

DEPARTMENTAL MANAGEMENT

The bill includes \$567,782,000 for departmental management (salaries and expenses) at the Department of Education. This amount is \$17,511,000 above the fiscal year 2006 level and \$4,195,000 below the budget request. These activities are authorized by the Department of Education Organization Act, P.L. 96-88, and include costs associated with the management and operations of the Department as well as separate costs associated with the Office for Civil Rights and the Office of the Inspector General.

PROGRAM ADMINISTRATION

The bill includes \$423,916,000 for program administration. This amount is \$12,766,000 above the fiscal year 2006 level and \$2,050,000 below the budget request. These funds support the staff and other costs of administering programs and activities at the Department. Items include personnel compensation and health, retirement and other benefits as well as travel, rent, telephones, utilities, postage fees, data processing, printing, equipment, supplies, technology training, consultants and other contractual services. The bill includes language requested by the Administration making \$2,500,000 of the total funding provided available until expended for building alterations and related expenses for the move of Department staff to the Mary E. Switzer building in Washington, D.C.

OFFICE FOR CIVIL RIGHTS

The bill includes \$92,866,000 for the salaries and expenses of the Office for Civil Rights. This amount is \$2,255,000 above the fiscal year 2006 appropriation and the same as the budget request. This Office is responsible for enforcing laws that prohibit discrimination on the basis of race, color, national origin, sex, disability, membership in a patriotic society, and age in all programs and institutions that receive funds from the Department. These laws extend to 50 state educational agencies, 16,000 local educational agencies, 3,500 institutions of higher education, as well as to proprietary schools, state rehabilitation agencies, libraries, and other institutions receiving Federal funds.

The Committee supports the tremendous strides for women made possible through title IX of the Education Amendments of 1972, but is concerned about any possible unintended consequences from its enforcement. The Committee has heard complaints that some schools have chosen to eliminate teams as a mechanism to gain title IX compliance. The Committee requests the Department to report by February 1, 2007 on its activities to educate school administrators on the full scope of compliance strategies and its efforts to clarify that compliance does not require the elimination of teams or limitation of male participation in athletic programs.

OFFICE OF THE INSPECTOR GENERAL

The bill includes \$51,000,000 for the Office of the Inspector General. This amount is \$2,490,000 above the fiscal year 2006 appropriation and \$2,145,000 below the budget request. This office has authority to inquire into all program and administrative activities of the Department as well as into related activities of grant and contract recipients. It conducts audits and investigations to deter-

mine compliance with applicable laws and regulations, to check alleged fraud and abuse, efficiency of operations, and effectiveness of results.

ADMINISTRATIVE PROVISIONS

Sec. 301. The Committee continues a provision that prohibits funds under this Act from being used for the transportation of students or teachers in order to overcome racial imbalances or to carry out a plan of racial desegregation.

Sec. 302. The Committee continues a provision that prohibits funds under this Act from being used to require the transportation of any student to a school other than the school which is nearest the student's home in order to comply with title VI of the Civil Rights Act of 1964.

Sec. 303. The Committee continues a provision that prohibits funds under this Act from being used to prevent the implementation of programs of voluntary prayer and meditation in public schools.

Sec. 304. The Committee continues and amends a provision that allows up to one percent of any discretionary funds appropriated for the Department of Education to be transferred between appropriations accounts, provided that no appropriation is increased by more than three percent by any such transfer.

TITLE IV—RELATED AGENCIES

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

The bill provides \$4,995,000 for the Committee for Purchase From People Who Are Blind or Severely Disabled. This is \$373,000 above the fiscal year 2006 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 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.

DOMESTIC VOLUNTEER SERVICE PROGRAMS

The Committee recommends \$313,050,000 for the Domestic Volunteer Service Programs that are administered by the Corporation for National and Community Service, which is the same as the fiscal year 2006 appropriation and \$8,000 below the budget request.

