

AMENDMENTS ADOPTED TO THE
LABOR/HHS/EDUCATION APPROPRIATIONS BILL
FOR FY 2016

Full Committee Markup
House Appropriations Committee
Wednesday, June 24, 2015

Cole
AGREED TO
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**AMENDMENT TO LABOR, HHS, EDUCATION
APPROPRIATIONS BILL
OFFERED BY MR. COLE OF OKLAHOMA**

Page 37, beginning on line 1, revise section 110 to read as follows:

1 SEC. 110. Notwithstanding any other provision of
2 law, beginning October 1, 2015, the Secretary of Labor,
3 in consultation with the Secretary of Agriculture may se-
4 lect an entity to operate a Civilian Conservation Center
5 on a competitive basis in accordance with section 147 of
6 the WIOA, if the Secretary of Labor determines such Cen-
7 ter has had consistently low performance under the per-
8 formance accountability system in effect for the Job Corps
9 program prior to July 1, 2016, or with respect to expected
10 levels of performance established under section 159(c) of
11 such Act beginning on July 1, 2016.

Page 74, lines 15 through 23, strike all after “: *Pro-
vided further,*” and insert the following:

12 That none of the funds made available under this heading
13 may be used by an eligible system (as defined in section
14 102 of the Protection and Advocacy for Individuals with
15 Mental Illness Act (42 U.S.C. 10802)) to institute or pur-

1 sue any legal action in a Federal or State court on behalf
2 of an individual with a developmental disability (as defined
3 in section 102(8)(A) of the Developmental Disabilities and
4 Assistance and Bill of Rights Act of 2000 (20 U.S.C.
5 15002(8)(A)) that is attributable to a mental impairment
6 (or a combination of mental and physical impairments),
7 unless such system has first obtained written consent from
8 the individual or, in the case of mental incapacitation, the
9 individual's legal guardian, to institute or pursue such
10 suit.

Page 99, line 7, insert the following:

11 SEC. 233. (a) None of the funds described in sub-
12 section (b) may be used to issue or facilitate the issuance
13 of any recommendations of the United States Preventive
14 Services Task Force with respect to breast cancer screen-
15 ing, mammography, and prevention.

16 (b) For purposes of subsection (a), funds described
17 in this subsection include the following:

18 (1) Funds appropriated by this Act (including
19 funds appropriated to any trust fund).

20 (2) Funds provided under previous appropria-
21 tions Acts to the agencies funded by this title that
22 remain available for obligation or expenditure.

1 (3) Funds provided to any trust fund other
2 than under this Act that remain available for obliga-
3 tion or expenditure.

Page 134, line 21, insert “217(g),” after “201(m),”.

On page 9 of the report, in the second full paragraph, insert at the end the following: “These duplicative and unauthorized programs undermine the steps Congress took in WIOA to consolidate and streamline Federal workforce development efforts.”.

On page 10 of the report, insert after the paragraph relating to Reintegration of ex-offenders the following new paragraph:

Peer-to-Peer Mentoring.—The Committee recognizes the role of peer-to-peer mentoring and counseling in efforts to address employment barriers faced by incarcerated and formerly incarcerated individuals. The Committee urges ETA to incorporate this type of mentoring and counseling in its grant programs.

On page 16 of the report, in the first paragraph under the heading “Office of Workers’ Compensation Programs—Salaries and Expenses”, strike “\$112,685,000” and insert “\$112,665,000”.

On page 22 of the report, in the third full paragraph, insert at the end of the first sentence (before the period) the following: “and that recent changes required by the MSHA increase the amount of rock dust required and the frequency of its application”.

On page 34 of the report, after the table, insert the following:

The Committee is aware of the current insufficient rate of organ donation to meet nationwide need. Further, the Committee is concerned that in some circumstances there is significant regional disparity in donation volume. The Committee urges the Secretary to allocate resources toward increasing the organ donor pool and coordinate efforts by the Organ Procurement and Transplantation Network and the Centers for Medicare and Medicaid Services in regions with disproportionately low numbers of organ donors. The Committee directs the Secretary to establish a coordinated initiative to increase the number of donated organs successfully procured and transplanted throughout the United States. The Committee requests a report not later than 90 days after enactment regarding the Department’s efforts to increase the number of organ donors in the United States.

On page 39 of the report, in the table, revise the overall recommendation for Core Infectious Diseases to be “\$334,598,000”.

On page 50 of the report, in the table, revise the overall recommendation for State and Local Preparedness and Response Capability to be “\$692,700,000”.

On page 54 of the report, after the paragraph relating to CDC Duplication of Research, insert the following new paragraph:

Cross-Border Disease Control.—The Committee requests CDC to provide a report in the fiscal year 2017 budget request on how CDC coordinates its various programs with State and local public health departments to measure, track, control, and manage cross-border infectious disease in high volume port cities.

