

Union Calendar No. 142

110TH CONGRESS
1ST SESSION**H. R. 3043**

[Report No. 110-231]

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 13, 2007

Mr. OBEY, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 Departments of Labor, Health and Human Services, and

1 TITLE IV—RELATED AGENCIES
2 COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE
3 BLIND OR SEVERELY DISABLED
4 SALARIES AND EXPENSES

5 For expenses necessary of the Committee for Pur-
6 chase From People Who Are Blind or Severely Disabled
7 established by Public Law 92-28, \$4,994,000.

8 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE
9 OPERATING EXPENSES
10 (INCLUDING TRANSFER OF FUNDS)

11 For necessary expenses for the Corporation for Na-
12 tional and Community Service to carry out the Domestic
13 Volunteer Service Act of 1973 (“1973 Act”) (42 U.S.C.
14 4950 et seq.) and the National and Community Service
15 Act of 1990 (“1990 Act”) (42 U.S.C. 12501 et seq.),
16 \$768,905,000, of which \$313,054,000 is to carry out the
17 1973 Act and \$455,851,000 is to carry out the 1990 Act:
18 *Provided*, That up to 1 percent of program grant funds
19 may be used to defray the costs of conducting grant appli-
20 cation reviews, including the use of outside peer reviewers
21 and electronic management of the grants cycle: *Provided*
22 *further*, That none of the funds made available under this
23 heading for activities authorized by section 122 and part
24 E (42 U.S.C. 5028 et seq.) of title II of the 1973 Act
25 shall be used to provide stipends or other monetary incen-
26 tives to volunteers or volunteer leaders whose incomes ex-

1 ceed 125 percent of the national poverty level: *Provided*
2 *further*, That notwithstanding subtitle H of title I of the
3 1990 Act (42 U.S.C. 12653 et seq.), none of the funds
4 provided for quality and innovation activities shall be used
5 to support salaries and related expenses (including travel)
6 attributable to Corporation for National and Community
7 Service employees: *Provided further*, That of the amounts
8 provided under this heading: (1) \$122,521,000, to remain
9 available until expended, to be transferred to the National
10 Service Trust for educational awards authorized under
11 subtitle D of title I of the 1990 Act: *Provided further*, That
12 in addition to these funds, the Corporation may transfer
13 funds from the amount provided for AmeriCorps grants
14 under the National Service Trust Program, to the Na-
15 tional Service Trust authorized under subtitle D of title
16 I of the 1990 Act (42 U.S.C. 12601 et seq.), upon deter-
17 mination that such transfer is necessary to support the
18 activities of national service participants and after notice
19 is transmitted to the Congress; (2) not more than
20 \$55,000,000 of funding provided for grants under the Na-
21 tional Service Trust program authorized under subtitle C
22 of title I of the 1990 Act may be used to administer, reim-
23 burse, or support any national service program authorized
24 under section 121(d)(2) of such Act (42 U.S.C.
25 12571(d)(2)); (3) \$37,125,000, to remain available until

1 September 30, 2009, shall be for service-learning pro-
2 grams authorized under subtitle B of title I of the 1990
3 Act (42 U.S.C. 12521 et seq.); and (4) \$12,000,000 shall
4 be to provide assistance to State commissions on national
5 and community service, under 126(a) of the 1990 Act (42
6 U.S.C. 12576(a)) and notwithstanding 501(a)(4) of the
7 1990 Act (42 U.S.C. 12681(a)(4)).

8 **SALARIES AND EXPENSES**

9 For necessary expenses of administration as provided
10 under section 501(a)(4) of the National and Community
11 Service Act of 1990 (42 U.S.C. 12681 (a)(4)) and under
12 section 504(a) of the Domestic Volunteer Service Act of
13 1973 (42 U.S.C. 5084(a)), including payment of salaries,
14 authorized travel, hire of passenger motor vehicles, the
15 rental of conference rooms in the District of Columbia,
16 the employment of experts and consultants authorized
17 under section 3109 of title 5, United States Code, and
18 not to exceed \$2,500 for official reception and representa-
19 tion expenses, \$68,964,000.

20 **OFFICE OF INSPECTOR GENERAL**

21 For necessary expenses of the Office of Inspector
22 General in carrying out the Inspector General Act of 1978
23 (5 U.S.C. App.), \$5,512,000, to remain available until
24 September 30, 2008.

1 ADMINISTRATIVE PROVISIONS

2 SEC. 401. Notwithstanding any other provision of
3 law, the term “qualified student loan” with respect to na-
4 tional service education awards shall mean any loan deter-
5 mined by an institution of higher education to be nec-
6 essary to cover a student’s cost of attendance at such in-
7 stitution and made, insured, or guaranteed directly to a
8 student by a State agency, in addition to other meanings
9 under section 148(b)(7) of the National and Community
10 Service Act of 1990 (42 U.S.C. 12604 (b)(7)).