VISTA.—The Committee recommends \$95,464,000 for the Volunteers in Service to America (VISTA) program, which is \$2,188,000 above the fiscal year 2006 level and the same as 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 2006 appropriation and \$6,000 below the budget request. Within the amount provided, the Committee recommends the following:

Foster Grandparents Program	\$110,937,000
Senior Companion Program	46,964,000
Retired Senior Volunteer Program	59,685,000

In addition, the Committee continues 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. OPERATING EXPENSES (INCLUDING TRANSFER OF FUNDS)

The Committee recommends \$437,457,000 for National and Community Service Programs operating expenses, including the Trust. This is \$77,429,000 less than the fiscal year 2006 appropriation and \$25,682,000 below the budget request. The Committee recommendation includes the following program levels:

AmeriCorps grants	\$218,060,000
National Service Trust	124,720,000
Learn and Serve	34,155,000
National Civilian Community Corps	26,730,000
Innovation and Demonstration	3,966,000
Evaluation	2,460,000
State Commissions	12,516,000
Points of Light Foundation	9,900,000
America's Promise	4,950,000

AmeriCorps grants.—The Committee recommendation includes \$218,060,000 for AmeriCorps grants, which is \$46,765,000 below the fiscal year 2006 appropriation and \$40,899,000 below the request. The Committee is concerned with the high levels of carry-over balances that the Corporation has accumulated over the past several fiscal years. According to budget appendices and reports published by OMB, the Corporation has carried over an average of \$102,200,000 per fiscal year for the last ten fiscal years. While high carry-over balances are understandable early in a program's development, routine high balances appear to demonstrate that the Corporation has received significantly more funding than programs under the National and Community Service Act can absorb on an annual basis. For fiscal year 2006, the budget appendix indicates that the Corporation expects to carry \$40,000,000 into fiscal year 2007. In fact, the Corporation's budget justification maintains that "States have requested less than [a] full formula allocation for several years in a row." This circumstance is not unique, as the justification identifies eight other AmeriCorps grant programs in which appropriated funds have exceeded need. Accordingly, the

Committee recommendation reduces funding for AmeriCorps grants by \$40,899,000 below the budget request for fiscal year 2007, with reductions to the request distributed as follows:

Formula grants to states	-\$20,000,000
Competitive grants to states	-13,000,000
Direct national competitive grants	profits	-4,500,000
Education award program	-3,399,000

Given that the fiscal year 2007 justification indicates that "demand for EAP grant funds was lower than expected in fiscal year 2005," the Committee does not believe the requested increase of \$3,399,000, or 42 percent, is warranted.

National Service Trust.—The Committee recommends \$124,720,000 for the National Service Trust, \$13,880,000 below the fiscal year 2006 appropriation and the same as the budget request. The Committee commends the Corporation for its plan to shift funding from unfilled slots awarded in prior years in order to cover the needs of the Trust in fiscal year 2007.

Learn and Serve.—The Committee recommends \$34,155,000 for the Learn and Serve America program, which is the same as the budget request and \$2,970,000 below the fiscal year 2006 appropriation.

National Civilian Community Corps.—The Committee recommends \$26,730,000 for the National Civilian Community Corps, which is 21,780,000 above the request and the same as the fiscal year 2006 appropriation.

Innovation, Demonstration and Assistance.—The Committee recommends \$3,966,000 for Innovation, Demonstration and Assistance programs, which is \$12,315,000 below the fiscal year 2006 appropriation and \$5,063,000 below the budget request. The Committee recommendation denies funding for all activities other than disability grants on the grounds that these activities were either one-time expenditures in fiscal year 2006 or should be carried out through other appropriate programs run by the Corporation.

Evaluation.—The Committee recommends \$2,460,000 for evaluation programs, which is \$1,500,000 below both the fiscal year 2006 level and the budget request. The Committee denies funding for the Longitudinal Study of AmeriCorps Members and the Volunteering in the United States projects. The Committee supports evaluation efforts aimed at improving the Corporation's management and the programs it offers, and has provided funding for both.

State Commissions.—The Committee recommends \$12,516,000 for state commission administrative grants, the same as the fiscal year 2006 appropriation and the budget request.

SALARIES AND EXPENSES

The Committee recommends \$67,483,000 for salaries and expenses associated with the administrative activities of the Corporation. This is the \$1,400,000 above the fiscal year 2006 appropriation and \$2,832,000 below the budget request. The Committee approves funding for consolidation of CNCS administrative functions.