On page 69 of the report, strike “NATIONAL CENTER FOR COMPLEMENTARY AND ALTERNATIVE MEDICINE (NCCAM)” and “NCCAM” and insert “NATIONAL CENTER FOR COMPLEMENTARY AND INTEGRATIVE HEALTH (NCCIH)” and “NCCIH”, respectively.

On page 69 of the report, strike “complementary and alternative medicine (CAM) practices” and “CAM systems” and insert “complementary and integrative health (CIH) practices” and “CIH systems”, respectively.

On page 72 of the report, insert after the last paragraph the following new paragraph:

Women's Health Research.—The Committee appreciates NIH's recent work to improve the gender balance in pre-clinical research and continues to encourage all future NIH-funded research to include both sexes unless there is a specific reason not to include them. The Committee requests an update on NIH's new policy to require that both sexes be represented in preclinical research. That report should include an analysis of the impact on applications for funding in fiscal year 2015, the projected impact in 2016, and NIH's plan to ensure the analysis of data by sex and other subgroup demographics as a part of grant progress reporting and the compliance of institute directors for funding studies on sex differences and conditions that predominantly impact women.

On page 81 of the report, in the paragraph relating to Updates, insert "*Lymphangiomyomatosis*;" in the list below "Interstitial Cystitis;"

On page 81 of the report, in the paragraph relating to Updates, insert the following after "Science, Technology, Education and Mathematics" (before the semicolon): "(to include specific actions related to Hispanic

Serving Institutions, and other minority serving institutions)”).

On page 89 of the report, in the paragraph relating to section 1115 waivers, strike “*Medicare*” and “*Medicare*” and insert “*Medicaid*” and “*Medicaid*”, respectively.

On page 91 of the report, insert after the paragraph relating to Treatment Resistance Depression (TRD) the following new paragraph:

Two Midnights Rule.—The Committee is concerned with the potential negative impact to Medicare beneficiaries if CMS continues to move forward with its proposed “Two Midnights” rule that was introduced and implemented through the fiscal year 2014 Inpatient Prospective Payment System regulation. The Committee requests the Secretary to review the negative consequences of the Two Midnights rule and work with impacted stakeholders on alternative options.

On page 99 of the report, in the paragraph under the heading “Aging Network Support Activities”, insert at the end the following: “The total amount includes \$2,500,000 to help provide supportive services for aging Holocaust survivors living in the United States.”.

On page 99 of the report, in the paragraph under the heading “Elder Rights Support Activities”, insert at the end the following: “The total amount includes \$4,000,000 for Elder Justice to provide competitive grants to States to test and evaluate innovative approaches to preventing and responding to elder abuse.”.

On page 110 of the report, in the paragraph relating to Siekle Cell, strike “the Office of the Surgeon General” and insert “HRSA”.

On page 110 of the report, insert after the paragraph relating to Office of Women’s Health the following new paragraph:

Quick Health Data Online System.—The Committee directs the Secretary to continue the operation of the Quick Health Data Online system. The Committee also requests a report with a recommendation on the feasibility of moving the Quick Health Data Online system to another HHS agency.

On page 125 of the report, in the paragraph under the heading “Promise Neighborhoods”, strike “\$93,246,000,000” and insert “\$93,246,000”.

On page 137 of the report, in the paragraph under the heading “Federal TRIO Programs”, insert at the end the following: “The bill does not include funding for the

TRIO Demonstration Initiative proposed by the Department in the budget request.”.

On page 142 of the report, insert after the paragraph relating to Interagency Collaboration the following new paragraph:

Expulsions from Early Education Programs.—The Committee is deeply concerned about expulsions and suspensions that occur in preschool settings and K–3 classrooms, particularly given the racial and gender disparities that exist. This is problematic given the research that indicates these practices can adversely affect development, health and education outcomes. The Committee strongly urges the Departments of Education and HHS to highlight evidence-based interventions and identify opportunities, including through relevant programs and the provision of technical assistance, that help prevent and severely limit expulsion and suspension practices in preschool settings and K–3 classrooms and ensure the safety and well-being of all young children.

On page 151 of the report, insert after the paragraph relating to Report on LAE Expenditures the following new paragraphs:

Huntington’s Disease.—The Committee urges the Social Security Administration to work with the National

Institutes of Health to immediately revise the Huntington's disease (HD) SSDI guidelines, used to determine disability for individuals with the disease, to reflect the most up-to-date medical understandings of the physical, cognitive, and behavioral symptoms. The Committee understands that some believe the current guidelines do not fully recognize the emotional and psychological symptoms of Huntington's disease. Some research sources indicate that the emotional and psychological symptoms appear years before physical symptoms are exhibited. The Committee urges SSA to work with NIH to ensure the SSDI HD guidelines reflect the most current scientific data.

