



June 28, 2006

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

Part IV

The following contains information on amendments included in the UC Agreement

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Amendments Made in Order Under the UC Agreement

Fossella (R-NY). Decreases by \$10 million (from \$1.151 billion to \$1.141 billion) the funds in this Act for contributions to international organizations (under the Department of State); increases by \$10 million (from \$20 million to \$30 million) the funds in this Act for the matching grant program to purchase armor vests for law enforcement officers.

Johnson (R-CT). Increases by \$3.3 million (from \$5.959 billion to \$5.962 billion), funds in the Act for the FBI salaries and expenses account; decreases by \$3.3 million (from \$511.767 million to \$511.770 million), funds for Bureau of the Census Periodic Censuses and Programs account, which specifically funds the 2010 decennial census. According to the sponsor's office, this funding is to be used by the FBI for the Innocent Images Task Force, which works to combat online sex predators.

Reyes (D-TX). Increases by \$20 million (from \$30 million to \$50 million), funds for the Southwest Border Prosecution Initiative under the state and local law enforcement assistance account at the Department of Justice; decreases by \$20 million (from \$3.707 billion to \$3.687 billion), funds for the Department of States' Consular Affairs account. According to the sponsor, the increase in funding to

Capuano (D-MA). Increases by \$3 million (from \$0 to \$3 million), funds for the Young Witness Assistance Grant Program, which is a new program authorized under the Violence Against Women Act, but not funded in this appropriations bill. Decreases by \$3 million (from \$46 million to \$43 million), funds for the Department of Commerce's departmental management account. According to the sponsor, this would fund the

program at its authorized level of \$3 million. The Appropriations Committee has attempted to defund inefficient and ineffective programs; however, this amendment would restore funding to this program.

Garrett (R-NJ). Decreases by \$19.8 million (from \$1.151 billion to \$1.171 billion) the funds in this Act for contributions to international organizations (under the Department of State); increases by \$19.8 million (from \$558 million to \$577.8 million) the funds in this Act for the Edward Byrne Memorial Justice Assistance Grant program. The Byrne Grant program was one of several projects where the RSC FY07 Budget recommended funding consolidation and reductions.

Baird (R-WA). Prohibits funds in the Act from being used to file a motion under section 3730(b)(3) of title 31, United States Code, for an extension of time of more than six months, or to file more than one motion under such section in any one case. According to the sponsor's office, "The Department of Defense reports spending \$6 billion a month in Iraq, a substantial portion of which goes to contractors. . . . Under the law, the Administration has sixty days to decide if it will join a whistleblower's claim against a company accused of defrauding the government. However, the sixty day period can be extended for an indefinite period of time at the Administration's request during which the case cannot move forward or even be made public. The Bush Administration's use of these extensions is unprecedented and has made it impossible to determine the full scope of pending fraud claims. Our amendment would limit extensions to one six month period."

Garrett (R-NJ). This amendment is likely subject to a point of order, and will be offered and withdrawn. It would require the President to submit an annual report to Congress listing all assessed and voluntary contributions of the U.S. government in the preceding fiscal year to the United Nations and its affiliated agencies.

Watson (D-CA) / Issa (R-CA). Prohibits funds in the Act from being used by the Russian Federation into the World Trade Organization until the United States Trade Representative has determined, under section 182 of the Trade Act of 1974, that the Russian Federation has taken sufficient steps to protect intellectual property rights to warrant its removal from the Trade Representative's priority watch list.

Watson (D-CA). Allocates \$5 million of the funds available to the Department of State for the Administration of Foreign Affairs and Diplomatic and Consular program for the operations of the Bureau of Economic and Business Affairs. According to the sponsor's office, "The funds are intended to support diplomacy aimed at improving intellectual property protection in non-Organisation for Economic Co-operation and Development (OECD) countries." According to its website, OECD including "30 member countries [including the U.S.] sharing a commitment to democratic government and the market economy [and is] best known for its publications and its statistics [and] its work covers economic and social issues from macroeconomics, to trade, education, development and science and innovation."

Thompson (D-CA)/DeFazio (D-OR). This amendment is subject to a point of order.

Provides an additional \$81 million to the Secretary of Commerce, provided the amount is designated as **emergency** funding. According to a recent news report and a letter from Governor Schwarzenegger to the Secretary of Commerce, the federal government shortened the salmon fishing season along the California and Oregon coasts. The sponsor contends the federal government has created a “financial disaster” for the salmon fishermen.

Jackson-Lee (D-TX). Prohibits Department of Justice funds from being used in national security investigations that target portions of the Arab and Muslim communities. According to the sponsor’s office, the amendment is intended to prevent racial profiling in national security investigations.