OFFICE OF INSPECTOR GENERAL

The Committee recommends \$4,950,000 for the Office of Inspector General, which is \$990,000 below the fiscal year 2006 level and

the same as the budget request. The Committee directs the Inspector General to continue to review the Corporation's management of the National Service Trust.

The Office of Inspector General is authorized by the Inspector General Act of 1978, as amended. This Office provides an independent assessment of all Corporation operations and programs, including those of the Volunteers in Service to America and the National Senior Service Corps, through audits, investigations, and other proactive projects.

ADMINISTRATIVE PROVISIONS

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

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

Sec. 403. The Committee recommendation continues language directing the Inspector General to levy sanctions in accordance 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 the Congress.

Sec. 404. The Committee recommendation continues language that requires the Corporation 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 language prohibiting the Corporation from making education awards in excess of the maximum Pell grant.

CORPORATION FOR PUBLIC BROADCASTING

The Committee concurs with the budget request to provide no advance funding for fiscal year 2009 for the Corporation for Public Broadcasting (CPB). The Committee can no longer afford to provide public broadcasting with the preferential treatment associated with receiving a budget two years in advance while critical programs like elementary and secondary education, housing for extremely low-income families, including the elderly and disabled, homeland security, veterans medical care and biomedical research are required to compete with other priorities on an annual basis. Furthermore, the Committee cannot responsibly commit fiscal year 2009 resources given the difficulty in predicting the budget climate two years in advance.

The Committee recommendation includes authority for CPB to spend up to \$38,000,000 in previously appropriated fiscal year 2007 funds for digital conversion activities and up to \$36,000,000 for the satellite interconnection system.

The Committee recommendation rescinds \$20,000,000 in funds previously appropriated for fiscal year 2007, and includes bill language stipulating that this rescission may not be taken from the Community Service Grants to local public television and radio stations.

The CPB ombudsmen were established to ensure that all recipients of CPB funding strictly adhere to the standard of objectivity

and balance in all programs or series of programs of a controversial nature. Review by the ombudsmen of substantive complaints is a key means of assuring programming meets that standard. The Committee expects the ombudsmen will ensure that recipients of CPB funding comply with this policy.

FEDERAL MEDIATION AND CONCILIATION SERVICE

The bill provides \$42,842,000 for the Federal Mediation and Conciliation Service (FMCS), an increase of \$241,000 above the fiscal year 2006 appropriation and the same as the budget request.

The FMCS attempts to prevent and minimize labor-management disputes having a significant impact on interstate commerce or national defense, except in the railroad and airline industries. The agency convenes boards of inquiry appointed by the President in emergency disputes and conducts dispute mediation, preventive mediation, and arbitration. In addition, the Service offers alternative dispute resolution services and training to other Federal agencies to reduce litigation costs and speed Federal administrative proceedings.

The bill also includes provisions first enacted in the fiscal year 1996 Appropriations Act granting the agency the authority to accept gifts and to charge fees for certain services.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

The bill provides \$7,731,000 for the Federal Mine Safety and Health Review Commission. This is the same as the fiscal year 2006 appropriation and \$155,000 above the budget request.

The Commission is responsible for reviewing the enforcement activities of the Secretary of Labor under the Federal Mine Safety and Health Act. The Commission's administrative law judges hear and decide cases initiated by the Secretary of Labor, mine operators, or miners. The five-member Commission hears appeals from administrative law judge decisions, rules on petitions for discretionary review, and may direct, of its own initiative, review of cases that present unusual questions of law.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

For the Institute of Museum and Library Services (IMLS), the Committee recommends \$280,460,000. This is \$33,316,000 more than the fiscal year 2006 funding level and \$18,220,000 more than the budget request. The Institute makes state formula grants for library services and discretionary national grants for joint library and museum projects.

For library services, the Committee concurs with the budget request and recommends \$171,500,000 for state grants, \$3,675,000 for library services to Native Americans and Native Hawaiians, \$12,930,000 for national leadership grants, and \$25,000,000 for the Laura Bush 21st century librarian program for the recruitment and education of librarians.

For museum services, the Committee concurs with the budget request and recommends \$17,978,000 for museums for America, \$3,000,000 for 21st Museum Professionals, \$500,000 for museum assessment, \$3,000,000 for conservation project support, \$820,000 for conservation assessment, \$8,500,000 for national leadership