibits the use of agency-owned passenger aircraft by federal employees for routine business activities, such as meetings, conferences, and speeches. However, a report by the Government Accountability Office (GAO-05-818) found that, during 2003 and 2004, NASA employees used 7 of the agency's passenger aircraft for at least 1,188 trips costing \$25 million, while the same trips on commercial coach would have cost \$5 million. GAO's analysis shows that the vast majority of these trips were to engage in activities that are prohibited by OMB regulations (specifically, OMB Circular No. A-126)."

**3. Chocola (R-IN).** Prohibits funds in the Act from being used for business class or first class airline travel by employees of the Department of State in contravention of the General Services Administration's (GSA) Federal Travel Regulation, which governs travel by State's civil service employees. According to the sponsor's office, "Travel by the State Department's civil service employees is governed by the General Services Administration's (GSA) Federal Travel Regulation (FTR). DoS' policy is for its foreign and civil service employees to travel using coach-class accommodations provided by common carriers. However, regulations allow for the authorization and use of premium-class travel under specific circumstances, including travel in excess of 14 hours without a rest stop, an employee with a disability or special need, security issues, seating availability, etc. A recent GAO report (GAO-06-298) found that 67% of premium-class travel by State Department employees was not properly authorized, justified, or both. According to the report, most of these flights were domestic or to destinations that did not last more than the 14 hours required to justify use of premium-class travel, costing taxpayers "tens of millions of dollars."

**4. DeGette (D-CO).** Increases by \$5 million (from \$19.5 million to \$24.5 million), funds for the Internet Crimes Against Children Task Force (ICAC), and decreases by \$5 million (from \$90 million to \$85 million), funds for the salaries and expenses at DoJ. According to the sponsor's office, "The ICAC is in ...need for more funds for three primary purposes: 1) to increase investigations, 2) to enhance law enforcement training; and 3) to conduct forensic analysis." The underlying bill funds ICAC at \$19.5 million, which is \$5 million more than FY06 enacted.

**5. Garrett (R-NJ).** Prohibits funds in the 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.

**6. Gingrey (R-GA).** Provides that none of the funds made available in title IV of the Act may be used for negotiating the participation of additional countries under the visa waiver program described in section 217 of the Immigration and Nationality Act.

**7. Hefley (R-CO).** Reduces funding in the Act by \$598.4 million. This amount is equal to one percent of the total amount of discretionary funding in the bill.

**8. Johnson (D-TX).** Decreases by \$9.87 million (from \$436 million to \$426.1 million), funds for the Cultural Exchange Program at the State Department and increases by \$9.87 million (from \$280.7 million to \$290.6 million), funds for the Juvenile Justice Programs at DoJ. According to the sponsor's office, this amendment is intended to fund the Juvenile Mentoring Program (JUMP), **which is not funded in this bill**. The sponsor states, "JUMP is **non-authorized program** as of 2002, but was funded at \$9,872,000 for FY 2006. Because the program is not authorized, the Johnson Amendment requests \$9,872,000 in funding for Juvenile Justice Programs with the intent that this funding is to be used towards Juvenile Mentoring Programs" (emphasis added).

**9. Johnson (D-TX).** Decreases by \$33.45 million (from \$651 million to \$617.5 million) funds for the Broadcasting Board of Governors; and increases by \$33.45 million, funds for the Juvenile Delinquency Prevention Bock Grant program (\$0 to \$33.45 million), **which is not funded in this bill.** According to the sponsor's office, this amendment will fund the grant program at the President's FY07 request.

**10. Lynch (D-MA).** Decreases funds for the Bureau of the Census Salaries and Expenses account by \$15 million (from \$190.0 million to \$175.0 million), decreases funds for the Bureau of the Census Periodic Censuses and Programs for the Re-engineered Design Process for the Short Form Only Census by \$15 million (from \$258.3 million to \$243.3 million), and increases funds for the Community Oriented Policing Services by \$30 million (from \$20 million to \$50 million).

According to the sponsor's office, the increase in funds is to be used to fund the Bulletproof Vest Partnership (BVP) at its \$50 million authorization level by shifting \$30 million into the partnership. The sponsor's office cites a National Association of Police Organizations (NAPO) letter stating the partnership buys bulletproof vests for police departments nationwide. NAPO cites the need to replace inadequate Zylon-based vests as a reason to fully fund the BVP.

**11. Mica (R-FL).** Decreases by \$15 million (from \$351 million to \$334 million) the funds in the bill for Department of State's public diplomacy international information programs; increases by \$15 million (from \$424 million to \$439 million) the funds in the bill for motor vehicle insurance and tie line rental (under the Department of Commerce's International Trade Administration).

