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HOUSE OF REPRESENTATIVES

{ REPORT
110-231

DEPARTMENTS OF LABOR, HEALTH AND
HUMAN SERVICES, AND EDUCATION, AND
RELATED AGENCIES APPROPRIATIONS
BILL, 2008

R E P O R T

OF THE

COMMITTEE ON APPROPRIATIONS

TOGETHER WITH

MINORITY AND ADDITIONAL VIEWS

[TO ACCOMPANY H.R. 3043]



JULY 13, 2007.—Committed to the Committee of the Whole House on
the State of the Union and ordered to be printed

its programs, worth over \$64,000,000,000, with the highest degree of objectivity and professionalism. Therefore, the bill requires the Secretary to implement procedures to vet conflicts of interest or bias among those who administer, or assist in the administration of, the Department's programs. The provision also requires the Inspector General to certify to the Committee the adequacy of such procedures and to conduct at least one audit within one year to ensure that the procedures are properly implemented and that they have proven to be adequate.

TITLE IV—RELATED AGENCIES

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

The bill provides \$4,994,000 for the Committee for Purchase From People Who Are Blind or Severely Disabled. This is \$342,000 above the fiscal year 2007 appropriation and the same as the budget request.

The Committee for Purchase From People Who Are Blind or Severely Disabled was established by the Wagner-O'Day Act of 1938 as amended. Its primary objective is to increase the employment opportunities for people who are blind or have other severe disabilities and, whenever possible, to prepare them to engage in competitive employment.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

The Corporation for National and Community Service (CNCS) was established by the National and Community Service Trust Act of 1993 to enhance opportunities for national and community service and provide national service educational awards. The Corporation makes grants to States, institutions of higher education, public and private nonprofit organizations, and others to create service opportunities for a wide variety of individuals through full-time national and community service programs.

CNCS administers a variety of volunteer service programs with diverse funding mechanisms. The AmeriCorps volunteers in service to America program funding is mostly provided for direct programming, but a limited number of competitive grants are awarded. National senior volunteer corps programs are administered through competitive grants and contracts. Most of the funding provided for the AmeriCorps State and national program is awarded via competitive grants to States and nonprofit organizations, but there are also formula grants to States and direct programming costs as well. Funding for the learn and serve America program is predominantly distributed via formula for school-based service-learning programs, but a portion of the money is awarded via competition to schools, tribes, community-based organizations, and institutions of higher education.

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$768,905,000 for the operating expenses of the programs administered by the Corporation for Na-

tional and Community Service (CNCS). This is \$40,355,000 less than the fiscal year 2007 funding level and \$15,257,000 more than the budget request. The Committee concurs with the Administration's request to consolidate the domestic volunteer service and the national and community service operating expenses accounts into one single account. With the exception of the funds for the national service trust and service-learning programs, the Committee provides one year of obligation authority for all programs administered by CNCS.

Domestic volunteer services programs

The Committee recommends \$313,054,000 for the domestic volunteer service programs administered by CNCS, which is \$3,500,000 below the fiscal year 2007 appropriation and \$18,828,000 above the budget request.

VISTA.—The Committee recommends \$95,468,000 for the volunteers in service to America (VISTA) program, which is the same as the fiscal year 2007 funding level and \$5,734,000 more than the budget request. The VISTA program supports individuals who recruit volunteers and organize community volunteer activities but who do not provide direct volunteer services.

National senior volunteer corps.—The Committee recommends a total of \$217,586,000 for the national senior volunteer corps, the same as the fiscal year 2007 appropriation and \$13,094,000 above the budget request. In addition, the Committee continues bill language that prohibits CNCS from providing stipends or other monetary incentives to volunteers or volunteer coordinators whose incomes exceed 125 percent of the national poverty level.

National and community service programs

The Committee recommends \$455,851,000 for national and community service programs administered by CNCS, including the national service trust. This is \$36,855,000 less than the fiscal year 2007 funding level and \$3,571,000 less than the budget request.

National service trust.—The Committee recommends \$122,521,000 for the national service trust to be available until expended. This is \$4,801,000 above the fiscal year 2007 funding level and the same as the budget request. The Committee continues bill language that allows CNCS to transfer funds to the national service trust from the amount provided for AmeriCorps grants after notice of such a transfer is transmitted to Congress.

AmeriCorps grants.—The Committee recommendation includes \$255,625,000 for AmeriCorps grants, which is \$9,200,000 less than the fiscal year 2007 funding level and the same as the budget request. Less funding is required in fiscal year 2008 due to estimated carryover balances from previous appropriations. In addition, the Committee continues bill language that caps at not more than \$55,000,000 the amount of funding available for the national direct awards.

Innovation, assistance, and other activities.—The Committee recommends \$13,000,000 for innovation, assistance, and other activities, which is \$16,771,000 below the fiscal year 2007 funding level and \$303,000 above the budget request. The Committee does not include bill language requested by the Administration that would

make this funding available for obligation for two years. The Committee does continue bill language providing that none of the funds made available for innovation, assistance, and other activities may be used to support the salaries and related expenses, including travel, attributable to CNCS employees.

Partnership grants.—The Committee expects that previous partnership grantees, such as the Points of Light Foundation and America's Promise, will be eligible to compete for funding under the innovation, assistance, and other activities funding as well as within the AmeriCorps national direct competition.

National civilian community corps.—The Committee recommends \$11,620,000 for the national civilian community corps, which is \$15,169,000 less than the fiscal year 2007 funding level and the same as the budget request.

