

an amendment by Mr. MORAN of Kansas regarding funding limitation on restrictions on agricultural trade with Cuba;

an amendment by Mr. OBERSTAR regarding funding limitation on implementation of a final rule on certain air carriers;

an amendment by Mr. RANGEL regarding funding limitation on enforcement of economic embargo of Cuba;

an amendment by Mr. TIAHRT regarding competitiveness of U.S. businesses;

an amendment by Mr. TIAHRT regarding IRS services; and

an amendment or amendments by Mr. KNOLLENBERG regarding funding in the bill.

Each such amendment may be offered only by the Member named in this request or a designee, or by the Member who caused it to be printed in the RECORD or a designee, shall be considered as read, shall not be subject to amendment except that the chairman and ranking minority member of the Committee on Appropriations and the Subcommittee on Transportation, Treasury, and Housing and Urban Development, Judiciary, District of Columbia, and independent agencies each may offer one pro forma amendment for the purpose of debate; and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

Except as otherwise specified, each amendment shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent. An amendment shall be considered to fit the description stated in this request if it addresses in whole or in part the object described.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

Mr. OBEY. Mr. Speaker, reserving the right to object, I simply under the reservation would like to point out to the House that if this is strictly adhered to, there are 67 amendments that are provided for under this UC request. It will take approximately 11 hours just for the debate time, not allowing for slippage, not allowing for other Members yielding or the natural sliding that we have in the House. That means that it will take at least 13 to 14 hours to finish these amendments plus the time that is needed for voting.

Assuming that only one-third of these amendments are put to a record vote, we could have a total of around 16 to 17 hours before this bill is finished. That will certainly take us through tonight, all of tomorrow, and well into Friday and perhaps beyond. So I would ask Members to again think through whether or not they feel the need to offer every one of these amendments. If they are, we will be here for a long, long time with other competing business being squeezed to the end of the week.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2007

The SPEAKER pro tempore. Pursuant to House Resolution 865 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 5576.

□ 1845

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 5576) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007, and for other purposes, with Mr. DREIER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, a request for a recorded vote on the amendment offered by the gentleman from California (Mr. GARY G. MILLER) had been postponed and the bill had been read through page 74, line 5.

Pursuant to the order of the House of today, no further amendment to the bill may be offered except those specified in the previous order of the House of today, which is at the desk.

AMENDMENT OFFERED BY MS. MILLENDER-MCDONALD

Ms. MILLENDER-MCDONALD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. MILLENDER-MCDONALD:

Page 73, line 8, insert after the first dollar amount the following: “(reduced by \$250,000)”.

Page 190, line 10, insert after the first dollar amount the following: “(increased by \$250,000)”.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Ms. MILLENDER-MCDONALD. Mr. Chairman, I rise today to offer this amendment to the Transportation-Treasury Appropriations bill for fiscal year 2007, to provide more funding for the training of college students to be poll workers.

As ranking member on the Committee on House Administration, I am pleased that the Appropriations Committee fully funded the budget request for the Election Assistance Commission, commonly referred to as EAC.

I am also pleased that the committee report suggests that \$250,000 of the EAC's funding be allocated to the College Worker's Poll Grant Program, authorized by the Help America Vote Act, HAVA.

However, Mr. Chairman, I do believe that this funding is not sufficient to meet the critical challenges facing the administration of elections in this country.

I am offering this amendment to increase the funding.

Mr. KNOLLENBERG. Mr. Chairman, will the gentleman yield?

Ms. MILLENDER-MCDONALD. I yield to the gentleman from Michigan.

Mr. KNOLLENBERG. Mr. Chairman, I would be happy to accept your amendment.

Ms. MILLENDER-MCDONALD. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Ms. MILLENDER-MCDONALD).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

HEALTH INSURANCE TAX CREDIT ADMINISTRATION

For expenses necessary to implement the health insurance tax credit included in the Trade Act of 2002 (Public Law 107-210), \$14,846,000.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. Not to exceed 5 percent of any appropriation made available in this Act to the Internal Revenue Service or not to exceed 3 percent of appropriations under the heading “Enforcement” may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the Committees on Appropriations.

SEC. 202. The Internal Revenue Service shall maintain a training program to ensure that Internal Revenue Service employees are trained in taxpayers' rights, in dealing courteously with taxpayers, and in cross-cultural relations.

SEC. 203. The Internal Revenue Service shall institute and enforce policies and procedures that will safeguard the confidentiality of taxpayer information.

SEC. 204. Funds made available by this or any other Act to the Internal Revenue Service shall be available for improved facilities and increased manpower to provide sufficient and effective 1-800 help line service for taxpayers. The Commissioner shall continue to make the improvement of the Internal Revenue Service 1-800 help line service a priority and allocate resources necessary to increase phone lines and staff to improve the Internal Revenue Service 1-800 help line service.

SEC. 205. Of the funds made available by this Act to the Internal Revenue Service, not less than \$166,249,000 shall be available for operating expenses of the Taxpayer Advocate Service, of which not less than \$166,101,000 shall be made available from the “Taxpayer Services” account and \$148,000 shall be made available from the “Operations Support” account.

SEC. 206. None of the funds appropriated or otherwise made available by this or any other Act or source in this or any future fiscal year may be used to develop or provide taxpayers with free individual income tax

electronic preparation and filing products or services other than through the Free File program and the Internal Revenue Service's Taxpayer Assistance Centers, Tax Counseling for the Elderly, and volunteer income tax assistance programs: *Provided*, That no such funds may be used to develop or implement direct interactive online electronic individual income tax preparation or filing services or products, or a return-free system as described in section 2004 of the Internal Revenue Service Restructuring and Reform Act of 1998.

POINT OF ORDER

Mr. THOMAS. Mr. Chairman, I raise a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. THOMAS. Mr. Chairman, I raise a point of order against section 206 of this bill, H.R. 5576, on the grounds that this provision violates clause 2(b) of House rule XXI, because it is legislation included in a general appropriations bill.

The CHAIRMAN. Does any other Member wish to be heard on the point of order? If not, the Chair is prepared to rule.

The Chair finds that this section addresses funds in other Acts. As such, the section constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the section is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 207. Appropriations for the Internal Revenue Service for the taxpayer service and tax law enforcement programs for fiscal year 2007 and thereafter shall be made up of three accounts, "Taxpayer Services", "Enforcement", and "Operations Support" for fulfilling the taxpayer service and enforcement programs.

SEC. 208. Amounts made available for fiscal year 2007 under the "Taxpayer Services", "Enforcement", and "Operations Support" accounts may be transferred between the accounts to the extent necessary to implement the restructuring of the Internal Revenue Service accounts after notice of the amount and purpose of the transfer is provided to the Committees on Appropriations of the Senate and House of Representatives and a period of 30 days has elapsed: *Provided*, That the limitation on transfers is 20 percent in fiscal year 2007.

SEC. 209. None of the funds made available in this Act may be used to enter into, renew, extend, administer, implement, enforce, or provide oversight of any qualified tax collection contract (as defined in section 6306 of the Internal Revenue Code of 1986).

ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE TREASURY

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Appropriations to the Department of the Treasury in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitations for vehicles purchased and used overseas for the current fiscal year; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services authorized by 5 U.S.C. 3109.

SEC. 211. Not to exceed 2 percent of any appropriations in this Act made available to the Departmental Offices—Salaries and Expenses, Office of Inspector General, Financial Management Service, Alcohol and Tobacco Tax and Trade Bureau, Financial Crimes Enforcement Network, and Bureau of the Public Debt, may be transferred between such appropriations upon the advance approval of the Committees on Appropriations: *Provided*, That no transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 212. Not to exceed 2 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to the Treasury Inspector General for Tax Administration's appropriation upon the advance approval of the Committees on Appropriations: *Provided*, That no transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 213. Of the funds available for the purchase of law enforcement vehicles, no funds may be obligated until the Secretary of the Treasury certifies that the purchase by the respective Treasury bureau is consistent with Departmental vehicle management principles: *Provided*, That the Secretary may delegate this authority to the Assistant Secretary for Management.

SEC. 214. None of the funds appropriated in this Act or otherwise available to the Department of the Treasury or the Bureau of Engraving and Printing may be used to redesign the \$1 Federal Reserve note.

SEC. 215. The Secretary of the Treasury may transfer funds from Financial Management Services, Salaries and Expenses to Debt Collection Fund as necessary to cover the costs of debt collection: *Provided*, That such amounts shall be reimbursed to such salaries and expenses account from debt collections received in the Debt Collection Fund.

SEC. 216. Section 122(g)(1) of Public Law 105-119 (5 U.S.C. 3104 note), is further amended by striking "8 years" and inserting "9 years".

SEC. 217. None of the funds appropriated or otherwise made available by this or any other Act may be used by the United States Mint to construct or operate any museum without the explicit approval of the House Committee on Financial Services and the Senate Committee on Banking, Housing, and Urban Affairs.

SEC. 218. None of the funds appropriated or otherwise made available by this or any other Act or source to the Department of the Treasury, the Bureau of Engraving and Printing, and the United States Mint, individually or collectively, may be used to consolidate any or all functions of the Bureau of Engraving and Printing and the United States Mint without the explicit approval of the House Committee on Financial Services; the Senate Committee on Banking, Housing, and Urban Affairs; the House Committee on Appropriations; and the Senate Committee on Appropriations.

SEC. 219. Section 3333(a) of title 31, United States Code, is amended by striking paragraph (3) and inserting the following:

"(3) The amount of the relief, and the amount of any relief granted to an official or agent of the Department of the Treasury under section 3527 of this title, shall be charged to the Check Forgery Insurance Fund under section 3343 of this title. A recovery or repayment of a loss for which replacement is made out of the fund shall be credited to the fund and is available for the purposes for which the fund was established."

This title may be cited as the "Department of the Treasury Appropriations Act, 2007".

TITLE III

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) ("the Act" herein), not otherwise provided for, \$15,776,400,000, to remain available until expended, of which \$11,576,400,000 shall be available on October 1, 2006, and \$4,200,000,000 shall be available on October 1, 2007: *Provided*, That the amounts made available under this heading are provided as follows:

(1) \$14,436,200,000 for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act): *Provided*, That notwithstanding any other provision of law, from amounts provided under this paragraph, the Secretary for the calendar year 2007 funding cycle shall provide renewal funding for each public housing agency based on the amount public housing agencies were eligible to receive in calendar year 2006, and by applying the 2007 Annual Adjustment Factor as established by the Secretary, and by making any necessary adjustments for the costs associated with deposits to Family Self-Sufficiency Program escrow accounts or the first-time renewal of tenant protection or HOPE VI vouchers: *Provided further*, That the Secretary shall, to the extent necessary to stay within the amount provided under this paragraph, prorate each public housing agency's allocation otherwise established pursuant to this paragraph: *Provided further*, That public housing agencies participating in the Moving to Work demonstration shall be funded pursuant to their Moving to Work agreements and shall be subject to the same pro rata adjustments under the previous proviso: *Provided further*, That up to \$100,000,000 shall be available for additional rental subsidy due to unforeseen exigencies as determined by the Secretary and for the one-time funding of housing assistance payments resulting from the portability provisions of the housing choice voucher program;

(2) \$149,300,000 for section 8 rental assistance for relocation and replacement of housing units under lease that are demolished or disposed of pursuant to the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104-134), conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, HOPE VI vouchers, mandatory and voluntary conversions, and tenant protection assistance including replacement and relocation assistance: *Provided*, That additional section 8 tenant protection rental assistance costs may be funded in 2007 by utilizing unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading "Annual Contributions for Assisted Housing", the heading "Housing Certificate Fund", and the heading "Project-based rental assistance", for fiscal year 2006 and prior years notwithstanding the purposes for which such amounts were appropriated;

(3) \$47,500,000 for family self-sufficiency coordinators under section 23 of the Act;

(4) \$5,900,000 shall be transferred to the Working Capital Fund; and

(5) \$1,137,500,000 for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to \$30,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs, with up to \$20,000,000 to be for fees associated with section 8 tenant protection rental assistance: *Provided*, That \$1,107,500,000 of the amount provided in this paragraph shall be allocated for the calendar year 2007 funding cycle on a pro rata basis to public housing agencies based on the amount public housing agencies were eligible to receive in calendar year 2006: *Provided further*, That all amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8, including related development activities.

AMENDMENT OFFERED BY MR. NADLER

Mr. NADLER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. NADLER:

Page 80, line 24, after the dollar amount, insert the following: “(increased by \$70,000,000)”.

Page 80, line 25, after the dollar amount, insert the following: “(increased by \$70,000,000)”.

Page 81, line 3, after the dollar amount, insert the following: “(increased by \$70,000,000)”.

Page 113, line 16, after the dollar amount, insert the following: “(reduced by \$100,000,000)”.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from New York (Mr. NADLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. NADLER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment would increase funding for Section 8 housing vouchers by \$70 million to enable an additional 10,000 low-income families to afford safe, decent housing.

To offset this increase, the amendment cuts the Working Capital Fund for a poorly managed computer upgrade program. Even with the reduction, the bill would still provide \$94 million in working capital funds for IT projects in eight accounts scattered around the bill other than the Working Capital Fund itself.

We have a choice, Mr. Chairman. Do we want to help thousands of families obtain affordable housing, or do we think it is more important to have a somewhat faster computer upgrade in HUD? If we support American families, we should support this amendment.

We all understand the budget is extremely tight and that many programs are facing cuts. Our amendment, therefore, does not seek to restore the amount to the amount that the President recommended, which is \$144 million more than the committee recommends, it seeks merely to restore \$70 million, or about half of what the difference is to what the President recommended.

This is less than the bare minimum of what is needed. We have hundreds of thousands of families on waiting lists, waiting 8, 9, 10 years for decent housing for Section 8 vouchers.

This amendment will enable us to provide vouchers to about 10,000 of those families. That is our choice. The Section 8 housing voucher program provides safe, affordable housing to approximately 2 million American fami-

lies in urban and rural communities in our country.

Those vouchers are often the only resource for low-income families confronted by our Nation's affordable housing crisis.

Mr. Chairman, many Republicans support this amendment. We passed a similar amendment last year with Republican support. 141 Members have signed a letter in support of fully funding the President's request, which would be twice the size of this amendment. 225 Members, including 30 Republicans, voted for an essentially similar amendment last year.

I urge everyone on both sides of the aisle to vote for this amendment.

Finally, let me say that we may be told that the offset would leave no funds in the computer account. The fact is the committee has been very ingenious in squirreling away money in different accounts.

Mr. Chairman, I have here a list of all of the places in the bill where money is squirreled away for these computers. There is a total of \$194 million. With this amendment it would still leave \$94 million for this purpose.

Mr. Chairman, I thank the chairman. I urge everyone to vote for this amendment.

Mr. Chairman, I would offer this chart for the RECORD. I am pleased to announce also that the amendment has gained the support of the AARP and the National League of Cities. Once again, the choice is, will we provide 10,000 families with safe, decent housing, at the price of slightly slowing down a computerization program for the bureaucrats at HUD?

That is the choice. I hope everyone will vote yes on the Nadler-Velazquez Amendment.

Programs descriptions	Additional descriptions	Amount	Page/Line
Public Indian Housing	Tenant Based Rental Assistance	\$5,900,000	pg. 83 ln. 14.
Public Housing Capital Fund	Housing Opportunities for People with AIDS	14,850,000	pg. 86 ln. 1.
Community House and Development		1,485,000	pg. 92 ln. 4.
Home Investment Partnerships Program		3,465,000	pg. 94 ln. 22.
Homeless Assistant Grants		2,475,000	pg. 97 ln. 20.
Housing Programs Project Based Rental Assistance		3,960,000	pg. 99 ln. 24.
Housing for the Elderly		1,980,000	pg. 101 ln. 7.
Housing for Persons with Disabilities		990,000	pg. 102 ln. 5.
Federal Housing Administration	Mutual Mortgage Insurance Program Account	23,562,000	pg. 105 ln. 6.
General and Special Risk Program Account		10,692,000	pg. 106 ln. 22.
Management and Administration	Salaries and Expenses	15,000,000	pg. 112 ln. 25.
Working Capital Fund		100,000,000	pg. 113 ln. 16.
Section 325	Administrative Contract Expenses	10,000,000	pg. 133 ln. 21.
		\$194,359,000	

Mr. Chairman, I reserve the balance of my time.

Mr. KNOLLENBERG. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. KNOLLENBERG. Mr. Chairman, the bill before us fully funds the renewal of Section 8 vouchers. Additional funds, especially ones at the expense of critical programs, are simply not necessary. The cost of Section 8 vouchers are remaining constant and in some markets are actually decreasing.

As such, this funding level will not only maintain the current level of

vouchers, but also provide funds to restore vouchers that may have been lost in recent years.

The proposed reduction to the Working Capital Fund leaves a funding level that is not sufficient to support HUD's existing needs and will cause delays in critically needed efforts to modernize antiquated legacy systems in such areas as HUD's core financial systems and FHA mortgage program systems.

More importantly, the funds of the Working Capital Fund are the funds that ensure that HUD is able to make Section 8 payments on time. Ironically,

cutting this program to boost Section 8 will have a very real and negative impact on the Section 8 program.

So therefore, I must urge a no vote on this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. NADLER. Mr. Chairman, how much time do we have remaining?

The CHAIRMAN. The gentleman has 2 minutes remaining.

Mr. NADLER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the fact is we have waiting lists in many of our cities of 8, 9, and 10 years for Section 8 vouchers.

We could do much, much more than this amendment would do and shorten these waiting lists to 5 and 6 years.

Mr. Chairman, it is wrong for low-income Americans to have to wait 8, 9 and 10 years for decent, safe housing. This amendment will go a little ways toward supplying that need.

The chairman says that the committee's proposal funds all of the Section 8 vouchers. It funds enough Section 8 vouchers to continue a waiting list of 8, 9, and 10 years.

Now, it is true the offset takes some money away from a computerization account at HUD, but it leaves \$94 million for that purpose. The computerization at HUD can go a little more slowly, and 10,000 additional families will have decent housing.

That is the choice. HUD can do, and do very well, with \$94 million for this computerization program squirreled away in different sections of the bill as I have here outlined.

But 10,000 families might not have to wait 9, 10 years for decent housing. Mr. Chairman, that is the choice in the amendment. That is why I urge everyone to vote for the amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. NADLER).

The question was taken; and the Chairman announced that the yeas appeared to have it.

Mr. NADLER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

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The CHAIRMAN. The Clerk will read. The Clerk read as follows:

HOUSING CERTIFICATE FUND
(RESCISSION)

Of the unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading "Annual contributions for assisted housing", the heading "Tenant-based rental assistance", and the heading "Project-based rental assistance", for fiscal year 2006 and prior years, \$2,000,000,000 is rescinded, to be effected by the Secretary no later than September 30, 2007: *Provided*, That, if insufficient funds exist under these headings, the remaining balance may be derived from any other heading under this title: *Provided further*, That the Secretary shall notify the Committees on Appropriations 30 days in advance of the rescission of any funds derived from the headings specified above: *Provided further*, That any such balances governed by reallocation provisions under the statute authorizing the program for which the funds were originally appropriated shall be available for the rescission.

PUBLIC HOUSING CAPITAL FUND
(INCLUDING TRANSFERS OF FUNDS)

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States

Housing Act of 1937, as amended (42 U.S.C. 1437g) (the "Act") \$2,178,000,000, to remain available until September 30, 2010: *Provided*, That notwithstanding any other provision of law or regulation, during fiscal year 2007, the Secretary may not delegate to any Department official other than the Deputy Secretary and the Assistant Secretary for Public and Indian Housing any authority under paragraph (2) of section 9(j) regarding the extension of the time periods under such section: *Provided further*, That for purposes of such section 9(j), the term "obligate" means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays, immediately or in the future: *Provided further*, That of the total amount provided under this heading, up to \$10,890,000 shall be for carrying out activities under section 9(h) of such Act: *Provided further*, That up to \$14,850,000 shall be transferred to the Working Capital Fund: *Provided further*, That no funds may be used under this heading for the purposes specified in section 9(k) of the United States Housing Act of 1937, as amended: *Provided further*, That of the total amount provided under this heading, up to \$19,800,000 shall be available for the Secretary of Housing and Urban Development to make grants, notwithstanding section 305 of this Act, to public housing agencies for emergency capital needs resulting from unforeseen or unpreventable emergencies and natural disasters occurring in fiscal years 2007 and 2008: *Provided further*, That of the total amount provided under this heading, \$23,760,000 shall be for supportive services, service coordinators and congregate services as authorized by section 34 of the Act and the Native American Housing Assistance and Self-Determination Act of 1996: *Provided further*, That of the total amount provided under this heading up to \$7,920,000 is to support the costs of administrative and judicial receiverships: *Provided further*, That of the total amount provided under this heading up to \$15,345,000 shall be to support the ongoing Public Housing Financial and Physical Assessment activities of the Real Estate Assessment Center (REAC).

AMENDMENT OFFERED BY MR. DAVIS OF
ALABAMA

Mr. DAVIS of Alabama. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. DAVIS of Alabama:

Page 85, line 11, after the dollar amount, insert "(increased by \$30,000,000)".

Page 111, line 3, after the first dollar amount, insert "(reduced by \$30,000,000)".

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Alabama (Mr. DAVIS) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. DAVIS of Alabama. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, thank you for the recognition. I have an amendment at the desk which is a repetition of a bipartisan amendment that was brought to the floor of the House a year ago, and it has to deal with the HOPE VI housing program. Many of our colleagues on both sides of the aisle have seen their districts benefit from HOPE VI.

It is a program that was launched under the George Herbert Walker Bush

administration. In fact, its chief architect was former Secretary of Housing and Urban Development Jack Kemp. It is a program which has been in place for 16 years now, and it has literally changed the face of public housing in numerous communities around our country.

I have seen it happen three times in Birmingham, Alabama and Tuscaloosa, Alabama. Abandoned, near dilapidated public housing projects, which had been given up, have now been turned into mixed-income developments. And whole communities of Birmingham and Tuscaloosa, which had been squandered, are now on the road toward economic revitalization and recovery.

That has been the story of Birmingham and Tuscaloosa. It has been a story that has spread all over this country.

When we brought this amendment to the floor last year, no less than 59 Republicans joined in support of it with 188 Democrats, one of the strongest levels of bipartisan support that any amendment has commanded. I simply ask the House to do essentially what it has done before.

The President attempted to zero out funding. The committee has not added funding. We propose to add \$30 million from the Administration and Management Fund to the Working Capital Fund. The reason, Mr. Chairman, that it goes in the Working Capital Fund is we have a reauthorization issue around HOPE VI. As of September 30, the program will have lapsed. It is our full expectation that it will be extended.

There has been a unanimous voice vote in the Financial Services Committee to reauthorize it, and there has been strong support on the other side of the Capitol in the Senate to reauthorize it. What we simply want to do is make sure that when the program is reauthorized, that the money is being held so these projects can go forward. \$30 million is a very conservative amount of money.

The average HOPE VI project is indeed around 20 or \$30 million. But what this commitment of resources will do is to in effect preserve the HOPE VI program and effectuate the intent of the Financial Services Committee that HOPE VI be reauthorized.

Let me thank someone who is not in the Chamber at this point, my colleague from Florida, Congresswoman KATHERINE HARRIS. She worked very hard to bring this amendment to the floor last year. She has worked very hard to give us support for it tonight. I certainly thank her for her bipartisan commitment.

But it is a very simple statement, Mr. Chairman. If we value a future for public housing, if we want to transform the lives of these communities, this is a small nominal amount in a massive Federal budget of \$3.7 trillion. It is literally a drop in the bucket, but it is a very meaningful drop in the bucket for many families who are living in urban centers all around this country.

Mr. Chairman, I reserve the balance of my time.

Mr. KNOLLENBERG. Mr. Chairman, I rise to oppose the amendment.

The Acting CHAIRMAN (Mr. GOODLATTE). The gentleman from Michigan is recognized for 10 minutes.

Mr. KNOLLENBERG. HOPE VI was intended to demolish 100,000 units of severely distressed public housing units, and the program has accomplished that goal. However, there is currently \$80 million in unobligated funds going back as far as 10 years-plus. And get this, an additional \$2 billion remains in unexpended balances. That is money.

These unobligated and unexpended balances mean the program will be spending out for years to come. As of the end of fiscal year 2005, only 23 percent of all projects have been completed. We need to focus on completing what has already been approved, not adding to the already large backlog of unfinished work. Therefore, I urge a "no" vote on this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. DAVIS of Alabama. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. WATT).

Mr. WATT. Mr. Chairman, I just want to rise in support of the amendment. A number of us have worked hard for a number of different years to save, reauthorize, and fund the HOPE VI program.

The gentleman is right: they have funds in the process, but you can't revitalize communities overnight. They seem to have lost sight of the fact that it takes a long time to rebuild a community that starts off being dilapidated public housing. You have to tear it down, you have to enter into public-private ventures around that community to restore housing, and that takes time.

When people criticize the fact that there is money in the pipeline that has not been expended, that simply reaffirms the purpose for which HOPE VI was initiated in the first place, to restore communities, not to just build houses. That takes time. We need this money to continue the process.

Mr. DAVIS of Alabama. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Ms. HARRIS) and thank her for her outstanding work on this issue.

Ms. HARRIS. Mr. Chairman, I rise today to offer an amendment with my friend and colleague from Alabama (Mr. DAVIS). This would restore the funding for the Department of Housing and Urban Development's HOPE VI programs.

Created in 1992 to renovate existing public housing sites and replace them with new mixed-income housing, the HOPE VI grant program has been remarkably successful at revitalizing some of our most troubled and distressed communities. We have all seen stories of the conditions that exist in public housing developments throughout the Nation, dilapidated buildings

and homes, infestations of insects and rodents, barely functional plumbing and sewage, high rates of violence and crime. These are the conditions that have overtaken too many of our public housing facilities, the conditions in which too many families are struggling to live and raise children.

This program is aptly named because hope is exactly what these grants bring to communities. I can speak firsthand of the outstanding results of this program. In the City of Bradenton, Florida, we have already been completely revitalized as a result of HOPE VI grants.

The result is Bradenton Village, a successful partnership between the local government, the private sector, and the Federal Government to restore and revitalize a community that only a few years ago was crumbling and suffering. Today, Bradenton Village is a vibrant and thriving area and a testament to HOPE VI grants. That success is not limited to Florida.

This remarkable program has been responsible for rebuilding substandard housing and replacing it with quality, affordable housing across the country. It is not just about bricks and mortar. By creating more options, giving a consumer more and better choices in housing, education, job training and job placement, HOPE VI grants transform lives.

If this amendment is adopted, the HOPE VI program can continue to deliver upon its promises. The Davis-Harris amendment seeks to restore \$30 million to the HOPE VI program so that they can continue in their mission of revitalizing American communities. This \$30 million is a far cry from the funding HOPE VI has received in the past; it is less than a third of the \$99 million that the program received last year, for example, but it is enough to keep the program alive so that we can continue to help these communities where it is making such a tremendous difference.

The amendment is fiscally responsible, as the \$30 million we are requesting for HOPE VI will be offset by reducing funding HUD's Management and Administrative Salaries and Expense Funds. Additionally, according to the Congressional Budget Office, the amendment budget authority is neutral and as a result, a net outlay savings of \$22 million.

I know some of my colleagues have been concerned about the administration of the HOPE VI program. There have been complaints that the funds are not dispersed as swiftly or as efficiently as they could be. I share some of those concerns, and I want to see the program operate at maximum efficiency and effectiveness.

If the management of the program can be made more effective, by all means let us make it more effective. But let us not give up on the program just when it is making a difference in people's lives. Let us not give up on HOPE VI. Let us not give up on the

strength and possibilities of our communities. I urge my colleagues to support the Davis-Harris amendment. Let us keep hope alive.

Mr. DAVIS of Alabama. Mr. Chairman, I yield myself the balance of my time.

Let me put several things in perspective. Mr. WATT made the obvious point that these projects take awhile to succeed. Therefore if we stop the funding flow, it will make it impossible for commitments to be made that have been kept.

Observation number two, we need this appropriation of funds to effectuate the intent of Congress. The committee that has jurisdiction over HOPE VI, the Financial Services Committee, has voted unanimously on a voice vote to reauthorize HOPE VI.

The Senate has expressed or manifested the same plan to reauthorize HOPE VI. If we don't put funding forward, the clear-cut congressional intent will be undercut in this instance.

Third of all, there is a strong, clear congressional intent from the last several budget cycles. Four times in a row now, the administration has tried to zero out HOPE VI. Every single time Congress has put it back.

The Senate had put \$100 million back last year. The House, in a strong bipartisan vote, put \$60 million back. We anticipate the Senate will put another significant amount back into this budget.

The next point, talk to the people who have seen this work on the ground. The League of Cities, a bipartisan collection of mayors and leaders of municipalities, has endorsed this amendment. They are an eloquent testament to the fact that HOPE VI revitalizes neighborhoods.