**12. Mica (R-FL).** Decreases by \$131.9 million (from \$3.709 billion to \$3.578 billion) the funds in the bill for Department of State administration of Foreign Affairs Diplomatic and Consular programs; increases by \$131.9 million (from \$249 million to \$264 million) the available funds for the U.S. and Foreign Commercial Service (under the Department of Commerce's International Trade Commission).

**13. Mica (R-FL).** Inserts a new section, which prohibits funds in this bill from being used in violation of the Buy American Act (41 U.S.C. 10a et seq.).

According to the sponsor's office, the Department of Commerce has "awarded the contract for U.S. government-sponsored trade shows in Europe to a *Dutch* firm for nearly two decades" and "U.S. contractors have been zeroed out of competing for U.S. contracts to promote U.S. trade and business."

**14. Mica (R-FL).** This amendment is likely subject to a point of order, and therefore may not be offered. The amendment prohibits funds in this bill from being used by the U.S. and Foreign Commercial Service (USFCS) to close any USFCS office in a foreign country unless the U.S. government has withdrawn all personnel from the U.S. Embassy, missions, and other U.S. government offices within that foreign country.

**15. Mica (R-FL).** According to the sponsor, this amendment may not be offered. The amendment decreases by \$3 million (from \$3 million to \$0) the available funds for the Department of State's operations of the Office of Right-sizing the U.S. Government Overseas Presence; increases by \$3 million (from \$249 million to \$252 million) the available funds for the U.S. and Foreign Commercial Service (under the Department of Commerce's International Trade Commission).

**16. Musgrave (R-CO).** Prohibits funds in the bill from being used to carry out mandatory trigger lock provisions under current law (18 U.S.C. 924(p)). According to the sponsor, this amendment "will stop the ineffective, burdensome, and costly mandatory trigger lock provision in the gun liability bill that was signed into law last October."

**17. Mr. Pallone (D-NJ).** Decreases then increases by \$1 million the available funds for the National Oceanic and Atmospheric Administration salaries and expenses.

Members sometimes use this technique (of reducing and immediately increasing an account by the same amount) to gain time on the floor to speak about the program in question. Further, since actually earmarking money for a certain project may run afoul of the Rules of the House on appropriations bills, Members sometimes offer amendments that use this reduce/increase technique on projects they wish to earmark. While such an amendment does not actually earmark the funds, it creates a change in the bill. The corresponding legislative history (debate on the floor) would signify that the funds are to be used for a specific project.

**18. Poe (R-TX).** Prohibits funds in the bill from being used by the Secretary of State to implement a plan under section 7209 of the Intelligence Reform and Terrorism Act of 2004 (8 U.S.C. 1185 note) that permits travel into the U.S. from foreign countries using any document other than a passport to denote citizenship or identity.

According to the sponsor's office, the Department of State "should be using its resources to reduce costs and expand the issuance of passports and abandon efforts that ultimately lead to making our borders less safe" such as implementing the provisions allowing for documents other than passports to denote citizenship.

**19. Rogers (R-MI).** Decreases by \$4.7 million (from \$190 million to \$185 million) the funds in the bill for Census Bureau salaries and expenses; decreases by \$4.6 million (from \$511 million to \$507 million) the funds in the bill for the 2010 decennial census; decreases by \$4.7 million (from \$182 million to \$177 million) the funds in the bill for expenses related to collect and publish census statistics; increases by \$14 million (from \$92 million to \$78 million) the funds in the bill for expenses of the Hollings Manufacturing Extension Partnership of National Institute of Standards and Technology (under the U.S. Patent and Trademark Office). The RSC Budget eliminated funding for the Hollings Manufacturing Extension Partnership.

**20. Stearns (R-FL).** Prohibits funds from being used to design, renovate, construct or rent any headquarters for the United Nations anywhere in the U.S. The sponsor offered and withdrew a similar amendment last year. Previously, the sponsor asserted, “the UN is renovating its NYC headquarters at a cost of \$1.2 billion, and it also will need to rent temporary office space which will likely cost \$500-\$750 million. U.S. [t]axpayers will end up footing about 25% of the cost.”

**21. Stearns (R-FL).** Prohibits funds from being used to implement section 203 of the Voting Rights Act, the bilingual election assistance requirements. According to the sponsor’s office, the amendment is intended to foster assimilation. Additionally, the sponsor asserts that it is not the government’s duty to provide ballot translation, rather the voter may bring an interpreter of his choice.