Jackson-Lee (D-TX). Prohibits funds under the heading “Office of Justice Programs—Justice Assistance,” from being distributed to any state or local “anti-drug task forces that do not collect, and make publicly available, data as to the racial distribution of convictions as result [sic] of their operation.” The sponsor contends public information on the racial distribution of convictions will, “minimize the injustice of erroneous arrests and convictions.” Grants to fund state and local anti-drug task forces come from the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs. The RSC Budget eliminated the Byrne Grant program.

Davis (D-CA)/Evans (D-IL)/Herseth (D-SD). Allocates \$1 million under the heading Small Business Administration Salaries and Expenses, to be available specifically for the National Veterans Business Development Corporation. The underlying bill allocates \$500,000 for the purpose, and the amendment would increase this to \$1.5 million. According to the sponsor’s office, the National Veterans Business Development Corporation subsidizes the formation of businesses formed by veterans, and the shift in funding is intended to restore the funding to the FY06 level.

Frank (D-MA). Prohibits funds in the Act from being used for a manned space mission to Mars. In 2004, President Bush announced a new initiative to explore the Moon and Mars with the goal of returning humans to the Moon by 2020. The RSC FY07 Budget proposed to eliminate NASA’s Moon/Mars Initiative.

Gilchrest (R-MD). Decreases by \$783 million (from \$3.827 billion to \$3.044) the funds in this Act for NASA exploration systems; increases by \$441 million (from \$2.375 billion to \$1.934 billion) the funds in this Act for the National Oceanic and Atmospheric Administration (NOAA) expenses; increases by \$89 million (from \$183 million to \$272 million) the funds in this Act for NOAA corporate services administrative support costs; increases by \$253 million (from \$996 million to \$1.249 billion) the funds in this Act for NOAA procurement, acquisition and construction costs.

According to the sponsor, the NOAA funding level in the Act is almost \$300 million below the President’s request, and funding for those programs managing oceans, coastal, and fisheries “is down nearly \$800 million since FY2005.”

King (R-IA). Decreases by \$1 million (from \$668 million to \$667 million) the funds in this Act for Department of Justice’s salaries and expenses and general legal activities; increases by \$1 million (from \$0 to \$1 million) the funds in this Act for enforcing current law forbidding localities from preventing local law enforcement from asking for or reporting immigration information to the federal government (subsections (a) and (b) of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; 8 U.S.C. 1373).

This amendment was adopted on last year’s SSJC appropriations bill by a vote of 218-208: <http://clerk.house.gov/evs/2005/roll267.xml>.

8 U.S.C. 1373:

- (a) Notwithstanding any other provision of Federal, State, or local law, a Federal, State, or local government entity or official may not prohibit, or in any way restrict, any government entity or official from sending to, or receiving from, the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual.
- (b) Additional authority of government entities Notwithstanding any other provision of Federal, State, or local law, no person or agency may prohibit, or in any way restrict, a Federal, State, or local government entity from doing any of the following with respect to information regarding the immigration status, lawful or unlawful, of any individual:

Engel (D-NY). Prohibits funds in the Act from being used in violation of section 303 of the Energy Policy Act of 1992 (42 U.S.C. 13212), which prohibits the government from purchasing vehicles other than an alternative fueled vehicle. An alternative fueled vehicle would be a vehicle powered at least in part by “methanol, denatured ethanol, and other alcohols; mixtures containing 85 percent or more (or such other percentage, but not less than 70 percent, as determined by the Secretary, by rule, to provide for requirements relating to cold start, safety, or vehicle functions) by volume of methanol, denatured ethanol, and other alcohols with gasoline or other fuels; natural gas, including liquid fuels domestically produced from natural gas; liquefied petroleum gas; hydrogen; coal-derived liquid fuels; fuels (other than alcohol) derived from biological materials; electricity (including electricity from solar energy); and any other fuel the Secretary determines, by rule, is substantially not petroleum and would yield substantial energy security benefits and substantial environmental benefits.”

The amendment sponsor notes that the House has adopted this same amendment by voice vote on the Agriculture, Homeland Security, Energy & Water, Military Quality of Life, and Transportation-Treasury appropriations bills this year.

Sherman (D-CA). Prohibits funds in the Act from being used to detain a person apprehended on U.S. territory for more than 30 days solely because the person is classified as an enemy combatant; prohibits funds in the Act from being used to defend in court the detention of a person for more than 30 days that was apprehended on U.S. territory, solely because the person is classified as an enemy combatant; prohibits funds in the Act from being used to classify any person as an enemy combatant if that person is apprehended on U.S. territory.

DeLauro (D-CT). Decreases by \$10 million (from \$668 million to \$658 million) the funds in this Act for Department of Justice’s salaries and expenses and general legal activities; increases by \$10 million (from \$0 to \$10 million) the funds in this Act for Violence Against Women and Prosecution programs, specifically for grants for sexual assault services program (SASP).

Neither the underlying bill nor the President’s FY07 Budget Request included funding for this program. According to the sponsor, this amendment “will provide the first federal funding stream dedicated entirely to direct services for victims of sexual violence.”