The National Home Builders, a strong bipartisan group, has given its endorsement to this amendment. They have a statement it meets important private sector and public sector goals.

We don't have to look very far other than the quotes of some of our own colleagues. CHARLIE DENT from Pennsylvania, a Republican the last time I checked, this "project will be a catalyst for the revitalization of the entire community and it will serve as a model of what public housing can and should be, a path to homeownership for its residents."

FRED UPTON, a Republican from Saint Joseph, Michigan: "This is tremendous news for the Benton Harbor community. It is another example of folks from the local State and Federal levels coming together for the betterment of Benton Harbor."

ANNE NORTHUP, our colleague from Louisville, a Republican: "A HOPE VI grant, great news for Louisville, a major investment in the downtown neighborhood."

My good friend and our colleague, CHIP PICKERING from Mississippi, a Republican the last time I checked: "The full range of this project will not only improve the lives of the residents in

my district, but also their children for years to come. The HOPE VI grant represents a significant investment to the overall economic development and renewal of the East Mississippi region."

Our colleague from Connecticut (Mr. SHAYS), a Republican the last time I checked, talks about the wonderful collaboration of the Stamford Housing Authority, the Fairfield Resident Council and the City of Stamford to make this project a reality.

There is an overwhelming statement from our colleagues on both sides of the aisle about the utility of HOPE VI. So for this body to fail to pass this Davis-Harris amendment will not only be in contradiction of what we say in our press releases, it would be in contradiction of what the U.S. Senate seeks to do and would be in contradiction of what we do with our own votes.

While the administration fails to get the message, I think that our colleagues in this body tonight will get the message. I urge passage of this bipartisan amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama (Mr. DAVIS).

The question was taken; and the Acting Chairman announced that the yeas appeared to have it.

Mr. DAVIS of Alabama. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Alabama will be postponed.

AMENDMENT OFFERED BY MR. INSLEE

Mr. INSLEE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. INSLEE:

Page 85, line 11, after the dollar amount, insert the following: "(increased by \$261,000,000)".

Page 194, line 1, after "2007", insert the following: "(reduced by \$261,000,000)".

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Washington (Mr. INSLEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. INSLEE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this would restore \$260 million to the Public Housing Capital Fund. As Members know, this is a critical fund that delivers housing services to make sure that our public housing is up to snuff and our citizens can live in safe housing.

This is a fund that makes sure that the roofs don't leak on our citizens, air ventilation doesn't cause asthma, and we don't allow termites to infest our public housing facilities. Despite the criticality of that fund, the current bill

as proposed would cut \$260 million, an 11 percent slash out of this budget of this very important fund.

Mr. Chairman, we will simply restore that cut to go back to the status quo of the level of funding for the Public Housing Capital Fund.

□ 1915

The reason we suggest this is that our offset for this would be a small cut to the Federal building budget. It would essentially result in about a 3.5 percent cut to the Federal building budget, and what we suggest by this amendment is that in difficult times, if we are going to have to have cuts in these Federal budgets, it should first come out of where we house our Federal agencies and, second, come out of where we house our citizens.

Our citizens ought to have first claim to the money. The kids that we are trying to avoid an epidemic of asthma, some of which we believe is caused by poor housing, they ought not to be suffering right now if we have to slash some budget. If we have to delay some bureaucracy, getting an upgrade in an agency, that is really a delay that kids in public housing cannot take a slash in the health of these budgets.

I just want to point out the one thing that this public housing fund does that is so effective.

One of the problems of our folks in public housing are their energy costs. A lot of these people pay 50 percent and more of their income in housing costs, and their energy costs eats them alive. I looked at St. Paul. Over 26 percent of all the evictions there were essentially caused because of high utility costs, and one of the things this public housing fund can do is help get better weatherization, more efficient heating/cooling systems to reduce energy costs. In fact, if we reduce our energy costs by 10 percent, we will save \$20 billion of these folks in public housing.

So our amendment does some things that are very common sense. It will go back to status quo. It will restore a \$260 million slashed cut to public housing. It will offset that by a 3.5 percent cut to the Federal budget. Let us give first priority to our citizens and their housing and second priority to a small cut to housing some of our Federal agencies. It is the right thing to do. It is common sense.

Mr. Chairman, I reserve the balance of my time.

Mr. SWEENEY. Mr. Chairman, I claim the time in opposition.

The Acting CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. SWEENEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I oppose this amendment and would point out that this is not an amendment that simply cuts money out of the bureaucracy. It is not a bureaucratic cut.

The cuts proposed by the amendment are irresponsible in today's atmosphere

where immigration and terrorism threats to the government and U.S. citizens are real.

Cutting the Federal buildings fund by \$261 million would leave the fund without the resources it needs to build critical, secure crossings on our southern border with Mexico and strengthen the Federal buildings against the threat of terrorism.

Let me repeat that. Vote for this amendment and you are voting against building border crossings on the U.S.-Mexico border and against funding to secure Federal buildings against terrorism.

The amendment would completely eliminate GSA's new construction of six border stations at the crossings in McAllen, Texas; El Paso, Texas; San Luis, New Mexico; Columbus, New Mexico; Calexico, California; and Nogales, Arizona. In addition, the amendment would eliminate the Food and Drug Administration's Montgomery County, Maryland project, as well as the remote delivery facility in Anacostia for mail sorting for the Federal Government, something that is sadly needed with the threat of anthrax and other deadly substances in our government now.

Funds would be cut that are needed to secure Federal buildings to protect workers and the general public from possible terrorist attacks.

As much as higher funding for the capital fund would be nice, there are more pressing needs in this bill.

This amendment is irresponsible, and I would urge its defeat, Mr. Chairman.

Mr. Chairman, I reserve my time.

Mr. INSLEE. Mr. Chairman, I yield myself such time as I may consume.

Well, while I respect my friend's argument, it is quite artful, but not every dollar spent by the Federal Government goes to terrorism, as the suggestion would be.

Let us be real here in this discussion. We will leave \$7.44 billion in the Federal building fund, and in that fund the vast majority of those dollars are spent for housing Federal office workers, not Border Patrol, and to suggest that somehow that if this cut takes place we are going to be bombarded by immigrants is a great stretch, artful perhaps, but a tremendous stretch.

What we are really talking about, we are talking about delaying perhaps for a year expanded Federal bureaucracies and the square footage they have in their Federal offices and office buildings scattered all across America. We are talking about suggesting that that delay in expanding the square footage for Federal office workers, as hard as they work and I respect them a bunch, is something that we ought to figure is a common-sense thing to do, instead of cutting \$260 million when people are living in substandard housing that has an \$18 billion backlog.

So, let us look at the real life and not get wrapped around the argument that anything that changes a Republican budget somehow smacks of being soft

on terrorism. That is a great stretch, and I do not think that dog will hunt.

We are talking about a small reduction of 3.5 percent in a \$7.7 billion budget for office budgets. Let me just give you an example of what we are talking about.

There is \$4.3 billion for rental space, \$277 million in current funding in this budget. Maybe a little bit of that could be deferred. There is \$2 billion for building operations, \$119 million, 6 percent more than cut funding. That is common sense.

Let us give first priority to our housing.

Mr. SWEENEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would point out to my good friend that I probably, more than any other Member in this body, have great understanding of what public housing funds are for. I grew up in public housing. Nevertheless, this bill is about balancing the priorities that we need in this age of terrorism and threat of terrorism. In this age of immigration reform, I think that these funds need to fully be kept in as they have been appropriated by the committee.

Mr. Chairman, I yield 2 minutes to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Chairman, I thank the gentleman from New York.

I am pleased that the gentleman from the State of Washington is concerned about the expanding Federal bureaucracy, and I look forward to working with him to make sure that our Federal Government does not grow at fast of a pace because when it does it makes us less competitive, but the issue here is whether we should divert money to the issue that the gentleman would like to have it diverted to.

\$260 million is a lot of money. There has been a lot of preparation in the allocation of the money that has come to the subcommittee and to the full Committee of Appropriations. Difficult decisions were made, but more importantly, this money that would be taken from the GSA is to address a very important, vital need in our society today, and that is the immigration challenge that we are facing today.

Many of you have received bricks in your office from constituents. Those bricks represent the necessity of building a stronger border along the southern part of this country. This money that is being diverted in this amendment would take money from six border stations: McAllen, Texas; El Paso, Texas; San Luis, New Mexico; Columbus, New Mexico; Calexico, California; and Nogales, Arizona. People are coming across because we have not established our own borders in this country. We have not established our southern border. These six border stations will help do this establishment of our borders.

Now, there is always something that people feel like is a higher priority, but

today, if you stop the first 12 people on Main Street, America, and ask them do what you want with this \$260 million going to this Federal housing project or do you want it to go to the border to stop the illegal flow of immigrants coming in, I guarantee you that all of them will say to you, let us stop the flow of illegal immigrants into the country. First, let us take care of the ones that are here, find a system that incorporates them into our work needs and into our culture, and then let us move on to something else. Let us move on to the needs that we have in meeting the challenges of those who are lower income groups.

This amendment would take away from that goal of fixing our borders, and I would suggest that we vote it down.

Mr. SWEENEY. Mr. Chairman, I yield myself the remaining time.

In conclusion, let me just say I strongly oppose this amendment because of its impact on some vital security needs. I would point out to the gentleman and my friends, of the \$261 million he diverts over into public housing, 20 percent of it could be used for administrative costs in the current form of the structure that it is used.

This money is needed and has been prioritized as such, and I would urge my colleagues to vote "no."

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Washington (Mr. INSLEE).

The amendment was rejected.

Mr. INSLEE. Mr. Chairman, I request a recorded vote.

The Acting CHAIRMAN. The gentleman's request is untimely.

The Clerk will read.

The Clerk read as follows:

PUBLIC HOUSING OPERATING FUND

For 2007 payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937, as amended (42 U.S.C. 1437g(e)), \$3,564,000,000: *Provided*, That all funds made available under this heading shall be allocated to public housing agencies in accordance with the terms, conditions, criteria and methodology set forth in the Housing and Urban Development Department Correction for Formula Implementation Date notice (Correction Notice) published in the Federal Register on October 24, 2005 and shall not be allocated using any other formula unless approved by the Committee: *Provided further*, That of the total amount provided under this heading \$9,900,000 in bonus funds shall be provided to public housing agencies that assist program participants in moving away from dependency on housing assistance programs: *Provided further*, That of the total amount provided under this heading, \$5,940,000 shall be for technical assistance related to the transition and implementation of asset-based management in public housing: *Provided further*, That, in fiscal year 2007 and all fiscal years hereafter, no amounts under this heading in any appropriations Act may be used for payments to public housing agencies for the costs of operation and management of public housing for any year prior to the current year of such Act: *Provided further*, That no funds may be used under this heading for the

purposes specified in section 9(k) of the United States Housing Act of 1937, as amended.

NATIVE AMERICAN HOUSING BLOCK GRANTS

(INCLUDING TRANSFER OF FUNDS)

For the Native American Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), \$625,680,000, to remain available until expended: *Provided*, That, notwithstanding the Native American Housing Assistance and Self-Determination Act of 1996, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single-race Census data and with the need component based on multi-race Census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: *Provided further*, That of the amounts made available under this heading, \$990,000 shall be contracted through the Secretary as technical assistance and capacity building to be used by the National American Indian Housing Council in support of the implementation of NAHASDA; \$3,465,000 shall be to support the inspection of Indian housing units, contract expertise, training, and technical assistance in the training, oversight, and management of such Indian housing and tenant-based assistance: *Provided further*, That of the amount provided under this heading, \$1,980,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: *Provided further*, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed \$14,938,825: *Provided further*, That for administrative expenses to carry out the guaranteed loan program, up to \$148,500 from amounts in the third proviso, which shall be transferred to and merged with the appropriation for "Salaries and Expenses".

NATIVE HAWAIIAN HOUSING BLOCK GRANT

For the Native Hawaiian Housing Block Grant program, as authorized under title VIII of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111 et seq.), \$8,815,000, to remain available until expended, of which \$299,211 shall be for training and technical activities.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z-13a), \$3,960,000, to remain available until expended: *Provided*, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$116,276,000, to remain available until committed.

In addition, for administrative expenses to carry out the guaranteed loan program, up to \$247,500 from amounts in the first paragraph which shall be transferred to and merged with the appropriation for "Salaries and Expenses".

NATIVE HAWAIIAN HOUSING LOAN GUARANTEE
FUND PROGRAM ACCOUNT
(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized by section 184A of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z-13b), \$1,010,000, to remain available until expended: *Provided*, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$43,000,000, to remain available until committed.

In addition, for administrative expenses to carry out the guaranteed loan program, up to \$35,000 from amounts in the first paragraph which shall be transferred to and merged with the appropriation for "Salaries and Expenses".

COMMUNITY PLANNING AND DEVELOPMENT
HOUSING OPPORTUNITIES FOR PERSONS WITH
AIDS

(INCLUDING TRANSFER OF FUNDS)

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), \$300,100,000, to remain available until September 30, 2008, except that amounts allocated pursuant to section 854(c)(3) of such Act shall remain available until September 30, 2009: *Provided*, That the Secretary shall renew all expiring contracts for permanent supportive housing that were funded under section 854(c)(3) of such Act that meet all program requirements before awarding funds for new contracts and activities authorized under this section: *Provided further*, That the Secretary may use up to \$1,485,000 of the funds under this heading for training, oversight, and technical assistance activities and \$1,485,000 shall be transferred to the Working Capital Fund.

AMENDMENT OFFERED BY MR. NADLER

Mr. NADLER. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. NADLER:

Page 91, line 20, after the dollar amount, insert the following: "(increased by \$10,000,000)".

Page 105, lines 5 and 6, after each of the dollar amounts, insert the following: "(reduced by \$10,000,000)".

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from New York (Mr. NADLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. NADLER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment would increase the appropriation for the Housing Opportunities for Persons With AIDS program, or HOPWA, by \$10 million.

Frankly, this is a very modest amount. Earlier this year, more than 100 Members joined me and Representatives ROS-LEHTINEN and CROWLEY in asking the Appropriations Committee for \$424 million in HOPWA funding for fiscal year 2007.

I am relieved that the President finally asked for a \$14 million increase

over last year in HOPWA funding, and I am very grateful to Chairman KNOLLENBERG and Ranking Member OLVER for meeting his request and funding the program at this level.

But the sad truth is that this year's HOPWA level barely keeps up with inflation. Three years ago in 2004, HOPWA was funded at \$295 million. That the program will see an increase in 2004 to 2007 of \$5 million in 3 years is not enough even to meet inflation.

Housing needs have grown faster than inflation. Adequately meeting the housing needs of all those living with HIV and AIDS would take over \$2 billion. Nationwide, thousands of people are now on waiting lists for HOPWA-funded housing, and with 91 percent of HOPWA recipients having family incomes of less than \$1,000 per month, program recipients simply cannot afford the shortfall.

The costs associated with new AIDS treatments often force people to choose between essential medications to enable them to survive and the necessities such as housing. Without adequate HOPWA funding, AIDS patients will continue to flood our emergency rooms and our Medicaid rolls and will be forced to live on the streets.

This HOPWA funding does not simply get people with HIV and AIDS off of the streets. Recent studies have shown that housing in many cases equates directly to HIV prevention because people with housing are much more likely to know their HIV status and, therefore, less likely to transmit the disease to others. Improvements in housing status also lead to lower rates of high-risk behavior, such as intravenous drug use, which can lead to the spread of the disease.

HOPWA is an extremely fiscally sound program. It is locally controlled and provides maximum flexibility to States and communities to design approaches that best respond to local housing needs. In fiscal year 2006 alone, HOPWA funds will support the delivery of services to roughly 71,500 households in all 50 States.

I realize that, given the record deficits that we have, funding HOPWA at the \$2 billion level it should have is not realistic. The financial constraints that we face put us in an unfortunate bind. There is much room for improvement.

I, again, thank the chairman and ranking member for the increase that they proposed, but given the scarce resources of this bill, a \$10 million increase beyond that, which means we will have an increase by \$5 million in 3 years, is I think more than warranted, and that is what this amendment is.

□ 1930

I am grateful for HOPWA's increase this year, but I urge a further increase of \$10 million, so it is a net increase of \$5 million in 3 years.

Mr. Chairman, I reserve the balance of my time.

Mr. SWEENEY. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. SWEENEY. Mr. Chairman, I would ask the gentleman from New York if his intention is to withdraw the amendment, as we were led to believe.

Mr. NADLER. Mr. Chairman, I will withdraw the amendment if necessary. Mr. SWEENEY. It is necessary.

Mr. NADLER. I regret to hear that, but I will withdraw the amendment.

Mr. SWEENEY. Mr. Chairman, I thank the gentleman, and I yield back the balance of my time.

The Acting CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

COMMUNITY DEVELOPMENT FUND

For assistance to units of State and local government, and to other entities, for economic and community development activities, and for other purposes, \$4,200,000,000, to remain available until September 30, 2009, unless otherwise specified: *Provided*, That of the amount provided, \$3,872,580,000 is for carrying out the community development block grant program under title I of the Housing and Community Development Act of 1974, as amended (the "Act" herein) (42 U.S.C. 5301 et seq.): *Provided further*, That unless explicitly provided for under this heading (except for planning grants provided in the second paragraph and amounts made available under the third paragraph), not to exceed 20 percent of any grant made with funds appropriated under this heading shall be expended for planning and management development and administration: *Provided further*, That \$57,420,000 shall be for grants to federally-recognized Indian tribes notwithstanding section 106(a)(1) of such Act, of which, notwithstanding any other provision of law (including section 305 of this Act), up to \$3,960,000 may be used for emergencies that constitute imminent threats to health and safety.

Of the amount made available under this heading, \$250,000,000 shall be available for grants for the Economic Development Initiative (EDI) to finance a variety of targeted economic investments in accordance with the terms and conditions specified in the statement of managers accompanying this Act: *Provided*, That none of the funds provided under this paragraph may be used for program operations: *Provided further*, That, for fiscal years 2005, 2006, and 2007, no unobligated funds for EDI grants may be used for any purpose except acquisition, planning, design, purchase of equipment, revitalization, redevelopment or construction: *Provided further*, That funds awarded to each grantee under this paragraph shall be matched by 40 percent in funding by each grantee.

Of the amount made available under this heading, \$20,000,000 shall be available for neighborhood initiatives that are utilized to improve the conditions of distressed and blighted areas and neighborhoods, to stimulate investment, economic diversification, and community revitalization in areas with population outmigration or a stagnating or declining economic base, or to determine whether housing benefits can be integrated more effectively with welfare reform initiatives: *Provided*, That amounts made available under this paragraph shall be provided in accordance with the terms and conditions specified in the statement of managers accompanying this Act: *Provided further*, That

funds awarded to each grantee under this paragraph shall be matched by 40 percent in funding by each grantee.

HOME INVESTMENT PARTNERSHIPS PROGRAM
(INCLUDING TRANSFER OF FUNDS)

For the HOME investment partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, \$1,891,890,000, to remain available until September 30, 2009: *Provided*, That of the total amount provided in this paragraph, up to \$41,580,000 shall be available for housing counseling under section 106 of the Housing and Urban Development Act of 1968, and \$9,000,000 shall be available for contracts to provide counseling of prospective HECM borrowers as required by subsection (f) of section 255 of the National Housing Act (12 U.S.C. 1715z-20): *Provided further*, That \$3,465,000 shall be transferred to the Working Capital Fund: *Provided further*, That up to \$9,900,000 shall be available for technical assistance.

In addition to amounts otherwise made available under this heading, \$24,750,000, to remain available until September 30, 2009, for assistance to homebuyers as authorized under title I of the American Dream Downpayment Act.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

Page 95, line 3 strike "September 30, 2009" and insert "December 31, 2009".

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. I thank the distinguished chairman of the committee, the ranking member, Mr. OLVER, and the chairman of this committee for the hard work that has been done. This truly does go, very briefly, to the American Dream. Interestingly enough, it is a bipartisan dream. It is a commitment that we have made over the years, which is to ensure the opportunity for homeownership for all Americans. This is made possible by the authorizing legislation, the American Dream Downpayment Act, which was a combination of Members, both Republicans and Democrats.

This amendment does a very simple act, and it is an act that we could consume and has a de minimis impact, except for those who are still trying to seek the American Dream. It allows them to do so until December 31, 2009. This amendment extends the availability of funding on the American Dream Downpayment Act for an additional 3 months.

On December 16, 2003, the President signed the American Dream Downpayment Act, a program that provides grants to help home buyers with downpayment and closing costs. The Home Improvement Partnership Program is

funded at \$1.9 billion in FY 2007, an increase of \$159 million, or 9 percent above FY 2006, and equal to the President's request.

Since its inception, the HOME program has assisted more than 300,000 families to become homeowners, 55 percent of whom are minorities. More than two dozen organizations are working to create more than \$1 trillion in mortgage financing for minority home buyers.

As we look at the landscape of America, one natural disaster after another, we know that we are in a crisis on either homeownership or the rebuilding of homes. So, Mr. Chairman, I think it is important if we have a program that appears to be working that we give those extra added months in order to help Mr. and Mrs. Jones, Mr. and Mrs. Garcia, Mr. and Mrs. Smith, Mr. and Mrs. Johnson, just Mr. and Mrs. America who are eligible for this program.

I would say to you that because 55 percent are minorities, that means that 45 percent are all of America. This is a 100 percent program that responds to working Americans. The purpose of this program is to increase the homeownership rate, especially, as I indicated, among minority groups, but not limited to such. It gives the opportunity to hardworking Americans, single parents, single individuals, married individuals, and people who want to invest in their community.

It allows communities that have lower rates of homeownership when compared to the national average to be engaged in the home-buying business. It provides them with lower closing costs by approximately \$700 per loan in order to stimulate homeownership for all Americans.

About 3 years ago, Mr. Chairman, I had a homeownership fair where 6,000 Houstonians showed up. Six thousand, looking for the opportunity. This amendment is a simple statement that we are committed to homeownership and allows for the homeownership to go forward until December 30, 2009.

Mr. Chairman, I rise to offer an amendment to H.R. 5576, which replaces "September 30, 2009" with "December 31, 2009" as the date where funds made available for the American Dream Down Payment Act are available.

This amendment extends the availability of the funding under the American Dream Down Payment Act for an additional three months.

On December 16, 2003, President George W. Bush signed the American Dream Downpayment Act, a program that provides grants to help home buyers with downpayments and closing costs. The HOME Investment Partnerships Program is funded at \$1.92 billion in FY 2007, an amount increase of \$159 million (9 percent) above FY 2006 and equal to the President's request.

Since its inception, the HOME Program has assisted more than 300,000 families to become homeowners, 55 percent of which are minorities. More than two dozen organizations are working to create more than \$1 trillion in mortgage financing for minority home buyers.

The purpose of the program is to increase the home ownership rate, especially among

minority groups, who have lower rates of home ownership when compared to the national average, and to lower closing costs by approximately \$700 per loan in order to stimulate home ownership for all Americans.

This amendment will help first-time homebuyers by allowing funds appropriated to be available through December 30, 2009, to coincide with typical lease calendars, and provide increased flexibility for purchasing.

I urge my colleagues to support this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. SWEENEY. Mr. Chairman, I claim the time in opposition.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. SWEENEY. Mr. Chairman, I do so in opposition to this amendment which I understand takes part of the program and makes it available into the first quarter of fiscal year 2010. The problem with that is that this adds an unneeded complication to the administration and accounting of the HOME program and is unnecessary since under existing rules, if the funds are obligated on time, they will be available to homeowners during the last quarter of the year.

Mr. Chairman, this causes a great deal of problems in the administration of this program, so I would urge my colleagues to vote "no" on this amendment.

Mr. Swerman, I reserve the balance of my time.

Ms. JACKSON-LEE of Texas. Mr. Chairman, how much time remains?

The Acting CHAIRMAN. The gentlewoman from Texas has 1½ minutes remaining.

Ms. JACKSON-LEE of Texas. Mr. Chairman, let me just say to the distinguished chairman that I would like to err on the side of hardworking, tax-paying Americans who have invested their taxes and look forward to a return back home to them.

There are all kinds of complications, and I would suggest that the extra added time frame for this program to be extended would in fact be a plus for hardworking Americans seeking an opportunity for the American Dream. I frankly think the procedural, if you will, barrier can be remedied by this extension and my amendment.

I would ask all of my colleagues, Republicans and Democrats, to invest in the American Dream by voting to extend this particular provision and this particular investment in allowing them to buy the one singular investment that all Americans should have an opportunity to have: young couples, retiring couples, working couples of all races, colors and creeds, and particularly the very positive impact it has on minority Americans.

Mr. Chairman, I reserve the balance of my time.

Mr. SWEENEY. Mr. Chairman, I have no further speakers and I will close on this side.

Ms. JACKSON-LEE of Texas. Do I have the opportunity to close, Mr. Chairman?

The Acting CHAIRMAN. The gentleman from New York has the right to close.

Ms. JACKSON-LEE of Texas. Not having any other speakers, and you have no other speakers, let me again simply say that 55 percent of the individuals impacted by the American Dream program through the HOME monies are in fact minorities.

Having suffered through the travesty of Katrina, having suffered through Wilma and Rita, we know many are in the process of rebuilding and buying homes. Why not give them the extra added opportunity of a mere 3 months to be able to do what is right for them so that the American Dream is not extinguished because we are selfish on the floor of the House.

I am delighted to ask my colleagues in a bipartisan manner to support the Jackson-Lee amendment to invest in the American Dream for all Americans, and that is to have an opportunity to buy and live in your own home.

I yield back the balance of my time.

Mr. SWEENEY. Mr. Chairman, once again I reiterate the opposition by the committee to this amendment. It is unnecessary and is an unneeded complication. But I would make the final point that already in existing appropriations the problem of the first quarter of next year will be satisfied with \$25 million that has been appropriated next year, which will overlap between the 2007 and 2008 cycle, meaning this amendment is not only unnecessary but wouldn't have the impact which is already covered in the bill, in prior bills passed.

I urge my colleagues to vote "no."

I yield back the balance of my time.

The Acting CHAIRMAN. The question is on amendment offered by the gentleman from Texas (Ms. JACKSON-LEE).

The question was taken; and the Acting Chairman announced that the yeas appeared to have it.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

The Clerk will read.

The Clerk read as follows:

SELF-HELP AND ASSISTED HOMEOWNERSHIP
OPPORTUNITY PROGRAM

For the Self-Help and Assisted Homeownership Opportunity Program, \$60,390,000, to remain available until September 30, 2009: *Provided*, That of the total amount provided in this heading \$21,920,000 shall be made available to the Self Help Homeownership Opportunity Program as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended: *Provided further*, That \$32,000,000 shall be made available for capacity building, of which \$31,000,000 shall be for capacity building for Community Development and affordable Housing for LIHC and the Enterprise Foundation for activities authorized by section 4 of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), as in effect immediately before June 12, 1997, and \$1,000,000 shall be made available for capacity building activi-

ties administered by Habitat for Humanity International: *Provided further*, That \$3,500,000 shall be made available to the Housing Assistance Council; \$1,980,000 shall be available as a grant to the National Housing Development Corporation for operating expenses and a program of affordable housing acquisition and rehabilitation: *Provided further*, That up to \$990,000 shall be made available for technical assistance.

HOMELESS ASSISTANCE GRANTS
(INCLUDING TRANSFER OF FUNDS)

For the emergency shelter grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the supportive housing program as authorized under subtitle C of title IV of such Act; the section 8 moderate rehabilitation single room occupancy program as authorized under the United States Housing Act of 1937, as amended, to assist homeless individuals pursuant to section 441 of the McKinney-Vento Homeless Assistance Act; and the shelter plus care program as authorized under subtitle F of title IV of such Act, \$1,535,990,000, of which \$1,515,990,000 shall remain available until September 30, 2009, and of which \$20,000,000 shall remain available until expended: *Provided*, That not less than 30 percent of funds made available, excluding amounts provided for renewals under the shelter plus care program, shall be used for permanent housing: *Provided further*, That all funds awarded for services shall be matched by 25 percent in funding by each grantee: *Provided further*, That the Secretary shall renew on an annual basis expiring contracts or amendments to contracts funded under the shelter plus care program if the program is determined to be needed under the applicable continuum of care and meets appropriate program requirements and financial standards, as determined by the Secretary: *Provided further*, That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible, including Medicaid, State Children's Health Insurance Program, Temporary Assistance for Needy Families, Food Stamps, and services funding through the Mental Health and Substance Abuse Block Grant, Workforce Investment Act, and the Welfare-to-Work grant program: *Provided further*, That up to \$10,395,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project and technical assistance: *Provided further*, That \$2,475,000 of the funds appropriated under this heading shall be transferred to the Working Capital Fund: *Provided further*, That all balances for Shelter Plus Care renewals previously funded from the Shelter Plus Care Renewal account and transferred to this account shall be available, if recaptured, for Shelter Plus Care renewals in fiscal year 2007.