Muscular Dystrophy.—The Committee is aware that SSA was added to the Muscular Dystrophy Coordinating Committee through the Muscular Dystrophy CARE Act Amendments enacted in September 2014. The Committee requests that the agency provide relevant data within the fiscal year 2017 budget request on the rate at which persons with Duchenne and Becker Muscular Dystrophy utilize SSA programs, particularly those focused on promoting employment and community independence such as the Ticket to Work program.



Roybal - Allard #1
AG 1660 TO VJ

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**AMENDMENT TO LABOR, HHS, EDUCATION
APPROPRIATIONS BILL, 2016
OFFERED BY MS. ROYBAL-ALLARD OF
CALIFORNIA**

In the Committee Report, on page 94, after the 1st paragraph under the heading "CHILDREN AND FAMILIES SERVICES PROGRAMS", insert the following:

1 The Committee recommendation below for "Social
2 Services/Income Maintenance Research" includes
3 \$750,000 for the Secretary to enter into an agreement
4 with the National Academy of Sciences to provide an evi-
5 dence-based, non-partisan analysis of the macroeconomic,
6 health, and crime/social costs of child poverty, to study
7 current efforts aimed at reducing poverty, and to propose
8 recommendations with the goal of reducing the number
9 of children living in poverty in the United States by half
10 in 10 years.



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Kilmer
AG 4660 TO W

**AMENDMENT TO LABOR, HHS, EDUCATION
APPROPRIATIONS BILL
OFFERED BY MR. KILMER OF WASHINGTON**

In the Committee Report, page 119, after the first paragraph under the heading "Impact Aid", insert the following new paragraph: "The Committee recognizes that Congress has sought to ensure all qualified school districts are able to provide military dependent students with a quality education and essential student support services. Without proper guidance, school districts are at risk of losing funding, which can result in cuts to programs designed to address the emotional, psychological, and educational needs of military dependent students. The Committee urges the Department of Education to provide school districts with clear and timely guidance on how to measure a school district's tax rate compared to the State average tax rate."



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AG 15607
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**AMENDMENT TO LABOR, HHS, EDUCATION
APPROPRIATIONS BILL
OFFERED BY MR. HARRIS OF MARYLAND**

Page 38, after line 20, insert the following:

1 SEC. ____ (a)(1) Except as provided in paragraph
2 (2), none of the funds made available by this Act may
3 be used to implement, create, apply, or enforce through
4 prosecution, adjudication, rulemaking, or the issuing of
5 any interpretation, opinion, certification, decision, or pol-
6 icy, any standard for initial bargaining unit determina-
7 tions that conflicts with the standard articulated in the
8 majority opinion in *Wheeling Island Gaming Inc.* and
9 *United Food and Commercial Workers International*
10 *Union, Local 23*, 355 NLRB 127 (August 27, 2010) (in-
11 cluding the majority opinion in footnote 2).

12 (2) Paragraph (1) shall not apply with respect to unit
13 determinations that are covered under section 103.30 of
14 title 29, Code of Federal Regulations.

15 (b) None of the funds made available by this Act may
16 be used to implement, create, apply, or enforce through
17 prosecution, adjudication, rulemaking, or the issuing of
18 any interpretation, opinion, certification, decision or pol-
19 icy, any standard for initial bargaining unit determina-

- 1 tions that utilize the overwhelming community of interest
- 2 test except in accretion cases.



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KAPTUR

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**AMENDMENT TO LABOR, HHS, EDUCATION
APPROPRIATIONS BILL
OFFERED BY MS. KAPTUR OF OHIO**

At the appropriate place in the Committee Report under the heading "Department of Health and Human Services" insert the following:

- 1 The Committee directs the Secretary of Health and
- 2 Human Services, in consultation with the Secretary of the
- 3 Veterans Administration, to submit a report to the Com-
- 4 mittee on Appropriations of the House of Representatives
- 5 not later than 120 days after the date of the enactment
- 6 of the Bill to which this Committee Report pertains re-
- 7 garding price changes of prescription drugs since 2003.
- 8 The report should include prescription drug prices (net of
- 9 rebates) paid by Federal programs for the 10 most fre-
- 10 quently prescribed drugs and the 10 highest-cost drugs
- 11 under the following:
- 12 (1) The Medicare program under part B of title
- 13 XVIII of the Social Security Act.
- 14 (2) The Medicare prescription drug program
- 15 under part D of title XVIII of the Social Security
- 16 Act.

1 (3) The Medicaid program under title XIX of
2 the Social Security Act.

3 (4) The Veterans Administration.

4 (5) In countries bordering the United States
5 and, as available, other nations.

6 In addition, the report should include total annual
7 costs to the Medicare program under part B of title XVIII
8 of the Social Security Act, the Medicare prescription drug
9 program under part D of title XVIII of such Act, the Med-
10 icaid program under title XIX of such Act, and the Vet-
11 erans Administration for all prescription drugs. And fi-
12 nally, the Secretary of Health and Human Services shall
13 review how the Federal Government has achieved competi-
14 tive cost reductions for drugs since 2001.