Learn and serve.—The Committee recommends \$37,125,000 for learn and serve America, which is the same as the fiscal year 2007 funding level and \$5,026,000 above the budget request. The Committee includes bill language that funding for learn and serve America is to be available until September 30, 2009. Funding is not set aside within the amount available for learn and serve America programs for a public awareness campaign.

State commissions.—The Committee recommends \$12,000,000 for State commission administrative grants, which is \$516,000 less than the fiscal year 2007 appropriation and the same as the budget request. The Committee continues bill language to override the National and Community Service Act of 1990 to set aside these funds.

SALARIES AND EXPENSES

The Committee recommends \$68,964,000 for salaries and expenses associated with the administrative activities of the Corporation for National and Community Service. This is \$1,360,000 less than the fiscal year 2007 funding level and \$556,000 less than the budget request. These funds allow CNCS to manage and operate its programs.

OFFICE OF INSPECTOR GENERAL

The Committee recommends \$5,512,000 for the Office of Inspector General, which is \$549,000 more than the fiscal year 2007 funding level and the same as the budget request. The Office of Inspector General is authorized by the Inspector General Act of 1978. This office provides an independent assessment of all CNCS operations and programs, through audits, investigations, and other proactive projects.

ADMINISTRATIVE PROVISIONS

Sec. 401. The Committee recommendation continues bill language regarding qualified student loans eligible for education awards.

Sec. 402. The Committee recommendation continues bill language regarding the availability of funds for the placement of volunteers with disabilities.

Sec. 403. The Committee recommendation continues bill language directing the inspector general to levy sanctions, in accord-

ance with standard inspector general audit resolution procedures, which include, but are not limited to, debarment of any grantee found to be in violation of AmeriCorps program requirements, including using grant or program funds to lobby Congress.

Sec. 404. The Committee recommendation continues bill language that requires CNCS to ensure that significant changes to program requirements or policy are made only through public notice and comment rulemaking.

Sec. 405. The Committee recommendation includes bill language, as requested, permitting professional corps program applicants that exceed a statutory living allowance/salary amount to apply for funds through State formula.

Sec. 406. The Committee recommendation includes bill language, as requested, that permits CNCS to solicit and accept compensated services and commercial services from other organizations and individuals (other than participants) to assist in programs administered by CNCS.

Sec. 407. The Committee recommendation continues bill language (although the new bill language structure moves this language from "national and community service, operating expenses" to "administrative provisions") that permits organizations operating projects under the AmeriCorps education awards to do so without regard to several administrative functions in the underlying statute.

Sec. 408. The Committee recommendation includes bill language, as requested, that combines separate matching requirements for AmeriCorps grants.

CORPORATION FOR PUBLIC BROADCASTING

The Committee recommends \$420,000,000 in advance funding for fiscal year 2010 for the Corporation for Public Broadcasting (CPB). This amount is \$20,000,000 over the fiscal year 2009 appropriation. The Administration proposed to discontinue funding public broadcasting activities two years in advance. CPB's appropriation is allocated according to a statutory formula reserving no less than 89 percent of the appropriation for grants to stations or program producers, 6 percent for system support, and no more than 5 percent for CPB operations. These funds will partially support the operations of over 1,150 public radio and television stations.

For fiscal year 2008, the Committee does not approve the Administration's proposal to rescind \$50,000,000 from CPB's enacted appropriation. In addition, the Committee recommends \$29,700,000 for digital transition activities, which is the same as the fiscal year 2007 level, and \$26,750,000 for the first installment toward a \$75 million replacement of public radio's interconnection system, which is \$7,900,000 less than the amount provided in fiscal year 2007 for the public television interconnection system. The funds will be used to pay for the development and capital costs of the system by which the public radio satellite system distributes programs to public radio stations. The Administration proposes that these expenses be financed through CPB's base appropriation for fiscal year 2008. In addition, the bill includes language prohibiting the use of CPB funds to apply any political test or qualification in personnel actions.

plan to apply their language skills and knowledge of these countries in the fields of government, the professions, or international development.

HOWARD UNIVERSITY

Language providing that Howard University shall use not less than \$3,526,000 for the endowment program pursuant to the Howard University Endowment Act.

TITLE IV—RELATED AGENCIES

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

OPERATING EXPENSES

Language allowing certain funds to be used for grant application reviews.

Language prohibiting certain funds from being used for stipends or other monetary incentives for volunteers or volunteer leaders whose incomes exceed 125 percent of the national poverty level.

Language prohibiting certain funds from being used to support salaries and related expenses (including travel) attributable to employees of the Corporation for National and Community Service.

Language allowing certain additional funds to be transferred to the National Service Trust, upon a determination that it is necessary to support the activities of national service participants and after notice is transmitted to the Congress.

Language capping at not more than \$55,000,000 the AmeriCorps National Direct funding.

Language allowing certain funds to be made available to provide assistant to State commissions on national and community service.

FEDERAL MEDIATION AND CONCILIATION SERVICE

SALARIES AND EXPENSES

The bill includes language specifying that notwithstanding 31 U.S.C. 3302 fees charged by the Federal Mediation and Conciliation Service, up to full-cost recovery, for special training activities and for arbitration services shall be credited to and merged with its administrative account and shall remain available until expended; that fees for arbitration services shall be available only for education, training, and professional development of the agency workforce; and that the Director of the Service is authorized to accept on behalf of the United States gifts of services and real, personal, or other property in the aid of any projects or functions within the Director's jurisdiction.

NATIONAL LABOR RELATIONS BOARD

SALARIES AND EXPENSES

The bill includes a provision requiring that appropriations to the NLRB shall not be available to organize or assist in organizing agricultural laborers or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in 2(3) of the Act of July 5, 1935