HOUSING PROGRAMS

PROJECT-BASED RENTAL ASSISTANCE
(INCLUDING TRANSFER OF FUNDS)

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) ("the Act" herein), not otherwise provided for, \$5,475,700,000, to remain available until expended: *Provided*, That the amounts made available under this heading are provided as follows:

(1) \$5,326,240,000 for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including

section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act, for renewal of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for administrative and other expenses associated with project-based activities and assistance funded under this paragraph.

(2) \$145,500,000 for performance-based contract administrators for section 8 project-based assistance: *Provided*, That the Secretary may also use such amounts for performance-based contract administrators for: interest reduction payments pursuant to section 236(a) of the National Housing Act (12 U.S.C. 1715z-1(a)); rent supplement payments pursuant to section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance payments (12 U.S.C. 1715z-1(f)(2)); project rental assistance contracts for the elderly under section 202(c)(2) of the Housing Act of 1959, as amended (12 U.S.C. 1701q, 1701q-1); project rental assistance contracts for supportive housing for persons with disabilities under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act; project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86-372; 73 Stat. 667); and loans under section 202 of the Housing Act of 1959 (Public Law 86-372; 73 Stat. 667).

(3) No less than \$3,960,000 shall be transferred to the Working Capital Fund.

(4) Amounts recaptured under this heading, the heading "Annual Contributions for Assisted Housing", or the heading "Housing Certificate Fund" may be used for renewals of or amendments to section 8 project-based contracts or for performance-based contract administrators, notwithstanding the purposes for which such amounts were appropriated.

HOUSING FOR THE ELDERLY
(INCLUDING TRANSFER OF FUNDS)

For capital advances, including amendments to capital advance contracts, for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for supportive services associated with the housing, \$734,580,000, to remain available until September 30, 2010, of which amount up to \$603,900,000 shall be for capital advance and project-based rental assistance awards, of which amount up to \$59,400,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects, and of which amount up to \$24,750,000 shall be for grants under section 202b of the Housing Act of 1959 (12 U.S.C. 1701q-2) for conversion of eligible projects under such section to assisted living or related use and for emergency capital repairs as determined by the Secretary: *Provided*, That amounts under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 202 capital advance projects: *Provided further*, That no less than \$1,980,000 of the total amount made available under this heading shall be transferred to the Working Capital Fund: *Provided further*, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration.

AMENDMENT OFFERED BY MS. HARRIS

Ms. HARRIS. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. HARRIS:

Page 100, line 18, after the dollar amount, insert the following: “(increased by \$12,000,000)”.

Page 102, line 3, after the dollar amount, insert the following: “(increased by \$3,000,000)”.

Page 111, line 3, after the first dollar amount, insert the following: “(reduced by \$12,000,000)”.

Page 195, line 4, after the dollar amount, insert the following: “(reduced by \$3,000,000)”.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from Florida (Ms. HARRIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. HARRIS. Mr. Chairman, I rise today to address an affordable housing crisis facing this Nation's most vulnerable populations.

Let me begin by recognizing the work of Chairman KNOLLENBERG and the committee in crafting this bill. In particular, I commend the committee's work in addressing critical housing needs. However, I rise today to offer an amendment to strengthen an extremely important housing program for our Nation's low-income seniors and persons with disabilities.

HUD's section 202 Supportive Housing for the Elderly Program funds capital development grants and rental assistance contracts for nonprofit housing sponsors to develop and maintain housing.

Since its inception in 1959, the program has demonstrated how a successful partnership between public-private entities can maximize efficiency and quality of a Federal housing program as well as enhancing the sense of independence and self-reliance so important to the mental health of our seniors.

HUD's section 811, Disabled Housing Program, is the only HUD program that offers accessible and affordable supportive housing for nonelderly, low-income persons with disabilities. The program provides safe and affordable housing for people with the most severe disabilities who rely on SSI income of \$600 or less per month.

Funds in this program are used to develop and improve fully wheelchair-accessible units of permanent supportive housing and to foster the integration of citizens with disabilities into open housing rather than confining them to nursing homes, public institutions, or imposing them on families and friends.

The section 811 program is supported by groups including the United Cerebral Palsy Association, the National Alliance for the Mentally Ill, and the Arc of the United States.

As importantly, the restoration of funds would be offset by \$12 million re-

ductions in Housing and Urban Development Management and Administration and \$3 million in General Services Administration costs, so there is no additional cost to America's taxpayers. In fact, CBO scores this amendment as a net outlay savings of \$11 million.

Mr. Chairman, my amendment would not bust the budget, nor would it expand the size of government. Simply put, it would increase the opportunities available to seniors and the disabled to find the affordable, safe and secure housing that they deserve. I strongly encourage my colleagues to support this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. SWEENEY. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. SWEENEY. Mr. Chairman, while I recognize that the gentlewoman from Florida has great intentions here, this bill, as we have said, is all about choosing priorities and making some difficult choices. The proposed reduction in HUD S&E funds, combined with the need to absorb a one-half percent increase in the Federal pay raise, will necessitate a further reduction in HUD's staffing level of several hundred full-time equivalent staff positions, making it more difficult for HUD to provide sufficient oversight and risk management in its significant housing and community development program delivery.

Regarding the cuts to GSA, I make note that we are at the start of the hurricane season, and these funds that would be cut support the Office of Citizen Services and Communications, the Nation's focal point for information and services offered by the Federal Government. This infrastructure has been a resource in the time of crisis or unexpected events, most recently as a means to provide valuable information to citizens after Hurricane Katrina. Reductions could impact the hours of operation of our call centers for victims of hurricanes this year.

These accounts also fund GSA's real and personal property utilization and disposal programs from which we transfer assets no longer needed by the Federal Government to State and local governments and nonprofit organizations, saving millions of dollars.

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Cutting these funds delays in transferring properties to eligible recipients and delays in generating sales proceeds from disposal actions.

The amendment would cut funds for the Office of Governmentwide Policy, which carries out various policy functions assigned by Congress that is separate from GSA's operations. For example, these are the folks who set per diem rates and travel policy for government employees.

Mr. Chairman, cutting GSA operating expenses is the surest way to bring the operations of the Federal

Government to a grinding halt. And while “government” bashing may be popular with many folks, we found out with the devastating hurricane season last year that many citizens want their government to respond to them in times of need. I ask Members to oppose this amendment.

Mr. Chairman, I yield back the balance of my time.

Ms. HARRIS. Mr. Chairman, I yield myself the balance of my time.

I want to commend the chairman for the bill which addresses important issues, including transportation, the war on drugs and Judiciary, and critical housing needs.

I acknowledge that there are robust funding levels for these programs in the underlying bill. However, our Nation's seniors in their golden years deserve access to affordable housing. We owe it to persons with disabilities to provide them with the opportunity to live their lives to the fullest.

This additional \$15 million for these important programs is judicious from budgets of tens of hundreds of millions of dollars. But nonetheless, Congress must demonstrate its resolve to forthrightly pursue these important and noble goals.

I strongly urge my colleagues to step up and show your commitment to tackle the affordable housing crisis facing our Nation's most vulnerable citizens such as our seniors and persons with disabilities.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Florida (Ms. HARRIS).

The question was taken; and the Acting Chairman announced that the yeas appeared to have it.

Ms. HARRIS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Florida will be postponed.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

Page 101, line 9 after “Fund;”, “*Provided further*, that all tenant-based assistance made available under this heading shall continue to remain available to all eligible elderly applicants”.

Mr. SWEENEY. Mr. Chairman, I reserve a point of order.

The Acting CHAIRMAN. The gentleman reserves a point of order.

Pursuant to the order of the House of today, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

I offer my appreciation to the ranking member, Mr. OLVER, and Mr. KNOLLENBERG, and of course the chairman and the ranking member of the full committee.

This is a difficult task, but as I stand here today, I argue that it is a difficult posture to be in, to be elderly in America and to be without housing. We have already heard the stories about the choices that our elderly citizens have to make, sometimes between food, prescription drugs and, of course, housing.

In my own community in Houston as we are hosting thousands of Hurricane Katrina survivors, we have found the most vulnerable to be senior citizens, individuals who are without income or a future in terms of the work world and need to have some housing.

This is a simple amendment. This amendment says all tenant-based assistance made available under this heading shall continue to remain available to all eligible elderly applicants. Who could be against this simple statement?

I would ask my colleagues on the other side of the aisle to consider the vast numbers of the growing population of elderly, and let's try to do something about their plight.

In the year 2000, the elderly made up 12.4 percent of the population. The total number of elderly increased 12 percent from 1990 to the U.S. Census in 2000. More than 7.4 million elderly households pay more than they can afford for their housing. The number of elderly rental households rose to 1.2 million between 1999 and 2001, an increase of 14 percent.

This extension or this compliance with the idea of having elderly housing remain available for rental I think is a statement that responds to the changing demographics of America, the problems of low-income seniors facing multiyear housing assistance. Waiting lists are exacerbated by the shrinking supply of suitable, affordable housing as some owners convert existing units to market-rate housing.

Ask the many cities across America and the rural areas how many thousands of individuals are on the Section 8 housing, if you will, and they will respond thousands. And many of them are senior citizens. Nearly 21 percent of elderly 65 and older reported not being able to afford moderately priced housing in the area in which they live. Of those individuals, 79 percent of those renting housing reported not being able to afford rent prices in their own areas.

What can we do about it? We can simply acknowledge the fact that tenant-based housing should be available for the elderly. Thirty-four percent of older African American households and 41 percent of older Hispanic households rent their household, compared with only 19 percent of older white households. There is a population for rental assistance for the elderly, and particu-

larly in view of the evacuation, the largest evacuation we can ever have imagined following Hurricanes Katrina, Rita and Wilma.

This is an important amendment that I hope my colleagues would support. But more importantly, I hope my dear friend would yield to waiving the point of order so this amendment might be able to be passed by this body.

Mr. Chairman, I rise to offer an amendment to H.R. 5576 that emphasizes that all tenant-based assistance made available under this heading shall continue to remain available to all eligible elderly applicants.

In the year 2000, the elderly made up 12.4 percent of the population. The total number of elderly increased 12 percent from 1990 (U.S. Census 2000).

More than 7.4 million elderly households pay more than they can afford for their housing. The number of elderly rental households with worst-case housing needs rose to 1.2 million between 1999 and 2001, an increase of 14 percent.

The problems of low income seniors facing multi-year housing assistance waiting lists is only exacerbated by the shrinking supply of suitable, affordable housing as some owners convert existing units to market-rate housing.

Nearly 21 percent of elderly 65 and over reported not being able to afford moderately priced housing in the areas in which they live. Of those individuals, 79 percent of those renting housing reported not being able to afford rent prices in their areas. (U.S. Census 1995, Housing Affordability)

Thirty-four percent of older African American households and 41 percent of older Hispanic households were renter households, compared with only 19 percent of older white households. (1995 American Housing Survey)

Approximately 19 percent of elderly African American and 11 percent of older Hispanic households reported moderate or severe problems regarding the physical condition of their housing units.

New tools are needed to help preserve these units and to provide the supportive services that are so necessary for an aging population.

Housing for the Elderly and Housing for Persons with Disabilities are funded at the FY 2006 levels of \$735 million and \$237 million respectively. The President's budget cut Elderly Housing by \$190 million (26 percent) and Housing for Persons with Disabilities by \$118 million (50 percent).

This amendment emphasizes the intent of the funding under this heading to assist the elderly, only and specifically the elderly, with rental housing.

I urge my colleagues to support this amendment.

Mr. Chairman, I reserve the balance of my time.

The Acting CHAIRMAN. Does the gentleman from New York insist on his point of order?

Mr. SWEENEY. I do, Mr. Chairman.

POINT OF ORDER

Mr. SWEENEY. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part: "An amendment to a general appropriations bill shall not be in order if changing existing law." The amendment is not merely perfecting and adds additional legislation.

I ask for a ruling from the Chair.

The Acting CHAIRMAN. Does the gentlewoman from Texas wish to be heard on the point of order?

Ms. JACKSON-LEE of Texas. Am I able to speak after the ruling of Chair on the point of order?

The Acting CHAIRMAN. The gentlewoman may speak in advance of the ruling by the Chair.

Ms. JACKSON-LEE of Texas. Mr. Chairman, let me simply say that I have asked respectfully for the opposing side, for the Republicans, to acknowledge the plight of the elderly, and the percentage of them who are suffering without having the ability to have housing.

The Acting CHAIRMAN. The gentlewoman must confine her remarks to the point of order.

Ms. JACKSON-LEE of Texas. My position is that the enormity of the need warrants a waiver of the point of order, and I would ask the majority to waive the point of order so the elderly might be served in rental housing so the choice they make is not health care or housing.

I ask for a ruling from the Chair in favor of my amendment.

The Acting CHAIRMAN. The paragraph to which the amendment has been offered is a legislative provision permitted to remain under the rule.

The amendment offered by the gentlewoman from Texas proposes not merely to perfect the language permitted to remain but to add additional legislation thereto; namely, a requirement that certain housing assistance remain available.

The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained.

The Clerk will read.

The Clerk read as follows:

HOUSING FOR PERSONS WITH DISABILITIES
(INCLUDING TRANSFER OF FUNDS)

For capital advance contracts, including amendments to capital advance contracts, for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act, for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, and for tenant-based rental assistance contracts entered into pursuant to section 811 of such Act, \$236,610,000 to remain available until September 30, 2010: *Provided*, That no less than \$990,000 shall be transferred to the Working Capital Fund: *Provided further*, That, of the amount provided under this heading up to \$74,745,000 shall be for amendments or renewal of tenant-based assistance contracts: *Provided further*, That all tenant-

based assistance made available under this heading shall continue to remain available only to persons with disabilities: *Provided further*, That the Secretary may waive the provisions of section 811 governing the terms and conditions of project rental assistance and tenant-based assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: *Provided further*, That amounts made available under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 811 Capital Advance Projects.

OTHER ASSISTED HOUSING PROGRAMS

RENTAL HOUSING ASSISTANCE

For amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z-1) in State-aided, non-insured rental housing projects, \$24,750,000, to remain available until expended.

MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended (42 U.S.C. 5401 et seq.), up to \$16,000,000 to remain available until expended, to be derived from the Manufactured Housing Fees Trust Fund: *Provided*, That for the dispute resolution and installation programs, the Secretary may assess and collect fees and charges from any program participant: *Provided further*, That such collections shall be deposited into the Fund, and the Secretary, subject to amounts made available under this heading, may use such collections, as well as fees collected under such section 620, for necessary expenses of such Act: *Provided further*, That in addition to amounts made available under this heading, and notwithstanding the requirements of such section 620, the Secretary may carry out responsibilities of the Secretary under such Act through the use of approved service providers that are paid directly by the recipients of their services: *Provided further*, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: *Provided further*, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2007 so as to result in no final fiscal year 2007 appropriation from the general fund, and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2007 appropriation.

FEDERAL HOUSING ADMINISTRATION

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

During fiscal year 2007, commitments to guarantee loans to carry out the purposes of section 203(b) of the National Housing Act, as amended, shall not exceed a loan principal of \$185,000,000,000.

During fiscal year 2007, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed \$50,000,000: *Provided*, That the foregoing amount shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund.

For administrative expenses necessary to carry out the guaranteed and direct loan program, \$351,450,000, of which not to exceed

\$347,490,000 shall be transferred to the appropriation for "Salaries and expenses"; and not to exceed \$3,960,000 shall be transferred to the appropriation for "Office of Inspector General". In addition, for administrative contract expenses, \$52,400,000, of which no less than \$23,562,000 shall be transferred to the Working Capital Fund, and of which up to \$10,000,000 may be for education and outreach of FHA single family loan products: *Provided*, That to the extent guaranteed loan commitments exceed \$65,500,000,000 on or before April 1, 2007, an additional \$1,400 for administrative contract expenses shall be available for each \$1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below \$1,000,000), but in no case shall funds made available by this proviso exceed \$30,000,000.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of guaranteed loans, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z-3 and 1735c), including the cost of loan guarantee modifications, as that term is defined in section 502 of the Congressional Budget Act of 1974, as amended, \$8,600,000, to remain available until expended: *Provided*, That commitments to guarantee loans shall not exceed \$35,000,000,000 in total loan principal, any part of which is to be guaranteed.

Gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed \$50,000,000, of which not to exceed \$30,000,000 shall be for bridge financing in connection with the sale of multifamily real properties owned by the Secretary and formerly insured under such Act; and of which not to exceed \$20,000,000 shall be for loans to nonprofit and governmental entities in connection with the sale of single-family real properties owned by the Secretary and formerly insured under such Act.

In addition, for administrative expenses necessary to carry out the guaranteed and direct loan programs, \$229,086,000, of which \$209,286,000 shall be transferred to the appropriation for "Salaries and Expenses"; and of which \$19,800,000 shall be transferred to the appropriation for "Office of Inspector General".

In addition, for administrative contract expenses necessary to carry out the guaranteed and direct loan programs, \$72,778,000, of which no less than \$10,692,000 shall be transferred to the Working Capital Fund.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed \$100,000,000,000, to remain available until September 30, 2008.

For administrative expenses necessary to carry out the guaranteed mortgage-backed securities program, \$10,700,000, to be derived from the GNMA guarantees of mortgage-backed securities guaranteed loan receipt account, of which not to exceed \$10,700,000, shall be transferred to the appropriation for "Salaries and Expenses".

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development

Act of 1970, as amended (12 U.S.C. 1701z-1 et seq.), including carrying out the functions of the Secretary under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, \$55,787,000, to remain available until September 30, 2008: *Provided*, That of the total amount provided under this heading, \$5,000,000 shall be for the Partnership for Advancing Technology in Housing (PATH) Initiative: *Provided further*, That of the amounts made available for PATH under this heading, \$2,500,000 shall not be subject to the requirements of section 305 of this title: *Provided further*, That of the funds made available under this heading, \$20,394,000 is for grants pursuant to section 107 of the Housing and Community Development Act of 1974, as amended: *Provided further*, That activities for the Partnership for Advancing Technology in Housing Initiative shall be administered by the Office of Policy Development and Research for Alaska Native serving institutions and Native Hawaiian serving institutions as defined under the Higher Education Act as amended, tribal colleges and universities, the Historically Black Colleges and Universities program, and the Hispanic Serving Institutions Programs.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, \$44,550,000, to remain available until September 30, 2008, of which \$18,800,000 shall be to carry out activities pursuant to such section 561: *Provided*, That notwithstanding 31 U.S.C. 3302, the Secretary may assess and collect fees to cover the costs of the Fair Housing Training Academy, and may use such funds to provide such training: *Provided further*, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant or loan.

OFFICE OF LEAD HAZARD CONTROL

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, \$114,840,000, to remain available until September 30, 2008, of which \$8,712,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 that shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards: *Provided*, That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of law that further the purposes of such Act, a grant under the Healthy Homes Initiative, Operation Lead Elimination Action Plan (LEAP), or the Lead Technical Studies program under this heading or under prior appropriations Acts for such purposes under this heading, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994: *Provided further*, That not less than 90 percent of the funds made available under this paragraph shall be used exclusively for abatement, inspections, risk assessments, temporary relocations and interim control of lead-based hazards as defined by 42 U.S.C. 4851: *Provided further*, That each recipient of funds provided under the first proviso shall make a matching contribution in an amount not less than 25 percent: *Provided further*, That each applicant shall submit a detailed plan and strategy that demonstrates adequate capacity

that is acceptable to the Secretary to carry out the proposed use of funds pursuant to a Notice of Funding Availability.

AMENDMENT OFFERED BY MS. SLAUGHTER

Ms. SLAUGHTER. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. SLAUGHTER:

Page 109, line 14, after the dollar amount, insert the following: “(increased by \$35,000,000)”.

Page 111, line 3, after the first dollar amount, insert the following: “(reduced by \$35,000,000)”.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from New York (Ms. SLAUGHTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. SLAUGHTER. Mr. Chairman, I would like to ask a favor. Mr. TERRY and I want to split this 5 minutes exactly in half, and so if you would be kind enough to tell me when my time is up.

The Acting CHAIRMAN. The gentlewoman is recognized for 2½ minutes.

Ms. SLAUGHTER. Mr. Chairman, I rise today in strong support of the Slaughter-Velázquez-Terry amendment to restore funding to HUD’s critically important Office of Lead Hazard Control.

This funding is necessary if we ever hope to eradicate childhood lead poisoning by 2010, a imperative national goal. HUD’s Office of Lead Hazard Control provides grants to cities and States working to correct serious lead hazards in low income and high-risk homes. The grants are targeted to help the most vulnerable of our citizens, children under the age of 6.

Mr. Chairman, this is not an isolated problem. Lead poisoning affects nearly 434,000 American children each year between the ages of 1 and 5, and it is unacceptable. High blood levels in children have been linked to asthma, brain damage, hearing loss, hyperactivity and environmental delays. We must not let that happen to our children. In extreme cases, exposure to lead has caused seizures, comas and death.

In my district alone, over 2,000 children fall victim to lead poisoning each year. Over 50 percent of the homes in Niagara and Erie Counties were built before 1950 and are likely to contain lead paint. In Erie County, 1,000 children will be found to have unsafe lead levels.

A \$1.5 million lead hazard control grant that went to the City of Buffalo has been essential in local efforts to protect the children from lead poisoning.

The City of Rochester is among the top 10 U.S. cities with the worst lead paint problems. In 2004, 900 children in Monroe County were exposed to lead poisoning. To combat the problem, Monroe County and the City of Roch-

ester have worked together using funding from HUD’s lead hazard control grant to make nearly 300 housing units lead free and safe for children.

Lead hazard control grants work, but they are threatened by a lack of funding. In fiscal year 2006, the Office of Lead Hazard Control received \$1.548 million, and that is \$16 million less than in 2005. The 2007 appropriations bill makes it worse and cuts it more by \$35 million. The need far outpaces the resources and slashing the funding will significantly jeopardize the progress we have made.

I urge Members to support the Slaughter-Velázquez-Terry amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. SWEENEY. Mr. Chairman, I rise in opposition.

The Acting CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. SWEENEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I recognize noble intentions are at work here, but I am very opposed to increasing this program at the expense of other critical programs, and there are a number of reasons.

The committee mark fully funds the amount requested by the administration and fully funds the program that has been in place for the past decade. These funds go to State and local governments to abate lead-based paint in homes that will not be restored through privately funded modernization or resale.

Three years ago the Senate began a new demonstration program and added between \$50 and \$75 million in additional funds. The House has not included these funds in subsequent years, and the Senate has attempted to continue the demonstration program each year. They may well try to do it again.

The committee is simply not in a position to absorb a \$35 million increase in funding for this demonstration program at the expense of other programs that are being funded at the 2005 level or below.

Once again, the proposed reduction in S&E funds, combined with the need to absorb a one-half percent increase in the Federal pay raise, will necessitate a further reduction in HUD’s staffing level of several hundred full-time equivalent staff positions, making it more difficult for HUD to provide sufficient oversight and risk management in its significant housing and community development program delivery.

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Therefore, Mr. Chairman, I would urge a “no” vote on this amendment.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Chairman, I yield the remaining time to Mr. TERRY.

The Acting CHAIRMAN. The gentleman from Nebraska is recognized for 2½ minutes.

Mr. TERRY. Mr. Chairman, I thank the gentlewoman from New York for not only sponsoring this, but yielding me the time.

I rise in support of this amendment as a coauthor, cosponsor of this important amendment. What this amendment does is it restores \$35 million to help States combat childhood lead poisoning.

I happen to represent a district where a significant geographical portion has been declared a Superfund site because of lead contamination. Although the lead contamination in the soil is a different issue and a different agency, the reality is one agency, EPA, cleans up the yards from lead contamination. What they are finding is that part of the contamination is also from the lead-based paint from the outside or exterior of the home. At the same time, we have the lead paint interior issues in these older, poorer parts of my city. So what happens is we clean up one area and leave other contaminated areas. It makes sense that we do a more holistic approach and clean up lead paint at the same time in those homes.

But, unfortunately, the fund that deals with the lead paint for houses has been cut. This program has already fallen from a previous level of \$175 million in fiscal year 2003. This appropriations bill under consideration today would further cut the funding from \$150 million in fiscal year 2006 to about \$115 million in fiscal year 2007. I realize the budget is tight, and we try to take this out of the administrative salary side so we don’t have to take it out of the programs that Mr. SWEENEY had referenced.

This is important to the health and safety of children in many inner-city urban areas, and I respectfully request my colleagues support this amendment.

Mr. SWEENEY. Mr. Chairman, let me just conclude by reiterating my remarks that this is, as Mr. TERRY pointed out, a year of very tough budget numbers. But not only that, we need to control our spending here.

The committee understands that, but also understands that it needs to meet other priorities. The mark fully funds the amount requested by the administration and fully funds the program that has been in place the past decade. The cuts that are proposed as offsets would be too substantial to absorb in the other programs. It would have a devastating impact.

I would urge our colleagues to vote “no.”

I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Ms. SLAUGHTER).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Ms. SLAUGHTER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by

the gentlewoman from New York will be postponed.

The Clerk will read.

The Clerk read as follows:

MANAGEMENT AND ADMINISTRATION
SALARIES AND EXPENSES
(INCLUDING TRANSFER OF FUNDS)

For necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including purchase of uniforms, or allowances therefore, as authorized by 5 U.S.C. 5901-5902; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and not to exceed \$25,000 for official reception and representation expenses, \$1,141,117,000, of which \$556,776,000 shall be provided from the various funds of the Federal Housing Administration, \$10,700,000 shall be provided from funds of the Government National Mortgage Association, \$148,500 shall be provided by transfer from the "Native American housing block grants" account, \$247,500 shall be provided by transfer from the "Indian housing loan guarantee fund program" account and \$35,000 shall be transferred from the "Native Hawaiian housing loan guarantee fund" account: *Provided*, That funds made available under this heading shall only be allocated in the manner specified in the statement of the managers accompanying this Act unless the Committees on Appropriations of both the House of Representatives and the Senate are notified of any changes in an operating plan or reprogramming: *Provided further*, That no official or employee of the Department shall be designated as an allotment holder unless the Office of the Chief Financial Officer (OCFO) has determined that such allotment holder has implemented an adequate system of funds control and has received training in funds control procedures and directives: *Provided further*, That the Chief Financial Officer shall establish positive control of and maintain adequate systems of accounting for appropriations and other available funds as required by 31 U.S.C. 1514: *Provided further*, That for purposes of funds control and determining whether a violation exists under the Anti-Deficiency Act (31 U.S.C. 1341 et seq.), the point of obligation shall be the executed agreement or contract, except with respect to insurance and guarantee programs, certain types of salaries and expenses funding, and incremental funding that is authorized under an executed agreement or contract, and shall be designated in the approved funds control plan: *Provided further*, That the Chief Financial Officer shall: (1) appoint qualified personnel to conduct investigations of potential or actual violations; (2) establish minimum training requirements and other qualifications for personnel that may be appointed to conduct investigations; (3) establish guidelines and timeframes for the conduct and completion of investigations; (4) prescribe the content, format and other requirements for the submission of final reports on violations; and (5) prescribe such additional policies and procedures as may be required for conducting investigations of, and administering, processing, and reporting on, potential and actual violations of the Anti-Deficiency Act and all other statutes and regulations governing the obligation and expenditure of funds made available in this or any other Act: *Provided further*, That up to \$15,000,000 may be transferred to the Working Capital Fund: *Provided further*, That the Secretary shall fill 7 out of 10 vacancies at the GS-14 and GS-15 levels until the total number of GS-14 and GS-15 positions in the Department has been reduced from the number of GS-14 and GS-15 positions on the date of enactment of Public Law 106-377 by 2½ percent.

WORKING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

For additional capital for the Working Capital Fund (42 U.S.C. 3535) for the development of, modifications to, and infrastructure for Department-wide information technology systems, for the continuing operation and maintenance of both Department-wide and program-specific information systems, and for program-related development activities, \$100,000,000, to remain available until September 30, 2008: *Provided*, That any amounts transferred to this Fund under this Act shall remain available until expended: *Provided further*, That any amounts transferred to this Fund from amounts appropriated by previously enacted appropriations Acts or from within this Act may be used for the purposes specified under this Fund, in addition to the purposes for which such amounts were appropriated.

OFFICE OF INSPECTOR GENERAL
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, \$107,000,000, of which \$23,760,000 shall be provided from the various funds of the Federal Housing Administration: *Provided*, That the Inspector General shall have independent authority over all personnel issues within this office.