**22. Stearns (R-FL).** Decreases funds for the Contributions to International Organizations account by \$500,000 (from \$1,151,318,000 to \$1,150,818,000), and increases funds for the Federal Prison System Salaries and Expenses by \$500,000 (from \$258 million to \$243 million).

According to the sponsor’s office, the amendment is meant to transfer \$500,000 from the United Nations Human Rights Council, to the Federal Prison System for Salaries and Expenses. The sponsor claims there is little difference between the old U.N. Human Rights Commission and the current U.N. Human Rights Council. Current members of the U.N. Human Rights Council include China, Cuba, Russia, Libya, and Saudi Arabia. The sponsor asserts the Council does not support “the ideals of the UN Charter and the Universal Declaration on Human Rights,” and its members are not “free and democratic nations.”

**23. Stearns (R-FL).** Prohibits funds from being used by the International Boundary and Water Commission for projects located solely within Mexico until Mexico enforces its northern border.

**24. Stearns (R-FL).** Decreases funds for basic field programs and required independent audits for the Legal Services Corporation by \$3 million (from \$297 million to \$294 million), and increases the funds for an offender re-entry program by \$2 million (from \$4.9 million to \$6.9 million). To view an RSC one-pager on waste at Legal Services, please visit: [http://www.house.gov/pence/rsc/doc/022806\\_LSC\\_Onepager.doc](http://www.house.gov/pence/rsc/doc/022806_LSC_Onepager.doc).

**25. Tancredo (R-CO)/Andrews (D-NJ)/Chabot (R-OH)/Brown (D-OH).** Prohibits funds from being used to enforce guidelines in a State Department memorandum governing executive branch interactions with the Taiwanese government. The sponsor asserts the amendment will, “lift a number of arbitrary and archaic ‘guidelines’ that inhibit, or altogether prevent U.S. officials from communicating with their counterparts in Taiwan.” Further, the amendment is not meant to change the United State’s “One China” policy.

**26. Terry (R-NE).** Decreases funds for the NASA’s Science, Aeronautics and Exploration account for the “purchase, lease, charter, maintenance and operation of mission and administrative aircraft” by \$50 million (from \$10.48 billion to \$10.43 billion), and increases funds for the Edward Byrne Memorial Justice Assistance Grant under the heading State and Local Law Enforcement Assistance. The RSC Budget eliminated the Byrne Grant program.

***Amendments Not Pre-printed in the Congressional Record***

**Flake (R-AZ).** Prohibits funds from being used for the JARI Workforce Development Program and Small Business Technology Center. According to the sponsor’s office, the SSJC Committee Report contains a \$500,000 earmark for this local project.

**Flake (R-AZ).** Prohibits funds from being used for the Oil Region Alliance of Business, Industry and Tourism. According to the sponsor’s office, the SSJC Committee Report contains a \$200,000 earmark for this local project.

**Flake (R-AZ).** Prohibits funds from being used for the Southern and Eastern Kentucky Tourism Development Association. According to the sponsor’s office, the SSJC Committee Report contains a \$1 million earmark for this local project.

**Flake (R-AZ).** Prohibits funds from being used for the Fairplex Trade and Conference Center. According to the sponsor’s office, the SSJC Committee Report contains a \$750,000 earmark for this local project.

**Flake (R-AZ).** Prohibits funds from being used for the Tooling and Machining Association for a workforce development program in Rochester, NY. According to the sponsor’s office, the SSJC Committee Report contains a \$250,000 earmark for this local project.

**Flake (R-AZ).** Prohibits funds from being used for the Bronx Council for marketing of local business arts initiatives. According to the sponsor’s office, the SSJC Committee Report contains a \$300,000 earmark for this local project.

**Flake (R-AZ).** Prohibits funds from being used for the Arthur Avenue Retail Market for local business requirements and improvements. According to the sponsor’s office, the SSJC Committee Report contains a \$150,000 earmark for this local project.

**Flake (R-AZ).** Prohibits funds from being used for the Wisconsin Procurement Initiative. According to the sponsor’s office, the SSJC Committee Report contains a \$400,000 earmark for this local project.

**Flake (R-AZ).** Prohibits funds from being used for JARI for a regional business incubator. According to the sponsor’s office, the SSJC Committee Report contains a \$800,000 earmark for this local project.

**Flake (R-AZ).** Prohibits funds from being used for Fairmont State University for a small business initiative. According to the sponsor's office, the SSJC Committee Report contains a \$900,000 earmark for this local project.

**Tiaht (R-KS).** Prohibits funds from being used to promulgate regulations without consideration of the effect of such regulations on the competitiveness of American businesses. *This amendment is subject to a point of order. The amendment sponsor will offer the amendment, discuss the issue, and withdraw the amendment.*