11 SEC. 402. Notwithstanding any other provision of
12 law, funds made available under section 129(d)(5)(B) of
13 the National and Community Service Act of 1990 (42
14 U.S.C. 12581(d)(5)(B)) to assist entities in placing appli-
15 cants who are individuals with disabilities may be provided
16 to any entity that receives a grant under section 121 of
17 the Act (42 U.S.C. 12571).

18 SEC. 403. The Inspector General of the Corporation
19 for National and Community Service shall conduct ran-
20 dom audits of the grantees that administer activities under
21 the AmeriCorps programs and shall levy sanctions in ac-
22 cordance with standard Inspector General audit resolution
23 procedures which include, but are not limited to, debar-
24 ment of any grantee (or successor in interest or any entity
25 with substantially the same person or persons in control)

1 that has been determined to have committed any substan-
2 tial violation of the requirements of the AmeriCorps pro-
3 grams, including any grantee that has been determined
4 to have violated the prohibition of using Federal funds to
5 lobby the Congress: *Provided*, That the Inspector General
6 shall obtain reimbursements in the amount of any misused
7 funds from any grantee that has been determined to have
8 committed any substantial violation of the requirements
9 of the AmeriCorps programs.

10 SEC. 404. The Corporation for National and Commu-
11 nity Service shall make any significant changes to pro-
12 gram requirements or policy only through public notice
13 and comment rulemaking. For fiscal year 2008, during
14 any grant selection process, an officer or employee of the
15 Corporation shall not knowingly disclose any covered grant
16 selection information regarding such selection, directly or
17 indirectly, to any person other than an officer or employee
18 of the Corporation that is authorized by the Corporation
19 to receive such information.

20 SEC. 405. Professional Corps programs described in
21 section 122(a)(8) of the National and Community Service
22 Act of 1990 (42 U.S.C. 12572(a)(8)) may apply to the
23 Corporation for a waiver of application of section
24 140(e)(2) (42 U.S.C. 12594(e)(2)).

1 SEC. 406. Notwithstanding section 1342 of title 31,
2 United States Code, the Corporation may solicit and ac-
3 cept the services of organizations and individuals (other
4 than participants) to assist the Corporation in carrying
5 out the duties of the Corporation under the national serv-
6 ice laws: *Provided*, That an individual who provides serv-
7 ices under this section shall be subject to the same protec-
8 tions and limitations as volunteers under section 196(a)
9 of the National and Community Service Act of 1990 (42
10 U.S.C. 12651g(a)).

11 SEC. 407. Organizations operating projects under the
12 AmeriCorps Education Awards Program shall do so with-
13 out regard to the requirements of sections 121(d) and (e)
14 (42 U.S.C. 12571(d) and (e)), 131(e) (42 U.S.C.
15 12583(e)), 132 (42 U.S.C. 12584), and 140(a), (d), and
16 (e)(42 U.S.C. 12594(a), (d), and (e)) of the National and
17 Community Service Act of 1990.

18 SEC. 408. AmeriCorps programs receiving grants
19 under the National Service Trust program shall meet an
20 overall minimum share requirement of 24 percent for the
21 first three years that they receive AmeriCorps funding,
22 and thereafter shall meet the overall minimum share re-
23 quirement as provided in section 2521.60 of title 45, Code
24 of Federal Regulations, without regard to the operating
25 costs match requirement in section 121(e) (42 U.S.C.

1 12571(e)) or the member support Federal share limita-
2 tions in section 140 (42 U.S.C. 12594) of the National
3 and Community Service Act of 1990, and subject to par-
4 tial waiver consistent with section 2521.70 of title 45,
5 Code of Federal Regulations.

6 CORPORATION FOR PUBLIC BROADCASTING

7 For payment to the Corporation for Public Broad-
8 casting, as authorized by the Communications Act of
9 1934, an amount which shall be available within limita-
10 tions specified by that Act, for the fiscal year 2010,
11 \$420,000,000: *Provided*, That no funds made available to
12 the Corporation for Public Broadcasting by this Act shall
13 be used to pay for receptions, parties, or similar forms
14 of entertainment for Government officials or employees:
15 *Provided further*, That none of the funds contained in this
16 paragraph shall be available or used to aid or support any
17 program or activity from which any person is excluded,
18 or is denied benefits, or is discriminated against, on the
19 basis of race, color, national origin, religion, or sex: *Pro-*
20 *vided further*, That no funds made available to the Cor-
21 poration for Public Broadcasting by this Act shall be used
22 to apply any political test or qualification in selecting, ap-
23 pointing, promoting, or taking any other personnel action
24 with respect to officers, agents, and employees of the Cor-
25 poration: *Provided further*, That for fiscal year 2008, in