OFFICE OF FEDERAL HOUSING ENTERPRISE
OVERSIGHT

SALARIES AND EXPENSES
(INCLUDING TRANSFER OF FUNDS)

For carrying out the Federal Housing Enterprises Financial Safety and Soundness Act of 1992, including not to exceed \$500 for official reception and representation expenses, \$62,000,000, to remain available until expended, to be derived from the Federal Housing Enterprises Oversight Fund: *Provided*, That the Director shall submit a spending plan for the amounts provided under this heading no later than January 15, 2007: *Provided further*, That not less than 80 percent of the total amount made available under this heading shall be used only for examination, supervision, and capital oversight of the enterprises (as such term is defined in section 1303 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4502)) to ensure that the enterprises are operating in a financially safe and sound manner and complying with the capital requirements under subtitle B of such Act: *Provided further*, That not to exceed the amount provided herein shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund: *Provided further*, That the general fund amount shall be reduced as collections are received during the fiscal year so as to result in a final appropriation from the general fund estimated at not more than \$0.

ADMINISTRATIVE PROVISIONS
(INCLUDING RESCISSION)

SEC. 301. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437 note) shall be rescinded, or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and

Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

SEC. 302. None of the amounts made available under this Act may be used during fiscal year 2007 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a non-frivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

SEC. 303. (a) Notwithstanding section 854(c)(1)(A) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)(1)(A)), from any amounts made available under this title for fiscal year 2007 that are allocated under such section, the Secretary of Housing and Urban Development shall allocate and make a grant, in the amount determined under subsection (b), for any State that—

(1) received an allocation in a prior fiscal year under clause (ii) of such section; and

(2) is not otherwise eligible for an allocation for fiscal year 2007 under such clause (ii) because the areas in the State outside of the metropolitan statistical areas that qualify under clause (i) in fiscal year 2007 do not have the number of cases of acquired immunodeficiency syndrome (AIDS) required under such clause.

(b) The amount of the allocation and grant for any State described in subsection (a) shall be an amount based on the cumulative number of AIDS cases in the areas of that State that are outside of metropolitan statistical areas that qualify under clause (i) of such section 854(c)(1)(A) in fiscal year 2007, in proportion to AIDS cases among cities and States that qualify under clauses (i) and (ii) of such section and States deemed eligible under subsection (a).

(c) Notwithstanding any other provision of law, the amount allocated for fiscal year 2007 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the City of New York, New York, on behalf of the New York-Wayne-White Plains, New York-New Jersey Metropolitan Division (hereafter "metropolitan division") of the New York-Newark-Edison, NY-NJ-PA Metropolitan Statistical Area, shall be adjusted by the Secretary of Housing and Urban Development by: (1) allocating to the City of Jersey City, New Jersey, the proportion of the metropolitan area's or division's amount that is based on the number of cases of AIDS reported in the portion of the metropolitan area or division that is located in Hudson County, New Jersey, and adjusting for the proportion of the metropolitan division's high incidence bonus if this area in New Jersey also has a higher than average per capita incidence of AIDS; and (2) allocating to the City of Paterson, New Jersey, the proportion of the metropolitan area's or division's amount that is based on the number of cases of AIDS reported in the portion of the metropolitan area or division that is located in Bergen County and Passaic County, New Jersey, and adjusting for the proportion of the metropolitan division's high incidence bonus if this area in New Jersey also has a higher than average per capita incidence of AIDS. The recipient cities shall use amounts allocated under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in their respective portions of the metropolitan division that is located in New Jersey.

(d) Notwithstanding any other provision of law, the amount allocated for fiscal year 2007

under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)) to areas with a higher than average per capita incidence of AIDS, shall be adjusted by the Secretary on the basis of area incidence reported over a three year period.

SEC. 304. During fiscal year 2007, in the provision of rental assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) in connection with a program to demonstrate the economy and effectiveness of providing such assistance for use in assisted living facilities that is carried out in the counties of the State of Michigan notwithstanding paragraphs (3) and (18)(B)(iii) of such section 8(o), a family residing in an assisted living facility in any such county, on behalf of which a public housing agency provides assistance pursuant to section 8(o)(18) of such Act, may be required, at the time the family initially receives such assistance, to pay rent in an amount exceeding 40 percent of the monthly adjusted income of the family by such a percentage or amount as the Secretary of Housing and Urban Development determines to be appropriate.

SEC. 305. Except as explicitly provided in law, any grant, cooperative agreement or other assistance made pursuant to title III of this Act shall be made on a competitive basis and in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989.

SEC. 306. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1831).

SEC. 307. Unless otherwise provided for in this Act or through a reprogramming of funds, no part of any appropriation for the Department of Housing and Urban Development shall be available for any program, project or activity in excess of amounts set forth in the budget estimates submitted to Congress.

SEC. 308. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act, as amended, are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for 2007 for such corporation or agency except as herein-after provided: *Provided*, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 309. None of the funds provided in this title for technical assistance, training, or management improvements may be obli-

gated or expended unless HUD provides to the Committees on Appropriations a description of each proposed activity and a detailed budget estimate of the costs associated with each program, project or activity as part of the budget justifications. For fiscal year 2007, HUD shall transmit this information to the Committees by March 15, 2007 for 30 days of review.

SEC. 310. The Secretary of Housing and Urban Development shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommitted, unobligated, recaptured and excess funds in each program and activity within the jurisdiction of the Department and shall submit additional, updated budget information to these Committees upon request.

SEC. 311. (a) Notwithstanding any other provision of law, the amount allocated for fiscal year 2007 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the City of Wilmington, Delaware, on behalf of the Wilmington, Delaware-Maryland-New Jersey Metropolitan Division (hereafter “metropolitan division”), shall be adjusted by the Secretary of Housing and Urban Development by allocating to the State of New Jersey the proportion of the metropolitan division’s amount that is based on the number of cases of AIDS reported in the portion of the metropolitan division that is located in New Jersey, and adjusting for the proportion of the metropolitan division’s high incidence bonus if this area in New Jersey also has a higher than average per capita incidence of AIDS. The State of New Jersey shall use amounts allocated to the State under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in the portion of the metropolitan division that is located in New Jersey.

(b) Notwithstanding any other provision of law, the Secretary of Housing and Urban Development shall allocate to Wake County, North Carolina, the amounts that otherwise would be allocated for fiscal year 2007 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)) to the City of Raleigh, North Carolina, on behalf of the Raleigh-Cary, North Carolina Metropolitan Statistical Area. Any amounts allocated to Wake County shall be used to carry out eligible activities under section 855 of such Act (42 U.S.C. 12904) within such metropolitan statistical area.

(c) Notwithstanding section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), the Secretary of Housing and Urban Development may adjust the allocation of the amounts that otherwise would be allocated for fiscal year 2007 under section 854(c) of such Act, upon the written request of an applicant, in conjunction with the State(s), for a formula allocation on behalf of a metropolitan statistical area, to designate the State or States in which the metropolitan statistical area is located as the eligible grantee(s) of the allocation. In the case that a metropolitan statistical area involves more than one State, such amounts allocated to each State shall be in proportion to the number of cases of AIDS reported in the portion of the metropolitan statistical area located in that State. Any amounts allocated to a State under this section shall be used to carry out eligible activities within the portion of the metropolitan statistical area located in that State.

SEC. 312. The Department of Housing and Urban Development shall submit the Department’s fiscal year 2007 congressional budget justifications to the Committees on Appropriations of the House of Representatives and the Senate using the identical structure provided under this Act and only in accordance with the direction specified in the report accompanying this Act.

SEC. 313. That incremental vouchers previously made available under the heading “Housing Certificate Fund” or renewed under the heading, “Tenant-Based Rental Assistance,” for non-elderly disabled families shall, to the extent practicable, continue to be provided to non-elderly disabled families upon turnover.

SEC. 314. A public housing agency or such other entity that administers Federal housing assistance in the States of Alaska, Iowa, and Mississippi shall not be required to include a resident of public housing or a recipient of assistance provided under section 8 of the United States Housing Act of 1937 on the board of directors or a similar governing board of such agency or entity as required under section (2)(b) of such Act. Each public housing agency or other entity that administers Federal housing assistance under section 8 in the States of Alaska, Iowa and Mississippi shall establish an advisory board of not less than 6 residents of public housing or recipients of section 8 assistance to provide advice and comment to the public housing agency or other administering entity on issues related to public housing and section 8. Such advisory board shall meet not less than quarterly.

SEC. 315. The funds made available for Native Alaskans under the heading “Native American Housing Block Grants” in title III of this Act shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2005.

SEC. 316. No funds provided under this title may be used for an audit of the Government National Mortgage Association that makes applicable requirements under the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

SEC. 317. Incremental vouchers previously made available under the heading, “Housing Certificate Fund” or renewed under the heading, “Tenant-Based Rental Assistance”, for family unification shall, to the extent practicable, continue to be provided for family unification.

SEC. 318. Notwithstanding any other provision of law, the recipient of a grant under section 202b of the Housing Act of 1959 (12 U.S.C. 1701q–2) after December 26, 2000, in accordance with the unnumbered paragraph at the end of section 202b(b) of such Act, may, at its option, establish a single-asset non-profit entity to own the project and may lend the grant funds to such entity, which may be a private nonprofit organization described in section 831 of the American Homeownership and Economic Opportunity Act of 2000.

SEC. 319. (a) No assistance shall be provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who—

(1) is enrolled as a student at an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002));

(2) is under 24 years of age;

(3) is not a veteran;

(4) is unmarried;

(5) does not have a dependent child; and

(6) is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible, to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(b) For purposes of determining the eligibility of a person to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), any financial assistance (in excess of amounts received for tuition) that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)),

shall be considered income to that individual, except for a person over the age of 23 with dependent children.

(c) Not later than 30 days after the date of enactment of this Act, the Secretary of Housing and Urban Development shall issue final regulations to carry out the provisions of this section.

SEC. 320. The Secretary of Housing and Urban Development shall give priority consideration to applications from the housing authorities of the Counties of San Bernardino and Santa Clara and the City of San Jose, California to participate in the Moving to Work Demonstration Agreement under section 204, title V, of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104-134, April 26, 1996): *Provided*, That upon turnover, existing requirements on the re-issuance of Section 8 vouchers shall be maintained to ensure that not less than 75 percent of all vouchers shall be made available to extremely low-income families.

SEC. 321. The Secretary of Housing and Urban Development may, notwithstanding any other provision of law, approve additional Moving to Work Demonstration Agreements, which are entered into between a public housing agency and the Secretary under section 204, title V, of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104-134, April 26, 1996), but at no time may the number of active Moving to Work Demonstration Agreements exceed 32.

SEC. 322. For fiscal year 2007 and every fiscal year thereafter any obligated balances of contract authority or any obligated balances derived from contract authority from fiscal year 1974 and prior years shall be deobligated and cancelled upon contract expiration or termination.

SEC. 323. Notwithstanding any other provision of law, in fiscal year 2007, in managing and disposing of any multifamily property that is owned or held by the Secretary and is occupied primarily by elderly or disabled families, the Secretary of Housing and Urban Development shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 that are attached to any dwelling units in the property. To the extent the Secretary determines that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties or provide other rental assistance.

SEC. 324. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to develop or impose policies or procedures, including an account structure, that subjects the Government National Mortgage Association to the requirements of the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.). This section shall not be construed to exempt that entity from credit subsidy budgeting or from budget presentation requirements previously adopted.

SEC. 325. (a) Paragraph (2) of section 203(b) of the National Housing Act (12 U.S.C. 1709(b)(2)) is amended—

(1) in subparagraph (A)—

(A) by striking the subparagraph designation and all that follows through the end of clause (i) and inserting the following:

“(A) not to exceed the lesser of—

“(i) the median house price in the area, as determined by the Secretary; or”;

(B) in clause (ii)—

(i) by striking “87 percent of”;

(ii) by striking “for Fiscal Year” and inserting a comma; and

(iii) by striking “48 percent” and inserting “65 percent”; and

(2) by striking subparagraph (B) and inserting the following:

“(B) not to exceed the appraised value of the property, plus any initial service charges, appraisal, inspection and other fees in connection with the mortgage as approved by the Secretary.”;

(b) Paragraph (9) of section 203(b) of the National Housing Act (12 U.S.C. 1709(b)(9)) is amended by striking the paragraph designation and all that follows through “*Provided further*, That for” and inserting the following:

“(9) Be executed by a mortgagor who shall have paid on account of the property, in cash or its equivalent, an amount, if any, as the Secretary may determine based on factors determined by the Secretary and commensurate with the likelihood of default. For”.

(c) Section 203(c) of the National Housing Act (12 U.S.C. 1709(c)) is amended—

(1) in paragraph (2), in the matter preceding subparagraph (A), by striking “Notwithstanding” and inserting “Except as provided in paragraph (3) and notwithstanding”; and

(2) by adding at the end the following new paragraph:

“(3) FLEXIBLE RISK-BASED PREMIUMS.—

“(A) IN GENERAL.—For any mortgage insured by the Secretary under this title that is secured by a 1- to 4-family dwelling and for which the loan application is received by the mortgagor on or after October 1, 2006, the Secretary may establish a mortgage insurance premium structure involving a single premium payment collected prior to the insurance of the mortgage or periodic payments, or both, without regard to any maximum or minimum premium amounts set forth in this subsection. The rate of premium for such a mortgage may vary during the mortgage term as long as the basis for determining the variable rate is established before the execution of the mortgage. The Secretary may change a premium structure established under this subparagraph but only to the extent that such change is not applied to any mortgage already executed.

“(B) ESTABLISHMENT AND ALTERATION OF PREMIUM STRUCTURE.—A premium structure shall be established or changed under subparagraph (A) only by providing notice to mortgagees and to the Congress, at least 30 days before the premium structure is established or changed.

“(C) CONSIDERATIONS FOR PREMIUM STRUCTURE.—When establishing a premium structure under subparagraph (A) or when changing such a premium structure, the Secretary shall consider the following:

“(i) The effect of the proposed premium structure on the Secretary’s ability to meet the operational goals of the Mutual Mortgage Insurance Fund as provided in section 202(a).

“(ii) Underwriting variables.

“(iii) The extent to which new pricing under the proposed premium structure has potential for acceptance in the private market.

“(iv) The administrative capability of the Secretary to administer the proposed premium structure.

“(v) The effect of the proposed premium structure on the Secretary’s ability to maintain the availability of mortgage credit and provide stability to mortgage markets.”.

(d) Section 255 of the National Housing Act (12 U.S.C. 1715z-20) is amended—

(1) in subsection (g)—

(A) by striking the first sentence; and

(B) by striking “established under section 203(b)(2)” and all that follows through “located” and inserting “limitation established under section 305(a)(2) of the Federal Home

Loan Mortgage Corporation Act for a 1-family residence”; and

(2) in subsection (i)(1)(C), by striking “limitations” and inserting “limitation”.

(e) The Secretary of Housing and Urban Development shall by notice establish any additional requirements that may be necessary to immediately carry out the provisions of this section. The notice shall take effect upon issuance.

(f) In addition to amounts otherwise made available by this Act, \$10,000,000 for administrative contract expenses, including amounts to be transferred to the Working Capital Fund, for Federal Housing Administration program and systems development for single family mortgage insurance.

SEC. 326. Notwithstanding any other provision of law, the cities of Alton, Illinois, and Granite City, Illinois, shall be considered metropolitan cities, for purposes of title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.), for a period of time not less than the time period covered by the enactment of this Act and the implementation of modifications pursuant to the 2010 decennial census.

AMENDMENT OFFERED BY MS. WATERS

Ms. WATERS. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. WATERS:

Page 134, after line 8, insert the following new section:

SEC. 327. For the cost of guaranteed loans, as authorized by section 108 of the Housing and Community Development Act of 1974, and the amount otherwise provided in this title for “MANAGEMENT AND ADMINISTRATION—SALARIES AND EXPENSES” is hereby reduced by, \$2,970,000.

Mr. SWEENEY. Mr. Chairman, I reserve a point of order.

The Acting CHAIRMAN. A point of order is reserved.

Pursuant to the order of the House of today, the gentlewoman from California (Ms. WATERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. WATERS. Mr. Chairman, I would like to thank Chairman KNOLLENBERG, as well as Ranking Member JOHN OLVER for their hard work on this bill, H.R. 5576.

The purpose of my amendment is to restore funding of \$2.97 million to the section 108 loan guarantee program offset from the Salaries and Expenses Account for the Department.

The program is designed to leverage economic and community development project activities. While the administration supports this consolidation of this program, consolidation is a shortcut to eliminate the section 108 loan guarantee program.

Mr. Chairman and Members, many districts have benefited from the section 108 loan guarantee program. I discovered this program in law some 12 years ago. At that time, it was scored and it was basically guaranteed by CDBG funds. Section 108 loan guarantee funds evolved to the point where many cities were using them for economic development projects that created jobs and converted old town

projects into real vibrant, vital economic engines for those cities.

This is an important program. With this program we are able not only to create jobs and to spur economic development, this is what you call a real investment in our cities and our towns, both in the urban communities and in the rural communities. This is the kind of investment that will help to get people off welfare, get people working, create new business opportunities, and help to grow these areas in these cities and these communities.

It is beyond my understanding why an investment program that is designed to create jobs, designed to help cities grow and develop would be consolidated or would be placed at risk.

If you talk with many of the Members of this Congress, you will find that they do not know that the section 108 program is in jeopardy. I was just looking at a program in the western part of L.A. County, a gateway retail project that got \$8 million in section 108 loan guarantees and a \$2 million BEDI grant. These funds were used to convert an old car wash into a retail center that created 750 jobs in that community.

Many communities have relied on the section 108 loan guarantee program, not only to spur economic development, but they know they could never otherwise undertake this kind of activity. Section 108 is a complement to many of the other economic development tools that are available to distressed communities around the country. As such, I would urge you to support this amendment as one tool that will be made available to communities like mine, as well as yours, to facilitate their economic development strategies.

Mr. Chairman, I reserve the balance of my time.

The Acting CHAIRMAN. Does the gentleman from New York insist upon his point of order?

Mr. SWEENEY. Yes, I do, Mr. Chairman.

POINT OF ORDER

Mr. SWEENEY. I will make the point order against the amendment because it provides an appropriation for an unauthorized program and therefore violates clause 2 of rule XXI. Clause 2 of rule XXI states in pertinent part: "An appropriation may not be in order as an amendment for an expenditure not previously authorized by law."

Mr. Chairman, the amendment proposes to appropriate funds for a program that is not authorized. The amendment, therefore, violates clause 2 of rule XXI.

I ask for a ruling on the point of order.

The Acting CHAIRMAN. Does the gentlewoman from California wish to be heard on the point of order?

Ms. WATERS. Yes, Mr. Chairman.

On the point of order, I would object to the characterization of this program as unauthorized.

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As a matter of fact, it is my understanding that the program indeed is authorized. It is couched in something called consolidation, which means that it really is authorized, and I would challenge the gentleman on the opposite side of the aisle for thinking or saying that this is an unauthorized program. And if that is his reason for objecting to the program, I would ask that you certainly make a ruling based on the facts and we could move forward with including funding for this program to make sure that it is retained.

The Acting CHAIRMAN (Mr. GOODLATTE). Does any other Member wish to be heard on the point of order?

Mr. SWEENEY. Mr. Chairman, I withdraw the point of order, and I will reserve the time in opposition.

The Acting CHAIRMAN. The gentleman from New York withdraws the point of order and will control the time in opposition.

Ms. WATERS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as I have stated, this is an economic development program that has served our country well. As I just took a look at the number of cities that have benefited from this program, I have hundreds of cities that have benefited from this program all over the country. This will be traumatic to all of a sudden pull the rug out from under a program that creates investment in cities and towns all over America, that is helping them not only to create jobs but to create opportunities for small businesses, to redo dilapidated areas, to create new possibilities with these old towns that are being developed, to take these old dilapidated buildings and turn them into productive centers.

I do not think that perhaps my colleague on the opposite side of the aisle realizes the damage he may be causing even to his own area. And just as perhaps he thought it was not authorized when it really is, I would ask him to take a second look and not object to this program.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentlewoman yield?

Ms. WATERS. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, I thank the gentlewoman for her leadership. She has been a consistent leader in helping cities' economic development. I want to point out this seems to me a particularly odd thing to do. Cities which use this are not getting additional funding. They pay it back.

The Acting CHAIRMAN. The time of the gentlewoman from California has expired.

Mr. SWEENEY. Mr. Chairman, I rise in opposition to the amendment, and I would urge my colleagues to do so.

The Acting CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. SWEENEY. Mr. Chairman, I will make these very quick points: First, that section 108 is an eligible use of

economic development funds. And, therefore, there is no reason to have a separate set-aside of funds, as is proposed here in this amendment. In fact, in this bill we have added \$1 billion in CDBG funds for the fiscal year. So there will be plenty of opportunities for States to do exactly as the gentlewoman calls for, and we believe that is the best way the program should be run.

With that, I urge my colleagues to vote "no."

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. WATERS).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mr. SWEENEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

Mr. OLVER. Mr. Chairman, I move to strike the last word.

I yield to my colleague from Massachusetts (Mr. FRANK) who may have two things to speak about at this point.

Mr. FRANK of Massachusetts. Mr. Chairman, I thank the ranking member of the subcommittee for yielding.

I was hoping to be able to offer an amendment, but we ran into a CBO scoring problem and I was told that therefore it would not be supported. I deeply regret this.

There is in this bill a very good set of provisions in general, expanding the ability of the FHA to be responsive. It came from work we did in the authorizing committee. Frankly, I was surprised to see it plucked in part from the authorizing version and stuck into this bill. It is authorizing language. On the whole it is a good thing. The Appropriations Committee took from the authorizing committee much of what we did, but they did not take everything. Now, they are entitled, obviously, to pick and choose, but there is one grave omission here. One of the things this bill will do will be to give the FHA the authority the ability to extend loans to people who might be of lower credit risk. That is, it will try to help get to people who might not have been able to get loans by stricter standards. That is a good thing. And it says that those people will have to pay a higher upfront fee. It could be as much as double, from 1.5 percent to 3 percent of the loan, and they will also be forced to pay a higher fee going forward. With people who are just starting out, I will accept the need to do that.

What my amendment would have accomplished, and it was something we were ready to do in the authorizing process and we lost the ability to do that, it was to say that a low income borrower, a borrower with some credit

risk, who was meeting his or her obligations after a period of 5 years would be eligible to get back the extra money. In other words, without that provision the Federal Government is going to be something of a predatory lender. It will lend money to the lower income people with the higher credit risk and charge them more for that loan. Now, as a starting point that might be a reasonable idea. But once a borrower in that category, having borrowed the money, has demonstrated over 5 years a capacity and willingness to make the payments, why does the Federal Government continue to penalize that person?

People have said, well, there might be some losses here. If there are losses, why should the responsible low income borrower be forced to bear all that cost? Why should that not be shared among all the borrowers? Why should the cost of paying for those loans that may default, a small percentage but there will still be some, why should that not go for everybody?

So right now if you are getting the maximum FHA loan, it is irrelevant to you if these people default. We are making the poor pay for the poor. You are making in this a predatory lender of the Federal Government. Without the amendment that I was told would not be accepted, so I will not push it here, low income people who borrow money from the FHA will be charged more upfront, they will be charged more going forward, and no matter how well they meet their obligations, no matter how responsible they are, they will continue to pay more for the loan. The poor pay more under this bill. And what the CBO said as well, there is a certain element of subsidy here for the low income borrowers, and this would increase the subsidy. That is right, for the low income borrowers.

I do think it is worth to trying to reach out to the lower income people, and I understand this means that some will default, but I do not understand why one low income individual or 10 or 20 low income individuals who meet their obligation ought to be the ones who bear the burden for those who do not. Now, as I said, I understand, because CBO said it was going to score it negatively, I was not going to be able to get it adopted. But I hope, to the committee, that this will not be the end of it.

Please, we are talking, Mr. Chairman, about ending predatory lending. Without the language I was talking about, we, the Federal Government, become an entity that charges you more if you are poor than if you are wealthy, that charges you more if you are in the low income bracket because you are asked to shoulder the burden of people in the same bracket who will default. That is unworthy of us. It also, of course, retards the very purpose of the bill because you say you want to expand home ownership by reaching out to people and then you charge them more because they have to pay not

only the price of their own home but they are going to be saddled with the price of other people in their income level and their credit rating level who default.

That is an inappropriate thing for the Federal Government to do. And while I accept the fact that I cannot get this accepted now, I hope we can talk about this.

By the way, the overall bill will raise money for the Federal Government. This would simply reduce it by a small amount. That is the least we can do for low income people.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

This title may be cited as the "Department of Housing and Urban Development Act, 2007".

TITLE IV THE JUDICIARY

SUPREME COURT OF THE UNITED STATES SALARIES AND EXPENSES

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including purchase or hire, driving, maintenance, and operation of an automobile for the Chief Justice, not to exceed \$10,000 for the purpose of transporting Associate Justices, and hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed \$10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve, \$63,405,000, of which \$2,000,000 shall remain available until expended.

CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon the Architect by the Act approved May 7, 1934 (40 U.S.C. 13a-13b), \$12,959,000, which shall remain available until expended.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

For salaries of the chief judge, judges, and other officers and employees, and for necessary expenses of the court, as authorized by law, \$26,000,000.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

For salaries of the chief judge and eight judges, salaries of the officers and employees of the court, services, and necessary expenses of the court, as authorized by law, \$16,182,000.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

For the salaries of circuit and district judges (including judges of the territorial courts of the United States), justices and judges retired from office or from regular active service, judges of the United States Court of Federal Claims, bankruptcy judges, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, and necessary expenses of the courts, as authorized by law, \$4,556,114,000 (including the purchase of firearms and ammunition); of which not to exceed \$27,817,000 shall remain available until expended for space alteration projects and for furniture and furnishings related to new space alteration and construction projects.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986 (Public Law 99-660), not to exceed \$3,952,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

DEFENDER SERVICES

For the operation of Federal Defender organizations; the compensation and reimbursement of expenses of attorneys appointed to represent persons under the Criminal Justice Act of 1964, as amended (18 U.S.C. 3006A); the compensation and reimbursement of expenses of persons furnishing investigative, expert and other services under the Criminal Justice Act of 1964 (18 U.S.C. 3006A(e)); the compensation (in accordance with Criminal Justice Act maximums) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel; the compensation and reimbursement of travel expenses of guardians ad litem acting on behalf of financially eligible minor or incompetent offenders in connection with transfers from the United States to foreign countries with which the United States has a treaty for the execution of penal sentences; the compensation of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1875(d); and for necessary training and general administrative expenses, \$750,033,000, to remain available until expended.

FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71A(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71A(h)), \$63,079,000, to remain available until expended: *Provided*, That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under section 5332 of title 5, United States Code.

COURT SECURITY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses, not otherwise provided for, incident to the provision of protective guard services for United States courthouses and other facilities housing Federal court operations, and the procurement, installation, and maintenance of security systems and equipment for United States courthouses and other facilities housing Federal court operations, including building ingress-egress control, inspection of mail and packages, directed security patrols, perimeter security, basic security services provided by the Federal Protective Service, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100-702), \$400,334,000, of which not to exceed \$15,000,000 shall remain available until expended, to be expended directly or transferred to the United States Marshals Service, which shall be responsible for administering the Judicial Facility Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger

motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, \$73,800,000, of which not to exceed \$8,500 is authorized for official reception and representation expenses.

FEDERAL JUDICIAL CENTER
SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90-219, \$23,500,000; of which \$1,800,000 shall remain available through September 30, 2008, to provide education and training to Federal court personnel; and of which not to exceed \$1,500 is authorized for official reception and representation expenses.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

For payment to the Judicial Officers' Retirement Fund, as authorized by 28 U.S.C. 377(o), \$54,000,000; to the Judicial Survivors' Annuities Fund, as authorized by 28 U.S.C. 376(c), \$800,000; and to the United States Court of Federal Claims Judges' Retirement Fund, as authorized by 28 U.S.C. 178(l), \$3,500,000.

UNITED STATES SENTENCING COMMISSION
SALARIES AND EXPENSES

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, \$15,500,000, of which not to exceed \$1,000 is authorized for official reception and representation expenses.

ADMINISTRATIVE PROVISIONS—THE JUDICIARY
(INCLUDING TRANSFER OF FUNDS)

SEC. 401. Appropriations and authorizations made in this title which are available for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

SEC. 402. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation, except "Courts of Appeals, District Courts, and Other Judicial Services, Defender Services" and "Courts of Appeals, District Courts, and Other Judicial Services, Fees of Jurors and Commissioners", shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under sections 805 and 810 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 403. Notwithstanding any other provision of law, the salaries and expenses appropriation for "Courts of Appeals, District Courts, and Other Judicial Services" shall be available for official reception and representation expenses of the Judicial Conference of the United States: *Provided*, That such available funds shall not exceed \$11,000 and shall be administered by the Director of the Administrative Office of the United States Courts in the capacity as Secretary of the Judicial Conference.

SEC. 404. Within 90 days of enactment of this Act, the Administrative Office of the U.S. Courts shall submit to the Committees on Appropriations a comprehensive financial plan for the Judiciary allocating all sources of available funds including appropriations, fee collections, and carryover balances, to include a separate and detailed plan for the Judiciary Information Technology fund.

SEC. 405. Section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101-650; 28 U.S.C. 133 note), is amended—

(1) in the second sentence, by inserting "the district of Kansas," after "Except with respect to"; and

(2) by inserting after the second sentence the following: "The first vacancy in the of-

fice of district judge in the district of Kansas occurring 20 years or more after the confirmation date of the judge named to fill the temporary judgeship created for such district under this subsection, shall not be filled."

This title may be cited as "The Judiciary Appropriations Act, 2007".

TITLE V
DISTRICT OF COLUMBIA
FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION
SUPPORT

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, \$35,100,000, to remain available until expended: *Provided*, That such funds, including any interest accrued thereon, may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, or to pay up to \$2,500 each year at eligible private institutions of higher education: *Provided further*, That the awarding of such funds may be prioritized on the basis of a resident's academic merit, the income and need of eligible students and such other factors as may be authorized: *Provided further*, That the District of Columbia government shall maintain a dedicated account for the Resident Tuition Support Program that shall consist of the Federal funds appropriated to the Program in this Act and any subsequent appropriations, any unobligated balances from prior fiscal years, and any interest earned in this or any fiscal year: *Provided further*, That the account shall be under the control of the District of Columbia Chief Financial Officer, who shall use those funds solely for the purposes of carrying out the Resident Tuition Support Program: *Provided further*, That the Office of the Chief Financial Officer shall provide a quarterly financial report to the Committees on Appropriations of the House of Representatives and Senate for these funds showing, by object class, the expenditures made and the purpose therefor: *Provided further*, That not more than \$1,200,000 of the total amount appropriated for this program may be used for administrative expenses.

FEDERAL PAYMENT FOR EMERGENCY PLANNING
AND SECURITY COSTS IN THE DISTRICT OF CO-
LUMBIA

For necessary expenses, as determined by the Mayor of the District of Columbia in written consultation with the elected county or city officials of surrounding jurisdictions, \$8,533,000, to remain available until expended, to reimburse the District of Columbia for the costs of providing public safety at events related to the presence of the national capital in the District of Columbia and for the costs of providing support to respond to immediate and specific terrorist threats or attacks in the District of Columbia or surrounding jurisdictions: *Provided*, That any amount provided under this heading shall be available only after such amount has been apportioned pursuant to chapter 15 of title 31, United States Code.

DISTRICT OF COLUMBIA COURTS

FEDERAL PAYMENT TO THE DISTRICT OF
COLUMBIA COURTS

For salaries and expenses for the District of Columbia Courts, \$219,629,000, to be allocated as follows: for the District of Columbia Court of Appeals, \$9,401,000, of which not to exceed \$1,500 is for official reception and representation expenses; for the District of Columbia Superior Court, \$89,646,000, of which

not to exceed \$1,500 is for official reception and representation expenses; for the District of Columbia Court System, \$46,653,000, of which not to exceed \$1,500 is for official reception and representation expenses; and \$73,929,000, to remain available until September 30, 2008, for capital improvements for District of Columbia courthouse facilities: *Provided*, That notwithstanding any other provision of law, a single contract or related contracts for development and construction of facilities may be employed which collectively include the full scope of the project: *Provided further*, That the solicitation and contract shall contain the clause "availability of Funds" found at 48 CFR 52.232-18: *Provided further*, That funds made available for capital improvements shall be expended consistent with the General Services Administration master plan study and building evaluation report: *Provided further*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), and such services shall include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate: *Provided further*, That 30 days after providing written notice to the Committees on Appropriations of the House of Representatives and Senate, the District of Columbia Courts may reallocate not more than \$1,000,000 of the funds provided under this heading among the items and entities funded under this heading for operations, and not more than 4 percent of the funds provided under this heading for facilities.

DEFENDER SERVICES IN DISTRICT OF COLUMBIA
COURTS

For payments authorized under section 11-2604 and section 11-2605, D.C. Official Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Court of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Official Code, or pursuant to contractual agreements to provide guardian ad litem representation, training, technical assistance and such other services as are necessary to improve the quality of guardian ad litem representation, payments for counsel appointed in adoption proceedings under chapter 3 of title 16, D.C. Code, and payments for counsel authorized under section 21-2060, D.C. Official Code (relating to representation provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), \$43,475,000, to remain available until expended: *Provided*, That the funds provided in this Act under the heading "Federal Payment to the District of Columbia Courts" (other than the \$73,929,000 provided under such heading for capital improvements for District of Columbia courthouse facilities) may also be used for payments under this heading: *Provided further*, That in addition to the funds provided under this heading, the Joint Committee on Judicial Administration in the District of Columbia may use funds provided in this Act under the heading "Federal Payment to the District of Columbia Courts" (other than the \$73,929,000 provided under such heading for

capital improvements for District of Columbia courthouse facilities), to make payments described under this heading for obligations incurred during any fiscal year: *Provided further*, That funds provided under this heading shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: *Provided further*, That notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), and such services shall include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

For salaries and expenses, including the transfer and hire of motor vehicles, of the Court Services and Offender Supervision Agency for the District of Columbia and the Public Defender Service for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, \$181,653,000, of which not to exceed \$2,000 is for official receptions and representation expenses related to Community Supervision and Pretrial Services Agency programs; of which not to exceed \$25,000 is for dues and assessments relating to the implementation of the Court Services and Offender Supervision Agency Interstate Supervision Act of 2002; of which not to exceed \$400,000 for the Community Supervision program and \$160,000 for the Pretrial Services program, both to remain available until September 30, 2008, are for Information Technology infrastructure enhancement acquisitions; of which \$135,457,000 shall be for necessary expenses of Community Supervision and Sex Offender Registration, to include expenses relating to the supervision of adults subject to protection orders or the provision of services for or related to such persons; of which \$46,196,000 shall be available to the Pretrial Services Agency: *Provided*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: *Provided further*, That the Director is authorized to accept and use gifts in the form of in-kind contributions of space and hospitality to support offender and defendant programs, and equipment and vocational training services to educate and train offenders and defendants: *Provided further*, That the Director shall keep accurate and detailed records of the acceptance and use of any gift or donation under the previous proviso, and shall make such records available for audit and public inspection: *Provided further*, That the Court Services and Offender Supervision Agency Director is authorized to accept and use reimbursement from the D.C. Government for space and services provided on a cost reimbursable basis.

FEDERAL PAYMENT TO DISTRICT OF COLUMBIA PUBLIC DEFENDER SERVICE

For salaries and expenses of the District of Columbia Public Defender Service, \$32,710,000: *Provided*, That notwithstanding

any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

For a Federal payment to the District of Columbia Water and Sewer Authority, \$7,000,000, to remain available until expended, to continue implementation of the Combined Sewer Overflow Long-Term Plan: *Provided*, That the District of Columbia Water and Sewer Authority provides a 100 percent match for this payment.

FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL

For a Federal payment to the Criminal Justice Coordinating Council, \$1,300,000, to remain available until expended, to support initiatives related to the coordination of Federal and local criminal justice resources in the District of Columbia.

FEDERAL PAYMENT TO THE OFFICE OF THE CHIEF FINANCIAL OFFICER OF THE DISTRICT OF COLUMBIA

For a Federal payment to the Office of the Chief Financial Officer of the District of Columbia, \$5,000,000: *Provided*, That these funds shall be available for the projects and in the amounts specified in the Statement of the Managers on the conference report accompanying this Act: *Provided further*, That each entity that receives funding under this heading shall submit to the Office of the Chief Financial Officer of the District of Columbia (CFO) a budget and a report on the activities to be carried out with such funds no later than March 15, 2007, and the CFO shall submit a comprehensive report to the Committees on Appropriations of the House of Representatives and the Senate no later than June 1, 2007.

FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

For a Federal payment for a school improvement program in the District of Columbia, \$40,800,000, to be allocated as follows: for the District of Columbia Public Schools, \$13,000,000 to improve public school education in the District of Columbia; for the State Education Office, \$13,000,000 to expand quality public charter schools in the District of Columbia, to remain available until September 30, 2008; for the Secretary of the Department of Education, \$14,800,000 to provide opportunity scholarships for students in the District of Columbia in accordance with division C, title III of the District of Columbia Appropriations Act, 2004 (Public Law 108-199; 118 Stat. 126), of which up to \$1,800,000 may be used to administer and fund assessments.

DISTRICT OF COLUMBIA FUNDS

The following amounts are appropriated for the District of Columbia for the current fiscal year out of the general fund of the District of Columbia, except as otherwise specifically provided: *Provided*, That notwithstanding any other provision of law, except as provided in section 450A of the District of Columbia Home Rule Act (D.C. Official Code, section 1-204.50a) and provisions of this Act, the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2007 under this heading shall not exceed the lesser of the sum of the total revenues of the District of Columbia for such fiscal year or \$8,996,915,000 (of which \$5,079,758,000 shall be from local funds, \$2,011,321,000 shall be from Federal grant funds, \$1,897,951,000 shall be from other funds, and \$7,885,000 shall be from private funds), in addition, \$170,052,000 from funds previously appropriated in this Act as Federal payments: *Provided further*, That of the local

funds, \$175,292,000 shall be derived from the District's general fund balance: *Provided further*, That of these funds the District's intradistrict authority shall be \$523,004,000: *Provided further*, That in addition for capital construction projects there is appropriated an increase of \$2,400,757,000, of which \$1,756,306,000 shall be from local funds, \$54,281,000 from Highway Trust funds, \$52,000,000 from the Local Street Maintenance fund, \$15,000,000 from revenue bonds, \$18,200,000 from Certificates of Participation financing, \$63,000,000 from financing for construction of a baseball stadium, \$229,970,000 from Federal grant funds, and a rescission of \$65,859,000 from local funds appropriated under this heading in prior years, for a net amount of \$2,334,898,000, to remain available until expended: *Provided further*, That the amounts provided under this heading are to be subject to the provisions of and allocated and expended as proposed under "Title II—District of Columbia Funds" of the Fiscal Year 2007 Proposed Budget and Financial Plan submitted to the Congress of the United States by the District of Columbia in June 2006: *Provided further*, That this amount may be increased by proceeds of one-time transactions, which are expended for emergency or unanticipated operating or capital needs: *Provided further*, That such increases shall be approved by enactment of local District law and shall comply with all reserve requirements contained in the District of Columbia Home Rule Act as amended by this Act: *Provided further*, That the Chief Financial Officer of the District of Columbia shall take such steps as are necessary to assure that the District of Columbia meets these requirements, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2007, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

GENERAL PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 501. Whenever in this Act, an amount is specified within an appropriation for particular purposes or objects of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount that may be expended for said purpose or object rather than an amount set apart exclusively therefor.

SEC. 502. Appropriations in this Act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the Mayor, or, in the case of the Council of the District of Columbia, funds may be expended with the authorization of the Chairman of the Council.

SEC. 503. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of legal settlements or judgments that have been entered against the District of Columbia government.

SEC. 504. (a) Except as provided in subsection (b), no part of this appropriation shall be used for publicity or propaganda purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any State legislature.

(b) The District of Columbia may use local funds provided in this title to carry out lobbying activities on any matter other than—

(1) the promotion or support of any boycott; or

(2) statehood for the District of Columbia or voting representation in Congress for the District of Columbia.

(c) Nothing in this section may be construed to prohibit any elected official from advocating with respect to any of the issues referred to in subsection (b).

SEC. 505. (a) None of the funds provided under this title to the agencies funded by this title, both Federal and District government agencies, that remain available for obligation or expenditure in fiscal year 2007, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this title, shall be available for obligation or expenditures for an agency through a reprogramming of funds which—

(1) creates new programs;

(2) eliminates a program, project, or responsibility center;

(3) establishes or changes allocations specifically denied, limited or increased under this Act;

(4) increases funds or personnel by any means for any program, project, or responsibility center for which funds have been denied or restricted;

(5) reestablishes any program or project previously deferred through reprogramming;

(6) augments any existing program, project, or responsibility center through a reprogramming of funds in excess of \$3,000,000 or 10 percent, whichever is less; or

(7) increases by 20 percent or more personnel assigned to a specific program, project or responsibility center, unless in the case of federal funds, the Committees on Appropriations of the House of Representatives and Senate are notified in writing 15 days in advance of the reprogramming and in the case of local funds, the Committees on Appropriations of the House of Representatives and Senate are provided summary reports on April 1, 2007 and October 1, 2007, setting forth detailed information regarding each such local funds reprogramming conducted subject to this subsection.

(b) None of the local funds contained in this Act may be available for obligation or expenditure for an agency through a transfer of any local funds in excess of \$3,000,000 from one appropriation heading to another unless the Committees on Appropriations of the House of Representatives and Senate are provided summary reports on April 1, 2007 and October 1, 2007, setting forth detailed information regarding each reprogramming conducted subject to this subsection, except that in no event may the amount of any funds transferred exceed 4 percent of the local funds in the appropriations.

(c) The District of Columbia Government is authorized to approve and execute reprogramming and transfer requests of local funds under this title through September 30, 2007.

SEC. 506. Consistent with the provisions of section 1301(a) of title 31, United States Code, appropriations under this Act shall be applied only to the objects for which the appropriations were made except as otherwise provided by law.

SEC. 507. (a) Notwithstanding any other provisions of law, the provisions of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (D.C. Law 2-139; sec. 1-601.01 et seq., D.C. Official Code), enacted pursuant to section 422(3) of the District of Columbia Home Rule Act (sec. 1-204.22(3), D.C. Official Code), shall apply with respect to the compensation of District of Columbia employees. For pay purposes, employees of the District of Columbia government shall not be subject to the provisions of title 5, United States Code.

(b) Notwithstanding section 8344(a) of title 5, United States Code, the amendment made by section 2 of the District Government Re-employed Annuitant Offset Elimination Amendment Act of 2004 (D.C. Law 15-207)

shall apply with respect to any individual employed in an appointive or elective position with the District of Columbia government after December 7, 2004.

SEC. 508. No later than 30 days after the end of the first quarter of fiscal year 2007, the Mayor of the District of Columbia shall submit to the Council of the District of Columbia and the Committees on Appropriations of the House of Representatives and Senate the new fiscal year 2007 revenue estimates as of the end of such quarter. These estimates shall be used in the budget request for fiscal year 2008. The officially revised estimates at midyear shall be used for the mid-year report.

SEC. 509. No sole source contract with the District of Columbia government or any agency thereof may be renewed or extended without opening that contract to the competitive bidding process as set forth in section 303 of the District of Columbia Procurement Practices Act of 1985 (D.C. Law 6-85; D.C. Official Code, section 2-303.03), except that the District of Columbia government or any agency thereof may renew or extend sole source contracts for which competition is not feasible or practical, but only if the determination as to whether to invoke the competitive bidding process has been made in accordance with duly promulgated rules and procedures and has been reviewed and certified by the Chief Financial Officer of the District of Columbia.

SEC. 510. None of the Federal funds provided in this Act may be used by the District of Columbia to provide for salaries, expenses, or other costs associated with the offices of United States Senator or United States Representative under section 4(d) of the District of Columbia Statehood Constitutional Convention Initiatives of 1979 (D.C. Law 3-171; D.C. Official Code, section 1-123).

SEC. 511. None of the Federal funds made available in this Act may be used to implement or enforce the Health Care Benefits Expansion Act of 1992 (D.C. Law 9-114; D.C. Official Code, section 32-701 et seq.) or to otherwise implement or enforce any system of registration of unmarried, cohabiting couples, including but not limited to registration for the purpose of extending employment, health, or governmental benefits to such couples on the same basis that such benefits are extended to legally married couples.

SEC. 512. (a) Notwithstanding any other provision of this Act, the Mayor, in consultation with the Chief Financial Officer of the District of Columbia may accept, obligate, and expend Federal, private, and other grants received by the District government that are not reflected in the amounts appropriated in this Act.

(b)(1) No such Federal, private, or other grant may be obligated, or expended pursuant to subsection (a) until—

(A) the Chief Financial Officer of the District of Columbia submits to the Council a report setting forth detailed information regarding such grant; and

(B) the Council has reviewed and approved the obligation, and expenditure of such grant.

(2) For purposes of paragraph (1)(B), the Council shall be deemed to have reviewed and approved the obligation, and expenditure of a grant if—

(A) no written notice of disapproval is filed with the Secretary of the Council within 14 calendar days of the receipt of the report from the Chief Financial Officer under paragraph (1)(A); or

(B) if such a notice of disapproval is filed within such deadline, the Council does not by resolution disapprove the obligation, or expenditure of the grant within 30 calendar days of the initial receipt of the report from

the Chief Financial Officer under paragraph (1)(A).

(c) No amount may be obligated or expended from the general fund or other funds of the District of Columbia government in anticipation of the approval or receipt of a grant under subsection (b)(2) or in anticipation of the approval or receipt of a Federal, private, or other grant not subject to such subsection.

(d) The Chief Financial Officer of the District of Columbia may adjust the budget for Federal, private, and other grants received by the District government reflected in the amounts appropriated in this title, or approved and received under subsection (b)(2) to reflect a change in the actual amount of the grant.

(e) The Chief Financial Officer of the District of Columbia shall prepare a quarterly report setting forth detailed information regarding all Federal, private, and other grants subject to this section. Each such report shall be submitted to the Council of the District of Columbia, to the Committees on Appropriations of the House of Representatives and Senate, not later than 15 days after the end of the quarter covered by the report.

SEC. 513. (a) Except as otherwise provided in this section, none of the funds made available by this Act or by any other Act may be used to provide any officer or employee of the District of Columbia with an official vehicle unless the officer or employee uses the vehicle only in the performance of the officer's or employee's official duties. For purposes of this paragraph, the term "official duties" does not include travel between the officer's or employee's residence and workplace, except in the case of—

(1) an officer or employee of the Metropolitan Police Department who resides in the District of Columbia or is otherwise designated by the Chief of the Department;

(2) at the discretion of the Fire Chief, an officer or employee of the District of Columbia Fire and Emergency Medical Services Department who resides in the District of Columbia and is on call 24 hours a day or is otherwise designated by the Fire Chief;

(3) the Mayor of the District of Columbia; and

(4) the Chairman of the Council of the District of Columbia.

(b) The Chief Financial Officer of the District of Columbia shall submit by March 1, 2007, an inventory, as of September 30, 2006, of all vehicles owned, leased or operated by the District of Columbia government. The inventory shall include, but not be limited to, the department to which the vehicle is assigned; the year and make of the vehicle; the acquisition date and cost; the general condition of the vehicle; annual operating and maintenance costs; current mileage; and whether the vehicle is allowed to be taken home by a District officer or employee and if so, the officer or employee's title and resident location.

SEC. 514. None of the funds contained in this Act may be used for purposes of the annual independent audit of the District of Columbia government for fiscal year 2007 unless—

(1) the audit is conducted by the Inspector General of the District of Columbia, in coordination with the Chief Financial Officer of the District of Columbia, pursuant to section 208(a)(4) of the District of Columbia Procurement Practices Act of 1985 (D.C. Official Code, section 2-302.8); and

(2) the audit includes as a basic financial statement a comparison of audited actual year-end results with the revenues submitted in the budget document for such year and the appropriations enacted into law for such year using the format, terminology, and classifications contained in the law making

the appropriations for the year and its legislative history.

SEC. 515. (a) None of the funds contained in this Act may be used by the District of Columbia Corporation Counsel or any other officer or entity of the District government to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

(b) Nothing in this section bars the District of Columbia Corporation Counsel from reviewing or commenting on briefs in private lawsuits, or from consulting with officials of the District government regarding such lawsuits.

SEC. 516. (a) None of the funds contained in this Act may be used for any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

(b) Any individual or entity who receives any funds contained in this Act and who carries out any program described in subsection (a) shall account for all funds used for such program separately from any funds contained in this Act.

SEC. 517. None of the funds contained in this Act may be used after the expiration of the 60-day period that begins on the date of the enactment of this Act to pay the salary of any chief financial officer of any office of the District of Columbia government (including any independent agency of the District of Columbia) who has not filed a certification with the Mayor and the Chief Financial Officer of the District of Columbia that the officer understands the duties and restrictions applicable to the officer and the officer's agency as a result of this Act (and the amendments made by this Act), including any duty to prepare a report requested either in the Act or in any of the reports accompanying the Act and the deadline by which each report must be submitted: *Provided*, That the Chief Financial Officer of the District of Columbia shall provide to the Committees on Appropriations of the House of Representatives and Senate by April 1, 2007 and October 1, 2007, a summary list showing each report, the due date, and the date submitted to the Committees.

SEC. 518. Nothing in this Act may be construed to prevent the Council or Mayor of the District of Columbia from addressing the issue of the provision of contraceptive coverage by health insurance plans, but it is the intent of Congress that any legislation enacted on such issue should include a "conscience clause" which provides exceptions for religious beliefs and moral convictions.

SEC. 519. The Mayor of the District of Columbia shall submit to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Governmental Affairs of the Senate quarterly reports addressing—

(1) crime, including the homicide rate, implementation of community policing, the number of police officers on local beats, and the closing down of open-air drug markets;

(2) access to substance and alcohol abuse treatment, including the number of treatment slots, the number of people served, the number of people on waiting lists, and the effectiveness of treatment programs;

(3) management of parolees and pre-trial violent offenders, including the number of halfway houses escapes and steps taken to improve monitoring and supervision of halfway house residents to reduce the number of escapes to be provided in consultation with the Court Services and Offender Supervision Agency for the District of Columbia;

(4) education, including access to special education services and student achievement to be provided in consultation with the Dis-

trict of Columbia Public Schools and the District of Columbia public charter schools;

(5) improvement in basic District services, including rat control and abatement;

(6) application for and management of Federal grants, including the number and type of grants for which the District was eligible but failed to apply and the number and type of grants awarded to the District but for which the District failed to spend the amounts received; and

(7) indicators of child well-being.

SEC. 520. (a) No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer of the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council of the District of Columbia a revised appropriated funds operating budget in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (D.C. Official Code, section 1-204.42), for all agencies of the District of Columbia government for fiscal year 2007 that is in the total amount of the approved appropriation and that realigns all budgeted data for personal services and other-than-personal-services, respectively, with anticipated actual expenditures.

(b) This section shall apply only to an agency where the Chief Financial Officer of the District of Columbia certifies that a reallocation is required to address unanticipated changes in program requirements.

SEC. 521. (a) None of the funds contained in this Act may be made available to pay—

(1) the fees of an attorney who represents a party in an action or an attorney who defends an action brought against the District of Columbia Public Schools under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) in excess of \$4,000 for that action; or

(2) the fees of an attorney or firm whom the Chief Financial Officer of the District of Columbia determines to have a pecuniary interest, either through an attorney, officer, or employee of the firm, in any special education diagnostic services, schools, or other special education service providers.

(b) In this section, the term "action" includes an administrative proceeding and any ensuing or related proceedings before a court of competent jurisdiction.

SEC. 522. The Chief Financial Officer of the District of Columbia shall require attorneys in special education cases brought under the Individuals with Disabilities Education Act (IDEA) in the District of Columbia to certify in writing that the attorney or representative rendered any and all services for which they receive awards, including those received under a settlement agreement or as part of an administrative proceeding, under the IDEA from the District of Columbia. As part of the certification, the Chief Financial Officer of the District of Columbia shall require all attorneys in IDEA cases to disclose any financial, corporate, legal, memberships on boards of directors, or other relationships with any special education diagnostic services, schools, or other special education service providers to which the attorneys have referred any clients as part of this certification. The Chief Financial Officer shall prepare and submit quarterly reports to the Committees on Appropriations of the House of Representatives and Senate on the certification of and the amount paid by the government of the District of Columbia, including the District of Columbia Public Schools, to attorneys in cases brought under IDEA. The Inspector General of the District of Columbia may conduct investigations to determine the accuracy of the certifications.

SEC. 523. The amount appropriated by this Act may be increased by no more than

\$42,000,000 from funds identified in the comprehensive annual financial report as the District's fiscal year 2006 unexpended general fund surplus. The District may obligate and expend these amounts only in accordance with the following conditions:

(1) The Chief Financial Officer of the District of Columbia shall certify that the use of any such amounts is not anticipated to have a negative impact on the District's long-term financial, fiscal, and economic vitality.

(2) The District of Columbia may only use these funds for the following expenditures:

- (A) One-time expenditures.
- (B) Expenditures to avoid deficit spending.
- (C) Debt Reduction.
- (D) Program needs.
- (E) Expenditures to avoid revenue shortfalls.

(3) The amounts shall be obligated and expended in accordance with laws enacted by the Council in support of each such obligation or expenditure.

(4) The amounts may not be used to fund the agencies of the District of Columbia government under court ordered receivership.

(5) The amounts may not be obligated or expended unless the Mayor notifies the Committees on Appropriations of the House of Representatives and Senate not fewer than 30 days in advance of the obligation or expenditure.

SEC. 524. (a) To account for an unanticipated growth of revenue collections, the amount appropriated as District of Columbia Funds pursuant to this Act may be increased—

(1) by an aggregate amount of not more than 25 percent, in the case of amounts proposed to be allocated as "Other-Type Funds" in the Fiscal Year 2007 Proposed Budget and Financial Plan submitted to Congress by the District of Columbia; and

(2) by an aggregate amount of not more than 6 percent, in the case of any other amounts proposed to be allocated in such Proposed Budget and Financial Plan.

(b) The District of Columbia may obligate and expend any increase in the amount of funds authorized under this section only in accordance with the following conditions:

(1) The Chief Financial Officer of the District of Columbia shall certify—

- (A) the increase in revenue; and
- (B) that the use of the amounts is not anticipated to have a negative impact on the long-term financial, fiscal, or economic health of the District.

(2) The amounts shall be obligated and expended in accordance with laws enacted by the Council of the District of Columbia in support of each such obligation and expenditure, consistent with the requirements of this Act.

(3) The amounts may not be used to fund any agencies of the District government operating under court-ordered receivership.

(4) The amounts may not be obligated or expended unless the Mayor has notified the Committees on Appropriations of the House of Representatives and Senate not fewer than 30 days in advance of the obligation or expenditure.

SEC. 525. The Chief Financial Officer for the District of Columbia may, for the purpose of cash flow management, conduct short-term borrowing from the emergency reserve fund and from the contingency reserve fund established under section 450A of the District of Columbia Home Rule Act (Public Law 93-198): *Provided*, That the amount borrowed shall not exceed 50 percent of the total amount of funds contained in both the emergency and contingency reserve funds at the time of borrowing: *Provided further*, That the borrowing shall not deplete either fund by more than 50 percent: *Provided*

further, That 100 percent of the funds borrowed shall be replenished within 9 months of the time of the borrowing or by the end of the fiscal year, whichever occurs earlier: *Provided further*, That in the event that short-term borrowing has been conducted and the emergency or the contingency funds are later depleted below 50 percent as a result of an emergency or contingency, an amount equal to the amount necessary to restore reserve levels to 50 percent of the total amount of funds contained in both the emergency and contingency reserve fund must be replenished from the amount borrowed within 60 days.

SEC. 526. (a) None of the funds contained in this Act may be used to enact or carry out any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 802) or any tetrahydrocannabinols derivative.

(b) The Legalization of Marijuana for Medical Treatment Initiative of 1998, also known as Initiative 59, approved by the electors of the District of Columbia on November 3, 1998, shall not take effect.

SEC. 527. None of the funds appropriated under this Act shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

SEC. 528. The authority that the Chief Financial Officer of the District of Columbia exercised with respect to personnel and the preparation of fiscal impact statements during a control period (as defined in Public Law 104-8) shall remain in effect until September 30, 2007.

SEC. 529. The entire process used by the Chief Financial Officer to acquire any and all kinds of goods, works and services by any contractual means, including but not limited to purchase, lease or rental, shall be exempt from all of the provisions of the District of Columbia's Procurement Practices Act of 1985: *Provided*, That provisions made by this section shall take effect as if enacted in D.C. Law 11-259 and shall remain in effect until September 30, 2007.

SEC. 530. (a) DIRECT APPROPRIATION.—Section 307(a) of the District of Columbia Court Reform and Criminal Procedure Act of 1970 (sec. 2-1607(a), D.C. Official Code) is amended by striking the first 2 sentences and inserting the following: "There are authorized to be appropriated to the Service in each fiscal year such funds as may be necessary to carry out this chapter."

(b) CONFORMING AMENDMENT.—Section 11233 of the Balanced Budget Act of 1997 (sec. 24-133, D.C. Official Code) is amended by striking subsection (f).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to fiscal year 2007 and each succeeding fiscal year.

SEC. 531. (a) The item relating to "Federal Payment for School Improvement" in the District of Columbia Appropriations Act, 2006 (Public Law 109-115; 119 Stat. 2512) is amended by striking "\$13,000,000 to expand quality public charter schools in the District of Columbia, to remain available until September 30, 2007" and inserting the following: "\$13,000,000 to expand quality public charter schools in the District of Columbia, of which \$4,000,000 shall be for the direct loan fund and shall remain available until expended, \$2,000,000 shall be for credit enhancement and shall remain available until expended, and the remainder shall remain available until September 30, 2007."

(b) The amendment made by subsection (a) shall take effect as if included in the enactment of the District of Columbia Appropriations Act, 2006.

SEC. 532. Except as expressly provided otherwise, any reference to "this Act" contained in this division shall be treated as referring only to the provisions of this title.

This title may be cited as the "District of Columbia Appropriations Act, 2007".

□ 2030

Mr. KNOLLENBERG (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 176, line 11 be considered as read, printed in the RECORD, and open to amendment at any point.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

AMENDMENT OFFERED BY MR. KNOLLENBERG

Mr. KNOLLENBERG (during the reading). Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. KNOLLENBERG:

On page 175, line 16, through page 176, line 6, strike Section 531.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Michigan (Mr. KNOLLENBERG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. KNOLLENBERG. Mr. Chairman, my amendment strikes section 531 of the bill. We included this correcting provision at the request of the D.C. Education Office to assist them with some funds management.

Unfortunately this provision creates an advance appropriation and, therefore, violates the budget resolution. I ask for the amendment's adoption.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. KNOLLENBERG).

The amendment was agreed to.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE VI

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

COMPENSATION OF THE PRESIDENT

For compensation of the President, including an expense allowance at the rate of \$50,000 per annum as authorized by 3 U.S.C. 102, \$450,000: *Provided*, That none of the funds made available for official expenses shall be expended for any other purpose and any unused amount shall revert to the Treasury pursuant to section 1552 of title 31, United States Code.

WHITE HOUSE OFFICE SALARIES AND EXPENSES

For necessary expenses for the White House as authorized by law, including not to exceed \$3,850,000 for services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; subsistence expenses as authorized by 3 U.S.C. 105, which shall be expended and accounted for as provided in that section; hire of passenger motor vehicles, newspapers, periodicals, telephone news service, and travel (not to exceed

\$100,000 to be expended and accounted for as provided by 3 U.S.C. 103); and not to exceed \$19,000 for official entertainment expenses, to be available for allocation within the Executive Office of the President, \$51,952,000: *Provided*, That of the funds appropriated under this heading, up to \$1,500,000 shall be for the Privacy and Civil Liberties Oversight Board.

AMENDMENT OFFERED BY MR. SHAYS

Mr. SHAYS. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SHAYS:

Page 177, line 15, after the dollar amount, insert the following: "(increased by \$750,000)".

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Connecticut (Mr. SHAYS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Connecticut.

Mr. SHAYS. Mr. Chairman, this amendment would add \$750,000 to an account that has \$1.5 million in it. Mrs. MALONEY and I both had legislation adding \$1.5 million on top of the \$1.5 million to the Civil Liberties Board.

Mr. Chairman, it is my understanding that the chairman will accept this amendment at 750, and I advise Mrs. MALONEY of that fact. What we want to do, Mr. Chairman, is to support a Civil Liberties Board that hopefully over time will do more than it is presently doing.

When we give the executive branch more power, we need to have more oversight, more congressional oversight, stronger whistleblower protection. And the 9/11 Commission suggested a strong Civil Liberties Board.

I would like to ask the chairman if this is in fact an amendment that he would accept.

Mr. KNOLLENBERG. I would be happy to accept the amendment with the provision that it would be at the \$750,000 level.

Mr. SHAYS. Mr. Chairman, I reserve the balance of my time.

The Acting CHAIRMAN. For what purpose does the gentlewoman from New York rise?

Mrs. MALONEY. I rise and would like to express—

The Acting CHAIRMAN. Is the gentlewoman opposed to the amendment?

Mrs. MALONEY. No, I am not opposed to it.

I am opposed to it because I feel we should have gotten more money.

The Acting CHAIRMAN. The gentlewoman is recognized for 5 minutes.

Mrs. MALONEY. Mr. Chairman, I had an amendment with Mr. UDALL which would have raised the funding amount to \$3 million. I feel that the \$750,000 is certainly welcomed and needed, but I regret that we were not able to achieve the additional \$1.5 million.

One way that this Congress and the President can show their support for a program is the level of funding that is appropriated, and when we passed the

very important intelligence reform bill, a very important provision of this bill, and a recommendation, one of the top recommendations of the 9/11 Commission, was the creation of a governmentwide Privacy and Civil Liberties Oversight Board.

This board, if given the proper funding and authority, has the opportunity to enhance our security and protect our Nation's core values as we fight to prevent terrorism. The bill before us provides up to \$1.5 million in funding, as part of the Executive Office of the President. The Maloney-Tom Udall amendment would have increased the amount of the board to \$3 million.

This board is to be funded from the \$52 million account provided for in the Executive Office of the President, and our amendment would further draw from this account. We had hoped that it would have passed. I want to say that if we value human rights and civil liberties, we should be funding this board.

We had a hearing on it earlier, and they only had one staff member and one administrator. And certainly, for an oversight board for civil liberties, they should have more funding to protect the civil liberties of Americans. We asked them if they had looked at the many challenges before this country now, the surveillance of phones, the surveillance in the libraries, the surveillance of private lives of people, and we questioned why they had not taken this up.

They said they had just been formed. But I would say that another reason they have not taken it up is that they do not have enough staff working with them.

And clearly any governmentwide board tasked to perform oversight regarding privacy civil liberties will need more than three permanent staffers to get the job done.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentlewoman yield?

Mrs. MALONEY. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, like my colleague from New York, I am glad we are getting something additional. This is symptomatic of this bill. It will provide too little money for a lot of very important programs.

And we will be told, yes, it is a good program, but we do not have the money. I believe the members of the subcommittee did the best possible job. I commend them for doing the best possible job in the circumstances.

The problem is that the majority created the circumstances. This is the consequence of too many tax cuts with wars at the same time, and a budget that then leaves too little money. So in case after case after case, we will be told, you are right, that is a very important function, we do not have enough money.

This particularly troubles me because I would like to build the consensus in the country for the kind of

vigorous law enforcement that we need to protect ourselves in the face of this new threat.

When the oversight board on civil liberties and privacy that the 9/11 Commission recommended is starved for money, you lose the opportunity to achieve that balance that would increase support for law enforcement.

And while no one says it is a bad idea, except maybe the Vice President, but he did not say that openly, I just guessed, no one says that it is doing a bad job. There is too little money left because the priorities are tax cuts, the war in Iraq, and then everything else gets stifled.

And this is an example of a very good program. The committee did the best it could, and the amendment of the gentleman from Connecticut makes a bad situation somewhat better. I am glad that it is here, but we are in this situation because this is an example of the price the country is paying for a very distorted set of priorities.

Mr. Chairman, I thank the gentlewoman, who has been a leader in this fight.

Mrs. MALONEY. Mr. Chairman, reclaiming my time, I would like to contrast this office with the Privacy Office at the Department of Homeland Security. There they have 25 staff members. Here we have three staff members at the governmentwide office, and 25 for the office within just one department.

Just beyond the challenge of staffing, the additional funding will allow the board to develop the infrastructure they need to do their job and will send a message that Congress fully intends to support the important work of the board.

We need to support them. The 9/11 Commission gave this an "F." We would like to get it funded and up and running, and we must find ways of doing this. I appreciate the efforts of my colleagues.

Mr. SHAYS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I just first would thank Mr. KNOLLENBERG for adding \$750,000 to the \$1.5 million that is already there. I particularly want to thank my colleague, Mrs. MALONEY, who has worked tirelessly on the 9/11 Commission with me and others. I appreciate her willingness to accept this amendment. I appreciate the work that she has done, and she is right about this.

With the Government getting more power, with the PATRIOT Act and the war on terrorism and, and, and, there needs to be stronger legislative oversight. We need to make sure that our whistleblower statutes protect those in the intelligence community.

We need a much stronger Civil Liberties Board. This money will allow the Civil Liberties Board to get started and to do what they need. I know we will be back asking Mr. KNOLLENBERG for more as it proves its viability and effectiveness.

Mr. Chairman, at this time I urge acceptance of this amendment.

My amendment would add a modest \$750,000 for the Privacy and Civil Liberties Oversight Board. This board was created by the Intelligence Reform and Terrorism Prevention Act and is based on a key recommendation of the 9-11 Commission.

The Commission provided the nation with 41 important recommendations to address the terrorist threat and improve our homeland security and recognized the need to balance civil liberties and security. It recommended the following: At this time of increased and consolidated government authority, there should be a board within the executive branch to oversee adherence to the guidelines we recommend and the commitment the government makes to defend our civil liberties.

Unfortunately, the authority of the Privacy and Civil Liberties Oversight Board is not as broad as proposed because the legislation that created it does not provide subpoena power, and Board investigations can be vetoed by the U.S. Attorney General. The need for the Board to have strong oversight power was the subject of a recent hearing held in the Subcommittee on National Security, Emerging Threats and International Relations, which I chair.

The limitations on debate prevent my offering an amendment that would expand the Board's powers as is proposed in H.R. 5000, which I co-authored with Representative Maloney, but we can take an important step to ensure the Board will function to the best of its ability under current law.

During our Subcommittee hearing, the chair and vice-chair of the Board testified that they currently only have two staff members and are considering hiring one additional permanent staff member. Mr. Chairman, how can a board with responsibilities for protecting privacy and civil liberties operate like this?

With increased executive power must come increased oversight. These additional funds will help the Board establish its infrastructure and begin performing the robust oversight needed to make it successful, and ensure it can protect all citizens' privacy and civil liberties.

Mr. UDALL of New Mexico. Mr. Chairman, I am pleased to be a cosponsor of this amendment, which is a simple and straightforward step to ensure the privacy rights and civil liberties are being adequately protected.

Recognizing that many of their recommendations called for the government to more effectively protect our Nation, 9/11 Commissioners unanimously expressed the need for a viable Privacy and Civil Liberties Board. The Board was created to help ensure that as we take steps to protect our Nation, it was not done at the expense of our civil liberties.

Unfortunately, this vital board, which was established by the Intelligence Reform bill almost two years ago, has only recently had its Members appointed and confirmed and has held its first meetings. It now has to organize, hire staff, and begin fulfilling its responsibilities, all of which takes time and resources. However, in the 9/11 Commission's report card on the implementation of its recommendations, which was released in December, the COMmission noted the Board's insufficient funding. This problem persists in this year's appropriations bill, which will severely hinder the Board's ability to complete these tasks.

Following the revelations about the National Security Agency's various spy programs, it is

more evident that we need the Privacy and Civil Liberties Board to be implemented now more than ever. However, the current level of funding is clearly inadequate. \$1,500,000 is not enough for a Board charged with monitoring privacy and civil liberties implications of federal regulations, executive branch policies and procedures, and public law.

The Maloney/Udall amendment increases the amount reserved for the Board to \$3 million—the same amount that was initially given to the 9/11 Commission. And the level of funding in the bill for the Executive Office of the President will remain the same. This amendment simply gives the Board the funding it needs to do the job it was created to do.

I urge a “yes” vote on this amendment.

Mr. SHAYS. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut (Mr. SHAYS).

The amendment was agreed to.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

EXECUTIVE RESIDENCE AT THE WHITE HOUSE
OPERATING EXPENSES

For the care, maintenance, repair and alteration, refurbishing, improvement, heating, and lighting, including electric power and fixtures, of the Executive Residence at the White House and official entertainment expenses of the President, \$12,041,000, to be expended and accounted for as provided by 3 U.S.C. 105, 109, 110, and 112–114.

REIMBURSABLE EXPENSES

For the reimbursable expenses of the Executive Residence at the White House, such sums as may be necessary: *Provided*, That all reimbursable operating expenses of the Executive Residence shall be made in accordance with the provisions of this paragraph: *Provided further*, That, notwithstanding any other provision of law, such amount for reimbursable operating expenses shall be the exclusive authority of the Executive Residence to incur obligations and to receive offsetting collections, for such expenses: *Provided further*, That the Executive Residence shall require each person sponsoring a reimbursable political event to pay in advance an amount equal to the estimated cost of the event, and all such advance payments shall be credited to this account and remain available until expended: *Provided further*, That the Executive Residence shall require the national committee of the political party of the President to maintain on deposit \$25,000, to be separately accounted for and available for expenses relating to reimbursable political events sponsored by such committee during such fiscal year: *Provided further*, That the Executive Residence shall ensure that a written notice of any amount owed for a reimbursable operating expense under this paragraph is submitted to the person owing such amount within 60 days after such expense is incurred, and that such amount is collected within 30 days after the submission of such notice: *Provided further*, That the Executive Residence shall charge interest and assess penalties and other charges on any such amount that is not reimbursed within such 30 days, in accordance with the interest and penalty provisions applicable to an outstanding debt on a United States Government claim under section 3717 of title 31, United States Code: *Provided further*, That each such amount that is reimbursed, and any accompanying interest and charges, shall be deposited in the Treasury as miscellaneous receipts: *Provided further*, That

the Executive Residence shall prepare and submit to the Committees on Appropriations, by not later than 90 days after the end of the fiscal year covered by this Act, a report setting forth the reimbursable operating expenses of the Executive Residence during the preceding fiscal year, including the total amount of such expenses, the amount of such total that consists of reimbursable official and ceremonial events, the amount of such total that consists of reimbursable political events, and the portion of each such amount that has been reimbursed as of the date of the report: *Provided further*, That the Executive Residence shall maintain a system for the tracking of expenses related to reimbursable events within the Executive Residence that includes a standard for the classification of any such expense as political or nonpolitical: *Provided further*, That no provision of this paragraph may be construed to exempt the Executive Residence from any other applicable requirement of subchapter I or II of chapter 37 of title 31, United States Code.

WHITE HOUSE REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Executive Residence at the White House, \$1,600,000, to remain available until expended, for required maintenance, safety and health issues, and continued preventative maintenance.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

For necessary expenses of the Council of Economic Advisers in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021), \$4,002,000.

OFFICE OF POLICY DEVELOPMENT

SALARIES AND EXPENSES

For necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, \$3,385,000.

NATIONAL SECURITY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the National Security Council, including services as authorized by 5 U.S.C. 3109, \$8,405,000.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Administration, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles, \$91,393,000, of which \$11,397,000 shall remain available until expended for the Capital Investment Plan for continued modernization of the information technology infrastructure within the Executive Office of the President.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109 and to carry out the provisions of chapter 35 of title 44, United States Code, \$76,185,000, of which not to exceed \$3,000 shall be available for official representation expenses: *Provided*, That, as provided in 31 U.S.C. 1301(a), appropriations shall be applied only to the objects for which appropriations were made and shall be allocated in accordance with the terms and conditions set forth in the accompanying statement of the managers except as otherwise provided by law: *Provided further*, That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of

1937 (7 U.S.C. 601 et seq.): *Provided further*, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Management and Budget, before the Committees on Appropriations or their subcommittees: *Provided further*, That the preceding shall not apply to printed hearings released by the Committees on Appropriations: *Provided further*, That the Office of Management and Budget shall have not more than 60 days in which to perform budgetary policy reviews of water resource matters on which the Chief of Engineers has reported: *Provided further*, That the Director of the Office of Management and Budget shall notify the appropriate authorizing and Appropriations Committees when the 60-day review is initiated: *Provided further*, That if water resource reports have not been transmitted to the appropriate authorizing and appropriating committees within 15 days of the end of the OMB review period based on the notification from the Director, Congress shall assume OMB concurrence with the report and act accordingly.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

For necessary expenses of the Office of National Drug Control Policy; for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.); not to exceed \$10,000 for official reception and representation expenses; and for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or public organizations or agencies, with or without reimbursement, \$26,928,000; of which \$1,316,000 shall remain available until expended for policy research and evaluation: *Provided*, That the Office is authorized to accept, hold, administer, and utilize gifts, both real and personal, public and private, without fiscal year limitation, for the purpose of aiding or facilitating the work of the Office.

COUNTERDRUG TECHNOLOGY ASSESSMENT
CENTER

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the Counterdrug Technology Assessment Center for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.), \$19,600,000, which shall remain available until expended, consisting of \$9,600,000 for counternarcotics research and development projects, of which up to \$1,000,000 is to be directed to supply reduction activities, and \$10,000,000 for the continued operation of the technology transfer program: *Provided*, That the \$9,600,000 for counternarcotics research and development projects shall be available for transfer to other Federal departments or agencies.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS
PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy's High Intensity Drug Trafficking Areas Program, \$227,000,000 for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas, of which no less than 51 percent shall be transferred to State and local entities for drug control activities: *Provided*, That up to 49 percent, to remain available until September 30, 2007, may be transferred to Federal agencies and departments at a rate to be determined by the Director, of which not less

than \$2,000,000 shall be used for auditing services and associated activities, and at least \$500,000 of the \$2,000,000 shall be used to develop and implement a data collection system to measure the performance of the High Intensity Drug Trafficking Areas Program.

AMENDMENT OFFERED BY MS. HOOLEY

Ms. HOOLEY. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. HOOLEY:

Page 184, line 17, after the dollar amount, insert the following: “(increased by \$8,000,000)”.

Page 205, line 18, after the dollar amount, insert the following: “(reduced by \$8,000,000)”.

The CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from Oregon (Ms. HOOLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Oregon.

Ms. HOOLEY. Mr. Chairman, today I rise to offer an amendment with Congressman HULSHOF and Congressman SKELTON that would provide an \$8 million increase to the High Intensity Drug Trafficking Area Program.

Mr. Chairman, for the past 5 years, HIDTA has essentially been levelly funded despite the increasing threat from the spread of methamphetamine throughout our country.

This amendment would enable the Office of National Drug Control Policy to maintain full funding to existing HIDTAs as well as provide additional resources for the establishment of new HIDTAs.

Mr. Chairman, in my three decades of public service, I have not seen a problem as pervasive or as damaging as Oregon's meth epidemic. The production, distribution and use of meth is a serious threat to public health and safety.

□ 2045

I have traveled around the State talking to policymakers and law enforcement leaders about the meth problem. I have heard one message loud and clear: local law enforcement lacks the resources needed to extinguish Oregon's meth wildfire, and I know Oregon is by no means alone in this fight.

HIDTA provides State and local law enforcement with critical Federal resources to fight meth abuse. It is particularly effective because these resources are targeted at the areas most adversely affected by drug trafficking. It allows communities to develop and implement a comprehensive strategy to combat meth and other illegal drugs, one that addresses enforcement, treatment, prevention education, and control of precursor chemicals.

Last year, I offered a similar amendment to the FY 06 meth appropriation bill that added \$9 million to HIDTA. While this amendment passed overwhelmingly, the funding was stripped from the final conference report. HIDTA deserves the support of this

Congress because it not only helps law enforcement identify and dismantle labs, but also helps break the cycle of other crimes associated with meth use, crimes from domestic violence and child abuse to identity theft. We must continue to support this valuable initiative so our communities have the resources they need to stop the spread of methamphetamine.

I urge you to support this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. KNOLLENBERG. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

Mr. KNOLLENBERG. Mr. Chairman, first let me state that I am a supporter of the High Intensity Drug Trafficking Areas program. I think it is apparent from the recommended level of funding in our bill.

Mr. Chairman, the President requested that this program be transferred to the Department of Justice, a Department not under the jurisdiction of this subcommittee, at a level of \$207 million. Given the wide support for this program, we retain the oversight of the program in the TTHUD subcommittee and increased funding above the President's request \$20 million to that \$227 million level.

I would support my colleague's amount if this were not a zero-sum situation. But this increase has to come from another program, in this case the National Archives and Records Administration, or NARA. NARA has a projected \$12 million shortfall right now, even if they receive full funding for fiscal year 2007. A hiring freeze goes into effect on the beginning of July. A cut of \$12 million could result in serious staffing issues at the National Archives.

Additionally, there is a projected reduction in research hours and hours open to the public and other measures that have to be taken even with full funding. A \$12 million cut would impose further reductions on operating hours, something that I oppose; and I urge my colleagues, therefore, to oppose this amendment.

Mr. Chairman, I yield back the balance of my time.

Ms. HOOLEY. Mr. Chairman, if the gentleman will answer a question, this was \$9 million, not \$12 million.

Mr. KNOLLENBERG. Well, the whole point is that it isn't just one thing; it is two or three things that are the problem. Already, they are down \$12 million. Then there is the possibility that yours would strike some more money.

Finally, what do they do about the servicing? How do they even get along with that situation when they know they are going to lose some people. They are going to lose some people.

Ms. HOOLEY. Mr. Chairman, reclaiming the balance of my time, this amendment is really about priorities.

The National Archives is an excellent program, and one I fully support; but this amendment still leaves them with \$281.6 million for operating expenses. It is an increase. HIDTA is at level funding, and it allows HIDTA to improve and expand its services for the first time in 5 years, at a time when communities across this country are facing an increasing problem with methamphetamine.

Everybody knows this is a huge problem, one of the fastest-growing drug problems in the Nation. I think we need to provide HIDTA with the funding they need. It is not that I don't support the archives program; it is terrific. But HIDTA has been funded at a level that it already had an increase, and I think we need to fund this. This is a horrific epidemic in this country, and I think we need to fund it.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Oregon (Ms. HOOLEY).

The question was taken; and the Acting Chairman announced that the yeas appeared to have it.

Ms. HOOLEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Oregon will be postponed.

The Clerk will read.

The Clerk read as follows:

OTHER FEDERAL DRUG CONTROL PROGRAMS
(INCLUDING TRANSFER OF FUNDS)

For activities to support a national anti-drug campaign for youth, and for other purposes, authorized by the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.), \$194,000,000, to remain available until expended, of which the amounts are available as follows: \$100,000,000 to support a national media campaign, as authorized by the Drug-Free Media Campaign Act of 1998: *Provided*, That the Office of National Drug Control Policy shall maintain funding for non-advertising services for the media campaign at no less than the fiscal year 2003 ratio of service funding to total funds and shall continue the corporate outreach program as it operated prior to its cancellation; \$80,000,000 to continue a program of matching grants to drug-free communities, of which \$2,000,000 shall be a direct grant to the Community Anti-Drug Coalitions of America for the National Community Anti-Drug Coalition Institute, as authorized in chapter 2 of the National Narcotics Leadership Act of 1988, as amended; \$1,000,000 for the National Drug Court Institute; \$1,000,000 for the National Alliance for Model State Drug Laws; \$8,500,000 for the United States Anti-Doping Agency for antidoping activities; \$1,500,000 for the United States membership dues to the World Anti-Doping Agency; and \$1,980,000 for evaluations and research related to National Drug Control Program performance measures: *Provided further*, That such funds may be transferred to other Federal departments and agencies to carry out such activities: *Provided further*, That of the amounts appropriated for a national media campaign, not to exceed 10 percent shall be for administration, advertising production, research and

testing, labor and related costs of the national media campaign.

UNANTICIPATED NEEDS
UNANTICIPATED NEEDS

For expenses necessary to enable the President to meet unanticipated needs, in furtherance of the national interest, security, or defense which may arise at home or abroad during the current fiscal year, as authorized by 3 U.S.C. 108, \$1,000,000.

SPECIAL ASSISTANCE TO THE PRESIDENT AND
THE OFFICIAL RESIDENCE OF THE VICE
PRESIDENT

SALARIES AND EXPENSES

For necessary expenses to enable the Vice President to provide assistance to the President in connection with specially assigned functions; services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, including subsistence expenses as authorized by 3 U.S.C. 106, which shall be expended and accounted for as provided in that section; and hire of passenger motor vehicles, \$4,352,000.

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For the care, operation, refurbishing, improvement, and to the extent not otherwise provided for, heating and lighting, including electric power and fixtures, of the official residence of the Vice President; the hire of passenger motor vehicles; and not to exceed \$90,000 for official entertainment expenses of the Vice President, to be accounted for solely on his certificate, \$317,000: *Provided*, That advances or repayments or transfers from this appropriation may be made to any department or agency for expenses of carrying out such activities.

GENERAL PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 601. From funds made available in this Act under the headings "White House Office", "Executive Residence at the White House", "White House Repair and Restoration", "Council of Economic Advisors", "National Security Council", "Office of Administration", "Office of Policy Development", "Special Assistance to the President", and "Official Residence of the Vice President", the Director of the Office of Management and Budget (or such other officer as the President may designate in writing), may, 15 days after giving notice to the House and Senate Committees on Appropriations, transfer not to exceed 10 percent of any such appropriation to any other such appropriation, to be merged with and available for the same time and for the same purposes as the appropriation to which transferred: *Provided*, That the amount of an appropriation shall not be increased by more than 50 percent by such transfers: *Provided further*, That no amount shall be transferred from "Special Assistance to the President" or "Official Residence of the Vice President" without the approval of the Vice President.

SEC. 602. The President shall submit to the Committees on Appropriations not later than 30 days after enactment, and prior to the initial obligation of funds appropriated under the heading "Office of National Drug Control Policy", a financial plan on the proposed uses of all funds under the heading on a project-by-project basis, for which the obligation of funds is anticipated: *Provided*, That up to 20 percent of funds appropriated under this heading may be obligated before the submission of the report subject to prior approval of the Committees on Appropriations: *Provided further*, That the report shall be updated and submitted to the Committees on Appropriations every six months and shall include information detailing how the estimates and assumptions contained in previous reports have changed: *Provided further*,

That any new projects and changes in funding of ongoing projects shall be subject to the prior approval of the Committees on Appropriations.

This title may be cited as the "Executive Office of the President Appropriations Act, 2007".

TITLE VII

INDEPENDENT AGENCIES

ARCHITECTURAL AND TRANSPORTATION
BARRIERS COMPLIANCE BOARD

SALARIES AND EXPENSES

For expenses necessary for the Architectural and Transportation Barriers Compliance Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, \$5,956,590: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5376, purchase of nominal awards to recognize non-Federal officials' contributions to Commission activities, and not to exceed \$500 for official reception and representation expenses, \$62,370,000.

ELECTION ASSISTANCE COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the Help America Vote Act of 2002, \$16,908,000, of which \$4,950,000 shall be transferred to the National Institute of Standards and Technology for election reform activities authorized under the Help America Vote Act of 2002.

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$26,256,000, to be derived from the Bank Insurance Fund, the Savings Association Insurance Fund, and the FSLIC Resolution Fund (or any successor to these Funds).

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, \$57,138,000, of which no less than \$6,500,000 shall be available for internal automated data processing systems, and of which not to exceed \$5,000 shall be available for reception and representation expenses: *Provided*, That the FEC is authorized to establish, modify, charge, and collect registration fees for FEC hosted conferences: *Provided further*, That notwithstanding 31 U.S.C. 3302, funds received from fees charged to attend the campaign finance conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services authorized by 5 U.S.C. 3109, and including hire of experts and consultants, hire of passenger motor vehicles, and rental of conference rooms in the District of Columbia and elsewhere,

\$25,218,000: *Provided*, That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109: *Provided further*, That notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936 (46 U.S.C. App. 1111), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-5902, \$21,474,000: *Provided*, That not to exceed \$2,000 shall be available for official reception and representation expenses.

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

LIMITATION ON AVAILABILITY OF REVENUE

To carry out the purposes of the Fund established pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 592), the revenues and collections deposited into the Fund, shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunications relocation expenses) in connection with the assignment, allocation and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings including grounds, approaches and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to purchase buildings and sites; conversion and extension of federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, and any other obligations for public buildings acquired by installment purchase and purchase contract: *Provided*, That notwithstanding any other provision of this Act, in an amount not more than the aggregate amount specified under this heading in the Report of the House Committee on Appropriations to accompany the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2007, and that such aggregate amount shall remain available until expended in such amounts for individual real property projects and activities as provided in that accompanying Report: *Provided further*, That any proposed increases or decreases to the amounts contained in such report shall be subject to prior approval of the Committee on Appropriations.

GENERAL ACTIVITIES

GOVERNMENT-WIDE POLICY

For expenses authorized by law, not otherwise provided for, for Government-wide policy and evaluation activities associated with

the management of real and personal property assets and certain administrative services; Government-wide policy support responsibilities relating to acquisition, telecommunications, information technology management, and related technology activities; and services as authorized by 5 U.S.C. 3109, \$52,550,000.

OPERATING EXPENSES

For expenses authorized by law, not otherwise provided for, for Government-wide activities associated with utilization and donation of surplus personal property; disposal of real property; providing Internet access to Federal information and services; agency-wide policy direction and management, and Board of Contract Appeals; accounting, records management, and other support services incident to adjudication of Indian Tribal Claims by the United States Court of Federal Claims; services as authorized by 5 U.S.C. 3109; and not to exceed \$7,500 for official reception and representation expenses, \$83,032,000.

AMENDMENT OFFERED BY MR. WYNN

Mr. WYNN. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. WYNN:

Page 195, line 4, after "\$83,032,000" insert "(reduced by \$1,000,000)".

Page 209, line 15, after "\$100,178,000" insert "(increased by \$1,000,000)".

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Maryland (Mr. WYNN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. WYNN. Mr. Chairman, I rise to offer an amendment that would fund a study to increase health and wellness for the Federal workforce, our employees. Specifically, the amendment would fund a study by the Office of Personnel Management to develop recommendations to create incentives to boost the level of physical fitness and in return the productivity of Federal employees and their families.

Increasing the level of Federal employees' physical fitness would indeed boost the productivity of workers, reduce chronic illness, and decrease the Federal workforce's health care costs.

Let me talk for a minute about the nature of the problem. Today, approximately 127 million adults in the United States are overweight. I know a little about that. Sixty million are obese and nine million are severely obese. Obesity has been linked to an increase in chronic diseases such as coronary artery disease, type 2 diabetes, osteoporosis, high blood pressure and certain types of cancer.

According to the Centers for Disease Control and Prevention, the medical care costs, and this is what is important, the medical care cost of people with chronic diseases accounts for more than 75 percent of the Nation's \$1.4 trillion in medical costs.

You know, on this floor, Mr. Chairman, we offer you the phrase, we need to run government like a business. I

think that is a good idea. What you will find is businesses are increasingly turning to wellness programs to reduce rising health care costs and most believe that these programs will have a long-term impact according to a survey by the Deloitte Center For Health Solutions and the ERISA Industry Committee.

For example, Lafarge North America, a Herndon, Virginia, building materials manufacturer with 650 employees reimburses its employees for half of their monthly gym fees up to \$500 per year. Employees of Aetna can earn financial incentives of up to \$345 a year for participating in weight management and fitness courses.

Could this business approach apply to the Federal workforce? I think so. This amendment would provide funding to study best ways to improve employee health and fitness, thereby improving productivity. Some of the issues under study would include lunchtime walking and running clubs, creating accessible biking trails or bike routes, providing periodic incentive programs, promoting physical activities, health risk appraisals for all employees, contract with health plans to offer free and reduced cost memberships to health clubs allowing flexible work schedules so employees can exercise; discounting health insurance premiums and/or reduce copayments and deductibles in return for an employee's participation in specified health promotion or disease prevention program, constructing gyms in the workplace, such as we have here at the House; sponsoring exercise classes, providing employees with a stipend, full or partial, for gym membership.

Mr. Chairman, let me conclude by saying this: this amendment is designed to call attention to the link between Federal employees' fitness and greater productivity and ultimately taxpayer savings on health insurance costs. I would like to work with the chairman and the ranking member in the future to increase the level of physical fitness in the Federal workforce. I believe it is a win/win for the taxpayer and Federal employees.

At this time, Mr. Chairman, I would ask unanimous consent to withdraw my amendment in the hope of further discussion as we go forward.

The Acting CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

Mr. KNOLLENBERG. Mr. Chairman, I just want to thank the gentleman from Maryland for his interest in this area. I certainly agree that to the extent we can, we should promote and encourage physical activity as a way to prevent chronic health problems. I would just say that I look forward to working with you on this matter and make sure that these efforts lead to some decent results.

Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 252, line 2 be considered as read, printed in the RECORD, and open to amendment at any point.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The text of the remainder of the bill through page 252, line 2 is as follows:

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General and service authorized by 5 U.S.C. 3109, \$44,312,000: *Provided*, That not to exceed \$15,000 shall be available for payment for information and detection of fraud against the Government, including payment for recovery of stolen Government property: *Provided further*, That not to exceed \$2,500 shall be available for awards to employees of other Federal agencies and private citizens in recognition of efforts and initiatives resulting in enhanced Office of Inspector General effectiveness.

ELECTRONIC GOVERNMENT FUND (INCLUDING TRANSFER OF FUNDS)

For necessary expenses in support of inter-agency projects that enable the Federal Government to expand its ability to conduct activities electronically, through the development and implementation of innovative uses of the Internet and other electronic methods, \$3,000,000, to remain available until expended: *Provided*, That these funds may be transferred to Federal agencies to carry out the purposes of the Fund: *Provided further*, That this transfer authority shall be in addition to any other transfer authority provided in this Act: *Provided further*, That such transfers may not be made until 10 days after a proposed spending plan and justification for each project to be undertaken has been submitted to the Committees on Appropriations.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

(INCLUDING TRANSFER OF FUNDS)

For carrying out the provisions of the Act of August 25, 1958, as amended (3 U.S.C. 102 note), and Public Law 95-138, \$3,030,000: *Provided*, That the Administrator of General Services shall transfer to the Secretary of the Treasury such sums as may be necessary to carry out the provisions of such Acts.

FEDERAL CITIZEN INFORMATION CENTER FUND

For necessary expenses of the Federal Citizen Information Center, including services authorized by 5 U.S.C. 3109, \$16,866,000, to be deposited into the Federal Citizen Information Center Fund: *Provided*, That the appropriations, revenues, and collections deposited into the Fund shall be available for necessary expenses of Federal Citizen Information Center activities in the aggregate amount not to exceed \$35,000,000: *Provided further*, That appropriations, revenues, and collections accruing to this Fund during fiscal year 2007 in excess of such amount shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

ADMINISTRATIVE PROVISIONS—GENERAL SERVICES ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

SEC. 701. The appropriate appropriation or fund available to the General Services Administration shall be credited with the cost of operation, protection, maintenance, upkeep, repair, and improvement, included as part of rentals received from Government corporations pursuant to law (40 U.S.C. 129).

SEC. 702. Funds available to the General Services Administration shall be available for the hire of passenger motor vehicles.

SEC. 703. Funds in the Federal Buildings Fund made available for fiscal year 2007 for Federal Buildings Fund activities may be transferred between such activities only to

the extent necessary to meet program requirements: *Provided*, That any proposed transfers shall be approved in advance by the Committees on Appropriations.

SEC. 704. Except as otherwise provided in this title, no funds made available by this Act shall be used to transmit a fiscal year 2008 request for United States Courthouse construction that: (1) does not meet the design guide standards for construction as established and approved by the General Services Administration, the Judicial Conference of the United States, and the Office of Management and Budget; and (2) does not reflect the priorities of the Judicial Conference of the United States as set out in its approved 5-year construction plan: *Provided*, That the fiscal year 2008 request must be accompanied by a standardized courtroom utilization study of each facility to be constructed, replaced, or expanded.

SEC. 705. None of the funds provided in this Act may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided through the Federal Buildings Fund, to any agency that does not pay the rate per square foot assessment for space and services as determined by the General Services Administration in compliance with the Public Buildings Amendments Act of 1972 (Public Law 92-313).

SEC. 706. From funds made available under the heading "Federal Buildings Fund, Limitations on Availability of Revenue", claims against the Government of less than \$250,000 arising from direct construction projects and acquisition of buildings may be liquidated from savings effected in other construction projects with prior notification to the Committees on Appropriations.

SEC. 707. ACQUISITION SERVICES FUND.—(a) 40 U.S.C. 321 is amended as follows:

(1) In the heading, by striking "**GENERAL SUPPLY**" and inserting "**ACQUISITION SERVICES**".

(2) In subsection (a), by striking "General Supply" and inserting "Acquisition Services" and adding "(the Fund)" following "Acquisition Services Fund"; and after the initial sentence, by adding the following new paragraph: "The Fund shall replace the General Supply Fund and the Information Technology Fund. Capital assets and balances remaining in the General Supply Fund and the Information Technology Fund as in existence immediately before February 1, 2007 shall be transferred to the Acquisition Services Fund and shall be merged with and be available for the purposes of the Acquisition Services Fund. Any liabilities, commitments, and obligations of the General Supply Fund and the Information Technology Fund as in existence immediately before February 1, 2007 shall be assumed by the Acquisition Services Fund."

(3) In subsection (b)—

(A) by striking the text of paragraph (1) and inserting the following: "The Fund is composed of amounts authorized to be transferred to the Fund or otherwise made available to the Fund.";

(B) by striking the text of paragraph (2) and inserting the following: "The Fund shall be credited with all reimbursements, advances, and refunds or recoveries relating to personal property or services procured through the Fund, including—

"(A) the net proceeds of disposal of surplus personal property;

"(B) receipts from carriers and others for loss of, or damage to, personal property; and

"(C) receipts from agencies charged fees pursuant to rates established by the Administrator.";

(C) by striking the heading and text of paragraph (3) and inserting the following: "COST AND CAPITAL REQUIREMENTS.—The Ad-

ministrator shall determine the cost and capital requirements of the Fund for each fiscal year and shall develop a plan concerning such requirements in consultation with the Chief Financial Officer of the General Services Administration. Any change to the cost and capital requirements of the Fund for a fiscal year shall be approved by the Administrator. The Administrator shall establish rates to be charged agencies provided, or to be provided, a supply of personal property and non-personal services through the Fund, in accordance with the plan."; and

(D) by adding at the end the following new paragraph:

"(4) DEPOSIT OF FEES.—Fees collected by the Administrator under section 313 of this title may be deposited in the Fund, to be used for the purposes of the Fund."

(4) In subsection (c)(1)(A)—

(A) by striking "and" at the end of clause (i);

(B) by inserting "and" after the semicolon at the end of clause (ii); and

(C) by inserting after clause (ii) the following new clause:

"(iii) personal services related to the provision of information technology (as defined in section 11101(6) of this title);"

(5) In subsection (d)(2)(A)—

(A) by striking "and" at the end of clause (iv);

(B) by redesignating clause (v) as clause (vi); and

(C) by inserting after clause (iv) the following new clause:

"(v) the cost of personal services employed directly in providing information technology (as defined in section 11101(6) of this title); and"

(6) By striking subsection (f) and inserting the following:

"(f) TRANSFER OF UNCOMMITTED BALANCES.—Following the close of each fiscal year, after making provision for a sufficient level of inventory of personal property to meet the needs of Federal Agencies, the replacement cost of motor vehicles, and other anticipated operating needs reflected in the cost and capital plan developed under subsection (b), the uncommitted balance of any funds remaining in the Fund shall be transferred to the general fund of the Treasury as miscellaneous receipts."

(7) CONFORMING AND CLERICAL AMENDMENTS.—

(A) 40 U.S.C. 322 is repealed.

(B) The table of sections for chapter 3 of title 40, United States Code, is amended by striking the items relating to sections 321 and 322 and inserting the following:

"321. Acquisition Services Fund."

(C) 40 U.S.C. 573 is amended by striking "General Supply Fund" both places it appears and inserting "Acquisition Services Fund".

(D) 40 U.S.C. 604(b) is amended in the heading and the text by striking "General Supply Fund" and inserting "Acquisition Services Fund".

(E) 40 U.S.C. 605 is amended—

(i) in the heading and the text of subsection (a) by striking "General Supply Fund" and inserting "Acquisition Services Fund"; and

(ii) in subsection (b)(2), by striking "321(f)(1)" and inserting "321(f)" and by striking "General Supply Fund" and inserting "Acquisition Services Fund".

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out functions of the Merit Systems Protection Board pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978,

and the Whistleblower Protection Act of 1989 (5 U.S.C. 5509 note), including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, direct procurement of survey printing, and not to exceed \$2,000 for official reception and representation expenses, \$36,531,000, together with not to exceed \$2,579,000 for administrative expenses to adjudicate retirement appeals to be transferred from the Civil Service Retirement and Disability Fund in amounts determined by the Merit Systems Protection Board.

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

For payment to the Morris K. Udall Scholarship and Excellence in National Environmental Policy Trust Fund, pursuant to the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 (20 U.S.C. 5601 et seq.), \$2,000,000, to remain available until expended, of which up to \$50,000 shall be used to conduct financial audits pursuant to the Accountability of Tax Dollars Act of 2002 (Public Law 107-289) notwithstanding sections 8 and 9 of Public Law 102-259: *Provided*, That up to 60 percent of such funds may be transferred by the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation for the necessary expenses of the Native Nations Institute.

ENVIRONMENTAL DISPUTE RESOLUTION FUND

For payment to the Environmental Dispute Resolution Fund to carry out activities authorized in the Environmental Policy and Conflict Resolution Act of 1998, \$2,000,000, to remain available until expended.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

For necessary expenses in connection with the administration of the National Archives and Records Administration (including the Information Security Oversight Office) and archived Federal records and related activities, as provided by law, and for expenses necessary for the review and declassification of documents and the activities of the Public Interest Declassification Board, and for the hire of passenger motor vehicles, \$289,605,000: *Provided*, That the Archivist of the United States is authorized to use any excess funds available from the amount borrowed for construction of the National Archives facility, for expenses necessary to provide adequate storage for holdings.

ELECTRONIC RECORDS ARCHIVES

For necessary expenses in connection with the development of the electronic records archives, to include all direct project costs associated with research, analysis, design, development, and program management, \$45,455,000, of which \$31,680,000 shall remain available until September 30, 2008.

REPAIRS AND RESTORATION

For the repair, alteration, and improvement of archives facilities, and to provide adequate storage for holdings, \$13,020,000, to remain available until expended.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for allocations and grants for historical publications and records

as authorized by 44 U.S.C. 2504, as amended, \$7,500,000, to remain available until expended: *Provided*, That of the funds provided in this paragraph, \$2,000,000 shall be transferred to the operating expenses account for operating expenses of the National Historical Publications and Records Administration.

NATIONAL CREDIT UNION ADMINISTRATION

CENTRAL LIQUIDITY FACILITY

During fiscal year 2007, gross obligations of the Central Liquidity Facility for the principal amount of new direct loans to member credit unions, as authorized by 12 U.S.C. 1795 et seq., shall not exceed \$1,500,000,000: *Provided*, That administrative expenses of the Central Liquidity Facility in fiscal year 2007 shall not exceed \$331,000.

COMMUNITY DEVELOPMENT CREDIT UNION REVOLVING LOAN FUND

For the Community Development Revolving Loan Fund program as authorized by 42 U.S.C. 9812, 9822 and 9910, \$941,000, shall be available until September 30, 2008 for technical assistance to low-income designated credit unions.

NATIONAL TRANSPORTATION SAFETY BOARD SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS-15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901-5902) \$81,594,000, of which not to exceed \$2,000 may be used for official reception and representation expenses.

(RESCISSION)

Of the available unobligated balances made available under Public Law 106-246, \$1,664,000 are rescinded.

NEIGHBORHOOD REINVESTMENT CORPORATION PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101-8107), \$119,790,000.

OFFICE OF GOVERNMENT ETHICS SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Government Ethics pursuant to the Ethics in Government Act of 1978, and the Ethics Reform Act of 1989, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and not to exceed \$1,500 for official reception and representation expenses, \$11,489,000.

OFFICE OF PERSONNEL MANAGEMENT SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses to carry out functions of the Office of Personnel Management pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109; medical examinations performed for veterans by private physicians on a fee basis; rental of conference rooms in the District of Columbia and elsewhere; hire of passenger motor vehicles; not to exceed \$2,500 for official reception and representation expenses; advances for reimbursements to applicable funds of the Office of Personnel Management and the Federal Bureau of Investigation for expenses incurred under Executive Order No. 10422 of January 9, 1953, as amended; and payment of per diem and/or subsistence allowances to employees where

Voting Rights Act activities require an employee to remain overnight at his or her post of duty, \$111,095,000, of which \$6,913,170 shall remain available until expended for the Enterprise Human Resources Integration project; \$1,435,500 shall remain available until expended for the Human Resources Line of Business project. In addition, \$100,178,000 for administrative expenses, to be transferred from the appropriate trust funds of the Office of Personnel Management without regard to other statutes, including direct procurement of printed materials, for the retirement and insurance programs: *Provided*, That the provisions of this appropriation shall not affect the authority to use applicable trust funds as provided by sections 8348(a)(1)(B), and 9004(f)(2)(A) of title 5, United States Code: *Provided further*, That no part of this appropriation shall be available for salaries and expenses of the Legal Examining Unit of the Office of Personnel Management established pursuant to Executive Order No. 9358 of July 1, 1943, or any successor unit of like purpose: *Provided further*, That the President's Commission on White House Fellows, established by Executive Order No. 11183 of October 3, 1964, may, during fiscal year 2007, accept donations of money, property, and personal services: *Provided further*, That such donations, including those from prior years, may be used for the development of publicity materials to provide information about the White House Fellows, except that no such donations shall be accepted for travel or reimbursement of travel expenses, or for the salaries of employees of such Commission.

OFFICE OF INSPECTOR GENERAL SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act, as amended, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles, \$1,597,860, and in addition, not to exceed \$16,165,710 for administrative expenses to audit, investigate, and provide other oversight of the Office of Personnel Management's retirement and insurance programs, to be transferred from the appropriate trust funds of the Office of Personnel Management, as determined by the Inspector General: *Provided*, That the Inspector General is authorized to rent conference rooms in the District of Columbia and elsewhere.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES HEALTH BENEFITS

For payment of Government contributions with respect to retired employees, as authorized by chapter 89 of title 5, United States Code, and the Retired Federal Employees Health Benefits Act (74 Stat. 849), as amended, such sums as may be necessary.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE LIFE INSURANCE

For payment of Government contributions with respect to employees retiring after December 31, 1989, as required by chapter 87 of title 5, United States Code, such sums as may be necessary.

PAYMENT TO CIVIL SERVICE RETIREMENT AND DISABILITY FUND

For financing the unfunded liability of new and increased annuity benefits becoming effective on or after October 20, 1969, as authorized by 5 U.S.C. 8348, and annuities under special Acts to be credited to the Civil Service Retirement and Disability Fund, such sums as may be necessary: *Provided*, That annuities authorized by the Act of May 29, 1944, as amended, and the Act of August 19, 1950, as amended (33 U.S.C. 771-775), may hereafter be paid out of the Civil Service Retirement and Disability Fund.

OFFICE OF SPECIAL COUNSEL SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Special Counsel pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978 (Public Law 95-454), as amended, the Whistleblower Protection Act of 1989 (Public Law 101-12), as amended, Public Law 107-304, and the Uniformed Services Employment and Reemployment Act of 1994 (Public Law 103-353), including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles; \$15,937,000.

SELECTIVE SERVICE SYSTEM SALARIES AND EXPENSES

For necessary expenses of the Selective Service System, including expenses of attendance at meetings and of training for uniformed personnel assigned to the Selective Service System, as authorized by 5 U.S.C. 4101-4118 for civilian employees; purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901-5902; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and not to exceed \$750 for official reception and representation expenses; \$24,255,000: *Provided*, That during the current fiscal year, the President may exempt this appropriation from the provisions of 31 U.S.C. 1341, whenever the President deems such action to be necessary in the interest of national defense: *Provided further*, That none of the funds appropriated by this Act may be expended for or in connection with the induction of any person into the Armed Forces of the United States.

UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS OPERATING EXPENSES

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms, and the employment of experts and consultants under section 3109 of title 5, United States Code) of the United States Interagency Council on Homelessness in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, \$2,000,000.

UNITED STATES POSTAL SERVICE PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code, \$108,915,000, of which \$79,915,000 shall not be available for obligation until October 1, 2007: *Provided*, That mail for overseas voting and mail for the blind shall continue to be free: *Provided further*, That 6-day delivery and rural delivery of mail shall continue at not less than the 1983 level: *Provided further*, That none of the funds made available to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: *Provided further*, That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices in fiscal year 2007.

UNITED STATES TAX COURT SALARIES AND EXPENSES

For necessary expenses, including contract reporting and other services as authorized by 5 U.S.C. 3109, \$47,110,000: *Provided*, That travel expenses of the judges shall be paid upon the written certificate of the judge.

TITLE VIII—GENERAL PROVISIONS THIS ACT

(INCLUDING TRANSFERS OF FUNDS)

SEC. 801. Such sums as may be necessary for fiscal year 2007 pay raises for programs funded in this Act shall be absorbed within the levels appropriated in this Act or previous appropriations Acts.

SEC. 802. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 803. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 804. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 805. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 806. None of the funds made available by this Act shall be available for any activity or for paying the salary of any Government employee where funding an activity or paying a salary to a Government employee would result in a decision, determination, rule, regulation, or policy that would prohibit the enforcement of section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

SEC. 807. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his period of active military or naval service, and has within 90 days after his release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his former position and has not been restored thereto.

SEC. 808. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the “Buy American Act”).

SEC. 809. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

SEC. 810. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2007, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds or personnel for any program, project, or activ-

ity for which funds have been denied or restricted by the Congress; (4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose; (5) augments existing programs, projects, or activities in excess of \$5,000,000 or 10 percent, whichever is less; (6) reduces existing programs, projects, or activities by \$5,000,000 or 10 percent, whichever is less; or (7) creates, reorganizes, or restructures a branch, division, office, bureau, board, commission, agency, administration, or department different from the budget justifications submitted to the Committees on Appropriations or the table accompanying the statement of the managers accompanying this Act, whichever is more detailed, unless prior approval is received from the House and Senate Committees on Appropriations: *Provided*, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committees on Appropriations of the Senate and of the House of Representatives to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided further*, That the report shall include: (1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level; (2) a delineation in the table for each appropriation both by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and (3) an identification of items of special congressional interest: *Provided further*, That the amount appropriated or limited for salaries and expenses for an agency shall be reduced by \$100,000 per day for each day after the required date that the report has not been submitted to the Congress.

SEC. 811. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2007 from appropriations made available for salaries and expenses for fiscal year 2007 in this Act, shall remain available through September 30, 2008, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the Committees on Appropriations for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines.

SEC. 812. None of the funds made available in this Act may be used by the Executive Office of the President to request from the Federal Bureau of Investigation any official background investigation report on any individual, except when—

(1) such individual has given his or her express written consent for such request not more than 6 months prior to the date of such request and during the same presidential administration; or

(2) such request is required due to extraordinary circumstances involving national security.

SEC. 813. The cost accounting standards promulgated under section 26 of the Office of Federal Procurement Policy Act (Public Law 93–400; 41 U.S.C. 422) shall not apply with respect to a contract under the Federal Employees Health Benefits Program established under chapter 89 of title 5, United States Code.

SEC. 814. For the purpose of resolving litigation and implementing any settlement agreements regarding the nonforeign area cost-of-living allowance program, the Office of Personnel Management may accept and utilize (without regard to any restriction on unanticipated travel expenses imposed in an

Appropriations Act) funds made available to the Office pursuant to court approval.

SEC. 815. No funds appropriated by this Act shall be available to pay for an abortion, or the administrative expenses in connection with any health plan under the Federal employees health benefits program which provides any benefits or coverage for abortions.

SEC. 816. The provision of section 815 shall not apply where the life of the mother would be endangered if the fetus were carried to term, or the pregnancy is the result of an act of rape or incest.

SEC. 817. In order to promote Government access to commercial information technology, the restriction on purchasing non-domestic articles, materials, and supplies set forth in the Buy American Act (41 U.S.C. 10a et seq.), shall not apply to the acquisition by the Federal Government of information technology (as defined in section 11101 of title 40, United States Code), that is a commercial item (as defined in section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))).

SEC. 818. None of the funds made available in the Act may be used to finalize, implement, administer, or enforce—

(1) the proposed rule relating to the determination that real estate brokerage is an activity that is financial in nature or incidental to a financial activity published in the Federal Register on January 3, 2001 (66 Fed. Reg. 307 et seq.); or

(2) the revision proposed in such rule to section 1501.2 of title 12 of the Code of Federal Regulations.

SEC. 819. No funds in this Act may be used to support any Federal, State, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use: *Provided*, That for purposes of this section, public use shall not be construed to include economic development that primarily benefits private entities: *Provided further*, That any use of funds for mass transit, railroad, airport, seaport or highway projects as well as utility projects which benefit or serve the general public (including energy-related, communication-related, water-related and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownfields as defined in the Small Business Liability Relief and Brownfields Revitalization Act (Public Law 107–118) shall be considered a public use for purposes of eminent domain.

TITLE IX—GENERAL PROVISIONS GOVERNMENT-WIDE

DEPARTMENTS, AGENCIES, AND CORPORATIONS

SEC. 901. Funds appropriated in this or any other Act may be used to pay travel to the United States for the immediate family of employees serving abroad in cases of death or life threatening illness of said employee.

SEC. 902. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2007 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act (21 U.S.C. 802)) by the officers and employees of such department, agency, or instrumentality.

SEC. 903. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance

with section 16 of the Act of August 2, 1946 (60 Stat. 810), for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement, and undercover surveillance vehicles), is hereby fixed at \$8,100 except station wagons for which the maximum shall be \$9,100: *Provided*, That these limits may be exceeded by not to exceed \$3,700 for police-type vehicles, and by not to exceed \$4,000 for special heavy-duty vehicles: *Provided further*, That the limits set forth in this section may not be exceeded by more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: *Provided further*, That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101-549 over the cost of comparable conventionally fueled vehicles.

SEC. 904. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel, or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922-5924.

SEC. 905. Unless otherwise specified during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person: (1) is a citizen of the United States; (2) is a person in the service of the United States on the date of the enactment of this Act who, being eligible for citizenship, has filed a declaration of intention to become a citizen of the United States prior to such date and is actually residing in the United States; (3) is a person who owes allegiance to the United States; (4) is an alien from Cuba, Poland, South Vietnam, the countries of the former Soviet Union, or the Baltic countries lawfully admitted to the United States for permanent residence; (5) is a South Vietnamese, Cambodian, or Laotian refugee paroled in the United States after January 1, 1975; or (6) is a national of the People's Republic of China who qualifies for adjustment of status pursuant to the Chinese Student Protection Act of 1992 (Public Law 102-404): *Provided*, That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status have been complied with: *Provided further*, That any person making a false affidavit shall be guilty of a felony, and, upon conviction, shall be fined not more than \$4,000 or imprisoned for not more than 1 year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of Ireland, Israel, or the Republic of the Philippines, or to nationals of those countries allied with the United States in a current defense effort, or to international broadcasters employed by the United States Information Agency, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies.

SEC. 906. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including

maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services and those expenses of renovation and alteration of buildings and facilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 749), the Public Buildings Amendments of 1972 (87 Stat. 216), or other applicable law.

SEC. 907. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials, including Federal records disposed of pursuant to a records schedule recovered through recycling or waste prevention programs. Such funds shall be available until expended for the following purposes:

(1) Acquisition, waste reduction and prevention, and recycling programs as described in Executive Order No. 13101 (September 14, 1998), including any such programs adopted prior to the effective date of the Executive order.

(2) Other Federal agency environmental management programs, including, but not limited to, the development and implementation of hazardous waste management and pollution prevention programs.

(3) Other employee programs as authorized by law or as deemed appropriate by the head of the Federal agency.

SEC. 908. Funds made available by this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: *Provided*, That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

SEC. 909. No part of any appropriation for the current fiscal year contained in this or any other Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve the nomination of said person.

SEC. 910. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards (except Federal Executive Boards), commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

SEC. 911. Funds made available by this or any other Act to the Postal Service Fund (39 U.S.C. 2003) shall be available for employment of guards for all buildings and areas owned or occupied by the Postal Service or under the charge and control of the Postal Service. The Postal Service may give such guards, with respect to such property, any of the powers of special policemen provided under 40 U.S.C. 1315. The Postmaster General, or his designee, may take any action that the Secretary of Homeland Security may take under such section with respect to that property.

SEC. 912. None of the funds made available pursuant to the provisions of this Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a joint resolution duly adopted in accordance with the applicable law of the United States.

SEC. 913. (a) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for fiscal year 2007, by this or any other Act, may be used to pay any prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code—

(1) during the period from the date of expiration of the limitation imposed by the comparable section for previous fiscal years until the normal effective date of the applicable wage survey adjustment that is to take effect in fiscal year 2007, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section; and

(2) during the period consisting of the remainder of fiscal year 2007, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under paragraph (1) by more than the sum of—

(A) the percentage adjustment taking effect in fiscal year 2007 under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule; and

(B) the difference between the overall average percentage of the locality-based comparability payments taking effect in fiscal year 2007 under section 5304 of such title (whether by adjustment or otherwise), and the overall average percentage of such payments which was effective in the previous fiscal year under such section.

(b) Notwithstanding any other provision of law, no prevailing rate employee described in subparagraph (B) or (C) of section 5342(a)(2) of title 5, United States Code, and no employee covered by section 5348 of such title, may be paid during the periods for which subsection (a) is in effect at a rate that exceeds the rates that would be payable under subsection (a) were subsection (a) applicable to such employee.

(c) For the purposes of this section, the rates payable to an employee who is covered by this section and who is paid from a schedule not in existence on September 30, 2006, shall be determined under regulations prescribed by the Office of Personnel Management.

(d) Notwithstanding any other provision of law, rates of premium pay for employees subject to this section may not be changed from the rates in effect on September 30, 2006, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this section.

(e) This section shall apply with respect to pay for service performed after September 30, 2006.

(f) For the purpose of administering any provision of law (including any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit) that requires any deduction or contribution, or that imposes any requirement or limitation on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this section shall be treated as the rate of salary or basic pay.

(g) Nothing in this section shall be considered to permit or require the payment to any employee covered by this section at a rate in excess of the rate that would be payable were this section not in effect.

(h) The Office of Personnel Management may provide for exceptions to the limitations imposed by this section if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

SEC. 914. During the period in which the head of any department or agency, or any other officer or civilian employee of the Government appointed by the President of the United States, holds office, no funds may be

obligated or expended in excess of \$5,000 to furnish or redecorate the office of such department head, agency head, officer, or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is expressly approved by the Committees on Appropriations. For the purposes of this section, the term "office" shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 915. Notwithstanding section 1346 of title 31, United States Code, or section 910 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order No. 12472 (April 3, 1984).

SEC. 916. (a) None of the funds appropriated by this or any other Act may be obligated or expended by any Federal department, agency, or other instrumentality for the salaries or expenses of any employee appointed to a position of a confidential or policy-determining character excepted from the competitive service pursuant to section 3302 of title 5, United States Code, without a certification to the Office of Personnel Management from the head of the Federal department, agency, or other instrumentality employing the Schedule C appointee that the Schedule C position was not created solely or primarily in order to detail the employee to the White House.

(b) The provisions of this section shall not apply to Federal employees or members of the armed services detailed to or from—

- (1) the Central Intelligence Agency;
- (2) the National Security Agency;
- (3) the Defense Intelligence Agency;
- (4) the offices within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs;
- (5) the Bureau of Intelligence and Research of the Department of State;
- (6) any agency, office, or unit of the Army, Navy, Air Force, and Marine Corps, the Department of Homeland Security, the Federal Bureau of Investigation and the Drug Enforcement Administration of the Department of Justice, the Department of Transportation, the Department of the Treasury, and the Department of Energy performing intelligence functions; and

(7) the Director of National Intelligence or the Office of the Director of National Intelligence.

SEC. 917. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for the current fiscal year shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from discrimination and sexual harassment and that all of its workplaces are not in violation of title VII of the Civil Rights Act of 1964 (Public Law 88-352, 78 Stat. 241), as amended, the Age Discrimination in Employment Act of 1967 (Public Law 90-202, 81 Stat. 602), and the Rehabilitation Act of 1973 (Public Law 93-112, 87 Stat. 355).

SEC. 918. No part of any appropriation contained in this or any other Act shall be available for the payment of the salary of any officer or employee of the Federal Government, who—

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any other officer or employee of the Federal Govern-

ment from having any direct oral or written communication or contact with any Member, committee, or subcommittee of the Congress in connection with any matter pertaining to the employment of such other officer or employee or pertaining to the department or agency of such other officer or employee in any way, irrespective of whether such communication or contact is at the initiative of such other officer or employee or in response to the request or inquiry of such Member, committee, or subcommittee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance of efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any other officer or employee of the Federal Government, or attempts or threatens to commit any of the foregoing actions with respect to such other officer or employee, by reason of any communication or contact of such other officer or employee with any Member, committee, or subcommittee of the Congress as described in paragraph (1).

SEC. 919. (a) None of the funds made available in this or any other Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or "new age" belief systems as defined in Equal Employment Opportunity Commission Notice N-915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 920. No funds appropriated in this or any other Act may be used to implement or enforce the agreements in Standard Forms 312 and 4414 of the Government or any other nondisclosure policy, form, or agreement if such policy, form, or agreement does not contain the following provisions: "These restrictions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by Executive Order No. 12958; section 7211 of title 5, United States Code (governing disclosures to Congress); section 1034 of title 10, United States Code, as amended by the Military Whistleblower Protection Act (governing disclosure to Congress by members of the military); section 2302(b)(8) of title 5, United States Code, as amended by the Whistleblower Protection Act (governing disclosures of illegality, waste, fraud, abuse or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents); and the statutes which protect against disclosure that may compromise the national security, including sections 641, 793, 794, 798, and 952 of title 18, United States Code, and section 4(b) of the Subversive Activities Act of 1950 (50 U.S.C. 783(b)). The definitions, requirements, obligations, rights, sanctions, and liabilities created by

said Executive order and listed statutes are incorporated into this agreement and are controlling: *Provided*, That notwithstanding the preceding paragraph, a nondisclosure policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure forms shall also make it clear that they do not bar disclosures to Congress or to an authorized official of an executive agency or the Department of Justice that are essential to reporting a substantial violation of law.

SEC. 921. No part of any funds appropriated in this or any other Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 922. None of the funds appropriated by this or any other Act may be used by an agency to provide a Federal employee's home address to any labor organization except when the employee has authorized such disclosure or when such disclosure has been ordered by a court of competent jurisdiction.

SEC. 923. None of the funds made available in this Act or any other Act may be used to provide any non-public information such as mailing or telephone lists to any person or any organization outside of the Federal Government without the approval of the Committees on Appropriations.

SEC. 924. No part of any appropriation contained in this or any other Act shall be used directly or indirectly, including by private contractor, for publicity or propaganda purposes within the United States not heretofore authorized by the Congress.

SEC. 925. (a) In this section the term "agency"—

(1) means an Executive agency as defined under section 105 of title 5, United States Code;

(2) includes a military department as defined under section 102 of such title, the Postal Service, and the Postal Rate Commission; and

(3) shall not include the Government Accountability Office.

(b) Unless authorized in accordance with law or regulations to use such time for other purposes, an employee of an agency shall use official time in an honest effort to perform official duties. An employee not under a leave system, including a Presidential appointee exempted under section 6301(2) of title 5, United States Code, has an obligation to expend an honest effort and a reasonable proportion of such employee's time in the performance of official duties.

SEC. 926. Notwithstanding 31 U.S.C. 1346 and section 910 of this Act, funds made available for the current fiscal year by this or any other Act to any department or agency, which is a member of the Federal Accounting Standards Advisory Board (FASAB), shall be available to finance an appropriate share of FASAB administrative costs.

SEC. 927. Notwithstanding 31 U.S.C. 1346 and section 910 of this Act, the head of each Executive department and agency is hereby authorized to transfer to or reimburse "General Services Administration, Government-

wide Policy" with the approval of the Director of the Office of Management and Budget, funds made available for the current fiscal year by this or any other Act, including rebates from charge card and other contracts: *Provided*, That these funds shall be administered by the Administrator of General Services to support Government-wide financial, information technology, procurement, and other management innovations, initiatives, and activities, as approved by the Director of the Office of Management and Budget, in consultation with the appropriate inter-agency groups designated by the Director (including the Chief Financial Officers Council for financial management initiatives, the Chief Information Officers Council for information technology initiatives, the Chief Human Capital Officers Council for human capital initiatives, and the Chief Acquisition Officers Council for procurement initiatives): *Provided further*, the total funds transferred or reimbursed shall not exceed \$10,000,000: *Provided further*, such transfers or reimbursements may only be made 15 days following notification of the Committees on Appropriations by the Director of the Office of Management and Budget.

SEC. 928. Notwithstanding any other provision of law, a woman may breastfeed her child at any location in a Federal building or on Federal property, if the woman and her child are otherwise authorized to be present at the location.

SEC. 929. Notwithstanding section 1346 of title 31, United States Code, or section 910 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of specific projects, workshops, studies, and similar efforts to carry out the purposes of the National Science and Technology Council (authorized by Executive Order No. 12881), which benefit multiple Federal departments, agencies, or entities: *Provided*, That the Office of Management and Budget shall provide a report describing the budget of and resources connected with the National Science and Technology Council to the Committees on Appropriations, the House Committee on Science, and the Senate Committee on Commerce, Science, and Transportation 90 days after enactment of this Act.

SEC. 930. Any request for proposals, solicitation, grant application, form, notification, press release, or other publications involving the distribution of Federal funds shall indicate the agency providing the funds, the Catalog of Federal Domestic Assistance Number, as applicable, and the amount provided: *Provided*, That this provision shall apply to direct payments, formula funds, and grants received by a State receiving Federal funds.

SEC. 931. Subsection (f) of section 403 of Public Law 103-356 (31 U.S.C. 501 note), as amended, is repealed.

SEC. 932. (a) PROHIBITION OF FEDERAL AGENCY MONITORING OF INDIVIDUALS' INTERNET USE.—None of the funds made available in this or any other Act may be used by any Federal agency—

(1) to collect, review, or create any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any Federal Government Internet site of the agency; or

(2) to enter into any agreement with a third party (including another government agency) to collect, review, or obtain any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any nongovernmental Internet site.

(b) EXCEPTIONS.—The limitations established in subsection (a) shall not apply to—

(1) any record of aggregate data that does not identify particular persons;

(2) any voluntary submission of personally identifiable information;

(3) any action taken for law enforcement, regulatory, or supervisory purposes, in accordance with applicable law; or

(4) any action described in subsection (a)(1) that is a system security action taken by the operator of an Internet site and is necessarily incident to providing the Internet site services or to protecting the rights or property of the provider of the Internet site.

(c) DEFINITIONS.—For the purposes of this section:

(1) The term "regulatory" means agency actions to implement, interpret or enforce authorities provided in law.

(2) The term "supervisory" means examinations of the agency's supervised institutions, including assessing safety and soundness, overall financial condition, management practices and policies and compliance with applicable standards as provided in law.

SEC. 933. (a) None of the funds appropriated by this Act may be used to enter into or renew a contract which includes a provision providing prescription drug coverage, except where the contract also includes a provision for contraceptive coverage.

(b) Nothing in this section shall apply to a contract with—

(1) any of the following religious plans:

(A) Personal Care's HMO; and

(B) OSF HealthPlans, Inc.; and

(2) any existing or future plan, if the carrier for the plan objects to such coverage on the basis of religious beliefs.

(c) In implementing this section, any plan that enters into or renews a contract under this section may not subject any individual to discrimination on the basis that the individual refuses to prescribe or otherwise provide for contraceptives because such activities would be contrary to the individual's religious beliefs or moral convictions.

(d) Nothing in this section shall be construed to require coverage of abortion or abortion-related services.

SEC. 934. The Congress of the United States recognizes the United States Anti-Doping Agency (USADA) as the official anti-doping agency for Olympic, Pan American, and Paralympic sport in the United States.

SEC. 935. Notwithstanding any other provision of law, funds appropriated for official travel by Federal departments and agencies may be used by such departments and agencies, if consistent with Office of Management and Budget Circular A-126 regarding official travel for Government personnel, to participate in the fractional aircraft ownership pilot program.

SEC. 936. Notwithstanding any other provision of law, none of the funds appropriated or made available under this Act or any other appropriations Act may be used to implement or enforce restrictions or limitations on the Coast Guard Congressional Fellowship Program, or to implement the proposed regulations of the Office of Personnel Management to add sections 300.311 through 300.316 to part 300 of title 5 of the Code of Federal Regulations, published in the Federal Register, volume 68, number 174, on September 9, 2003 (relating to the detail of executive branch employees to the legislative branch).

SEC. 937. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, and/or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or

other agreement for training which cannot be accommodated in existing Center facilities.

SEC. 938. (a) No funds shall be available for transfers or reimbursements to the E-Government Initiatives sponsored by the Office of Management and Budget prior to 15 days following submission of a report to the Committees on Appropriations by the Director of the Office of Management and Budget and receipt of approval to transfer funds by the House and Senate Committees on Appropriations.

(b) The report in (a) shall detail—

(1) the amount proposed for transfer for any department and agency by program of office, bureau, or activity, as appropriate;

(2) the specific use of funds;

(3) the relevance of that use to that department or agency and each bureau or office within, which is contributing funds; and

(4) a description on any such activities for which funds were appropriated that will not be implemented or partially implemented by the department or agency as a result of the transfer.

SEC. 939. (a) REQUIREMENT FOR PUBLIC-PRIVATE COMPETITION.—

(1) Notwithstanding any other provision of law, none of the funds appropriated by this or any other Act shall be available to convert to contractor performance an activity or function of an executive agency, that on or after the date of enactment of this Act, is performed by more than 10 Federal employees unless—

(A) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function; and

(B) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the executive agency by an amount that equals or exceeds the lesser of—

(i) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(ii) \$10,000,000.

(2) This paragraph shall not apply to—

(A) the Department of Defense;

(B) section 44920 of title 49, United States Code;

(C) a commercial or industrial type function that—

(i) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (41 U.S.C. 47); or

(ii) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act;

(D) depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code; or

(E) activities that are the subject of an ongoing competition that was publicly announced prior to the date of enactment of this Act.

(b) USE OF PUBLIC-PRIVATE COMPETITION.—Nothing in Office of Management and Budget Circular A-76 shall prevent the head of an executive agency from conducting a public-private competition to evaluate the benefits of converting work from contract performance to performance by Federal employees in appropriate instances. The Circular shall provide procedures and policies for these competitions that are similar to those applied to competitions that may result in the conversion of work from performance by Federal employees to performance by a contractor.

SEC. 940. (a) The adjustment in rates of basic pay for employees under the statutory pay systems that takes effect in fiscal year 2007 under sections 5303 and 5304 of title 5, United States Code, shall be an increase of 2.7 percent, and this adjustment shall apply to civilian employees in the Department of Defense and the Department of Homeland Security and such adjustments shall be effective as of the first day of the first applicable pay period beginning on or after January 1, 2007.

(b) Notwithstanding section 913 of this Act, the adjustment in rates of basic pay for the statutory pay systems that take place in fiscal year 2007 under sections 5344 and 5348 of title 5, United States Code, shall be no less than the percentage in paragraph (a) as employees in the same location whose rates of basic pay are adjusted pursuant to the statutory pay systems under section 5303 and 5304 of title 5, United States Code. Prevailing rate employees at locations where there are no employees whose pay is increased pursuant to sections 5303 and 5304 of title 5 and prevailing rate employees described in section 5343(a)(5) of title 5 shall be considered to be located in the pay locality designated as "Rest of US" pursuant to section 5304 of title 5 for purposes of this paragraph.

(c) Funds used to carry out this section shall be paid from appropriations, which are made to each applicable department or agency for salaries and expenses for fiscal year 2007.

SEC. 941. Unless otherwise authorized by existing law, none of the funds provided in this Act or any other Act may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States, unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 942. None of the funds made available in this Act may be used in contravention of section 552a of title 5, United States Code (popularly known as the Privacy Act) or of section 552.224 of title 48 of the Code of Federal Regulations.

SEC. 943. Each executive department and agency shall evaluate the creditworthiness of an individual before issuing the individual a government travel charge card. The department or agency may not issue a government travel charge card to an individual that either lacks a credit history or is found to have an unsatisfactory credit history as a result of this evaluation: *Provided*, That this restriction shall not preclude issuance of a restricted-use charge, debit, or stored value card made in accordance with agency procedures to: (1) an individual with an unsatisfactory credit history where such card is used to pay travel expenses and the agency determines there is no suitable alternative payment mechanism available before issuing the card; or (2) an individual who lacks a credit history. Each executive department and agency shall establish guidelines and procedures for disciplinary actions to be taken against agency personnel for improper, fraudulent, or abusive use of government charge cards, which shall include appropriate disciplinary actions for use of charge cards for purposes, and at establishments, that are inconsistent with the official business of the Department or agency or with applicable standards of conduct.

The Acting CHAIRMAN. Are there any points of order to that portion of the bill? If not, are there any amendments to that portion of the bill?

The Clerk will read.

The Clerk read as follows:

SEC. 944. Except as expressly provided otherwise, any reference to "this Act" contained in this title shall not apply to title V.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment by Mr. LATOURETTE of Ohio.

Amendment by Ms. BEAN of Illinois.

Amendment by Mr. ISRAEL of New York.

Amendment by Mr. GARY G. MILLER of California.

Amendment by Mr. NADLER of New York.

Amendment by Mr. DAVIS of Alabama.

Amendment by Ms. JACKSON-LEE of Texas.

Amendment of Ms. HARRIS of Florida.

Amendment by Ms. SLAUGHTER of New York.

Amendment of Ms. WATERS of California.

Amendment by Ms. HOOLEY of Oregon.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. LATOURETTE

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. LATOURETTE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 266, noes 158, not voting 8, as follows:

[Roll No. 263]

AYES—266

Abercrombie	Butterfield	DeFazio
Ackerman	Capito	DeGette
Allen	Capps	Delahunt
Andrews	Capuano	DeLauro
Baca	Cardin	Dent
Bachus	Cardoza	Dicks
Baird	Carnahan	Dingell
Baldwin	Carson	Doggett
Barrow	Case	Doyle
Bass	Castle	Edwards
Bean	Chandler	Ehlers
Becerra	Clay	Emanuel
Berkley	Cleaver	Emerson
Berman	Clyburn	Engel
Berry	Cole (OK)	English (PA)
Bishop (GA)	Conyers	Eshoo
Bishop (NY)	Costa	Etheridge
Blumenauer	Costello	Farr
Boehlert	Cramer	Fattah
Boren	Crowley	Feeney
Boswell	Cuellar	Ferguson
Boucher	Cummings	Filner
Boyd	Davis (AL)	Fitzpatrick (PA)
Brady (PA)	Davis (CA)	Foley
Brown (OH)	Davis (FL)	Ford
Brown, Corrine	Davis (IL)	Fortenberry
Brown-Waite,	Davis (TN)	Fossella
Ginny	Davis, Jo Ann	Frank (MA)
Burton (IN)	Davis, Tom	Frelinghuysen

Garrett (NJ)	Markey	Sabo
Gerlach	Marshall	Sánchez, Linda
Gilchrest	Matheson	T.
Gohmert	Matsui	Sanchez, Loretta
Gonzalez	McCarthy	Sanders
Goode	McCollum (MN)	Saxton
Goodlatte	McCotter	Schakowsky
Gordon	McDermott	Schiff
Green, Al	McGovern	Schwartz (PA)
Green, Gene	McHugh	Schwarz (MI)
Gutierrez	McIntyre	Scott (GA)
Harman	McKeon	Scott (VA)
Hastings (FL)	McKinney	Serrano
Hayes	McNulty	Shays
Herse	Meehan	Sherman
Higgins	Meek (FL)	Shimkus
Hinchey	Meeks (NY)	Simmons
Hinojosa	Melancon	Skelton
Hoekstra	Michaud	Slaughter
Holden	Millender-	Smith (NJ)
Holt	McDonald	Smith (WA)
Honda	Miller (NC)	Snyder
Hooley	Miller, George	Solis
Hoyer	Mollohan	Souder
Inslee	Moore (KS)	Spratt
Israel	Moore (WI)	Stark
Jackson (IL)	Moran (KS)	Stupak
Jackson-Lee	Moran (VA)	Sweeney
(TX)	Murphy	Tanner
Jefferson	Murtha	Tauscher
Jindal	Nadler	Taylor (MS)
Johnson (CT)	Napolitano	Thompson (CA)
Johnson (IL)	Neal (MA)	Thompson (MS)
Johnson, E. B.	Ney	Tiberi
Jones (OH)	Oberstar	Tierney
Kanjorski	Obey	Towns
Kaptur	Oliver	Turner
Kelly	Ortiz	Udall (CO)
Kennedy (RI)	Osborne	Udall (NM)
Kildee	Owens	Upton
Kilpatrick (MI)	Pallone	Van Hollen
Kind	Pascarella	Velázquez
King (NY)	Pelosi	Visclosky
Kirk	Peterson (MN)	Walsh
Kucinich	Pickering	Wasserman
Kuhl (NY)	Platts	Schultz
LaHood	Pomeroy	Waters
Langevin	Porter	Watson
Lantos	Price (NC)	Watt
Larsen (WA)	Pryce (OH)	Waxman
Larson (CT)	Rahall	Weiner
LaTourette	Rangel	Weldon (PA)
Leach	Regula	Weller
Lee	Rehberg	Wexler
Levin	Reyes	Whitfield
Lewis (GA)	Reynolds	Wolf
Lipinski	Ross	Woolsey
LoBiondo	Rothman	Wu
Lofgren, Zoe	Roybal-Allard	Wynn
Lowey	Ruppersberger	Young (FL)
Lynch	Rush	
Maloney	Ryan (OH)	

NOES—158

Aderholt	Cooper	Hostettler
Akin	Crenshaw	Hulshof
Alexander	Cubin	Hunter
Baker	Culberson	Inglis (SC)
Barrett (SC)	Davis (KY)	Issa
Bartlett (MD)	Deal (GA)	Istook
Barton (TX)	Diaz-Balart, L.	Jenkins
Beauprez	Diaz-Balart, M.	Johnson, Sam
Biggart	Doolittle	Jones (NC)
Bilbray	Drake	Keller
Bilirakis	Dreier	Kennedy (MN)
Bishop (UT)	Duncan	King (IA)
Blackburn	Everett	Kingston
Blunt	Flake	Kline
Boehner	Forbes	Knollenberg
Bonilla	Fox	Kolbe
Bonner	Franks (AZ)	Latham
Bono	Galleghy	Lewis (CA)
Boozman	Gibbons	Lewis (KY)
Boustany	Gillmor	Linder
Bradley (NH)	Gingrey	Lucas
Brady (TX)	Granger	Lungren, Daniel
Brown (SC)	Graves	E.
Burgess	Green (WI)	Mack
Buyer	Grijalva	Marchant
Calvert	McCauley	McCauley (TX)
Camp (MI)	Hall	McCrery
Campbell (CA)	Harris	McHenry
Cannon	Hart	McMorris
Cantor	Hastings (WA)	Mica
Carter	Hayworth	Miller (FL)
Chabot	Hefley	Miller, Gary
Chocoma	Hensarling	Musgrave
Coble	Herger	Myrick
Conaway	Hobson	Neugebauer

Northup	Ramstad	Smith (TX)
Norwood	Renzi	Sodrel
Nunes	Rogers (AL)	Stearns
Nussle	Rogers (KY)	Sullivan
Otter	Rogers (MI)	Tancred
Oxley	Rohrabacher	Taylor (NC)
Pastor	Ros-Lehtinen	Terry
Paul	Royce	Thomas
Pearce	Ryan (WI)	Thornberry
Pence	Ryun (KS)	Tiahrt
Peterson (PA)	Salazar	Walden (OR)
Petri	Schmidt	Wamp
Pitts	Sensenbrenner	Weldon (FL)
Poe	Shadegg	Westmoreland
Pombo	Shaw	Wicker
Price (GA)	Sherwood	Wilson (NM)
Putnam	Shuster	Wilson (SC)
Radanovich	Simpson	Young (AK)

NOT VOTING—8

Evans	Miller (MI)	Sessions
Hyde	Payne	Strickland
Manzullo	Reichert	

□ 2121

Messrs. SALAZAR, CHOCOLA, SIMPSON, MARCHANT, Mrs. SCHMIDT and Mr. SULLIVAN changed their vote from “aye” to “no.”

Messrs. HINOJOSA, GUTIERREZ, BURTON of Indiana and Ms. MCKINNEY changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. BEAN

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Illinois (Ms. BEAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 234, noes 190, not voting 8, as follows:

[Roll No. 264]

AYES—234

Abercrombie	Capps	DeLauro
Ackerman	Cardin	Dent
Allen	Cardoza	Dicks
Andrews	Carnahan	Dingell
Baca	Carson	Doggett
Baird	Case	Doyle
Baldwin	Castle	Edwards
Barrow	Chabot	Emanuel
Bean	Chandler	Engel
Becerra	Clay	Eshoo
Berkley	Cleaver	Etheridge
Berman	Clyburn	Farr
Berry	Conyers	Fattah
Bilbray	Cooper	Ferguson
Bilirakis	Costa	Filner
Bishop (GA)	Costello	Fitzpatrick (PA)
Bishop (NY)	Cramer	Foley
Blumenauer	Crowley	Ford
Bono	Cuellar	Fox
Boswell	Cummings	Frank (MA)
Boucher	Davis (AL)	Gerlach
Boyd	Davis (CA)	Gibbons
Bradley (NH)	Davis (FL)	Gohmert
Brady (PA)	Davis (IL)	Gonzalez
Brown (OH)	Davis (TN)	Gordon
Brown, Corrine	Davis, Tom	Green (WI)
Brown-Waite,	DeFazio	Green, Al
Ginny	DeGette	Green, Gene
Butterfield	Delahunt	Grijalva

Gutierrez	Matsui	Salazar
Harman	McCarthy	Sánchez, Linda
Harris	McCollum (MN)	T.
Hastings (FL)	McDermott	Sanchez, Loretta
Hayes	McGovern	Sanders
Hereth	McIntyre	Schakowsky
Higgins	McKinney	Schiff
Hinche	McNulty	Schwartz (PA)
Hinojosa	Meehan	Scott (GA)
Holden	Meek (FL)	Scott (VA)
Holt	Meeks (NY)	Serrano
Honda	Melancon	Shays
Hooey	Michaud	Sherman
Hoyer	Millender	Shimkus
Inslee	McDonald	Simmons
Israel	Miller (NC)	Skelton
Jackson (IL)	Miller, George	Slaughter
Jackson-Lee	Mollohan	Smith (NJ)
(TX)	Moore (KS)	Smith (WA)
Jefferson	Moore (WI)	Snyder
Jindal	Moran (VA)	Solis
Johnson (CT)	Murtha	Spratt
Johnson (IL)	Nadler	Stark
Johnson, E. B.	Napolitano	Tanner
Jones (OH)	Neal (MA)	Tauscher
Kanjorski	Oberstar	Taylor (MS)
Kaptur	Obey	Terry
Keller	Olver	Thompson (CA)
Kelly	Ortiz	Thompson (MS)
Kennedy (RI)	Owens	Tierney
Kildee	Pallone	Towns
Kilpatrick (MI)	Pascarell	Udall (CO)
Kind	Pastor	Udall (NM)
Kirk	Pelosi	Van Hollen
Kucinich	Peterson (MN)	Velázquez
Langevin	Platts	Visclosky
Lantos	Pomeroy	Wasserman
Larsen (WA)	Porter	Schultz
Larson (CT)	Price (NC)	Waters
Leach	Rahall	Watson
Lee	Ramstad	Watt
Levin	Rangel	Waxman
Lewis (GA)	Renzi	Weiner
Lipinski	Reyes	Weldon (PA)
LoBiondo	Ross	Weller
Lowe	Rothman	Wexler
Lynch	Roybal-Allard	Woolsey
Maloney	Ruppersberger	Wu
Markey	Rush	Wynn
Marshall	Ryan (OH)	Young (FL)
Matheson	Sabo	

NOES—190

Aderholt	Doolittle	Kingston
Akin	Drake	Kline
Alexander	Dreier	Knollenberg
Bachus	Duncan	Kolbe
Baker	Ehlers	Kuhl (NY)
Barrett (SC)	Emerson	LaHood
Bartlett (MD)	English (PA)	Latham
Barton (TX)	Everett	LaTourette
Bass	Feeney	Lewis (CA)
Beauprez	Flake	Lewis (KY)
Biggert	Forbes	Linder
Bishop (UT)	Fortenberry	Lofgren, Zoe
Blackburn	Fossella	Lucas
Blunt	Franks (AZ)	Lungren, Daniel
Boehlert	Frelinghuysen	E.
Boehner	Gallely	Mack
Bonilla	Garrett (NJ)	Marchant
Bonner	Gilchrest	McCaul (TX)
Boozman	Gillmor	McCotter
Boren	Gingrey	McCrery
Boustany	Goode	McHenry
Brady (TX)	Goodlatte	McHugh
Brown (SC)	Granger	McKeon
Burgess	Graves	McMorris
Burton (IN)	Gutknecht	Mica
Buyer	Hall	Miller (FL)
Calvert	Hart	Miller, Gary
Camp (MI)	Hastings (WA)	Moran (KS)
Campbell (CA)	Hayworth	Murphy
Cannon	Hefley	Musgrave
Cantor	Hensarling	Myrick
Capito	Herger	Neugebauer
Capuano	Hobson	Ney
Carter	Hoekstra	Northup
Chocola	Hostettler	Norwood
Coble	Hulshof	Nunes
Cole (OK)	Hunter	Nussle
Conaway	Inglis (SC)	Osborne
Crenshaw	Issa	Otter
Cubin	Istook	Oxley
Culberson	Jenkins	Paul
Davis (KY)	Johnson, Sam	Pearce
Davis, Jo Ann	Jones (NC)	Pence
Deal (GA)	Kennedy (MN)	Peterson (PA)
Diaz-Balart, L.	King (IA)	Petri
Diaz-Balart, M.	King (NY)	Pickering

NOT VOTING—8

Evans	Miller (MI)	Sessions
Hyde	Payne	Strickland
Manzullo	Reichert	

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there is 1 minute remaining in this vote.

□ 2127

Mr. THOMAS changed his vote from “aye” to “no.”

Mr. SHAYS changed his vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. REICHERT. Mr. Chairman, on June 13, 2006, I missed the following rollcall votes:

(1) Rollcall vote No. 263, an amendment to H.R. 5576, the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia and Independent Agencies Appropriations Act, 2007—an amendment to increase funding—by offsets—for Amtrak by \$214,000,000. Had I been present, I would have voted “no.”

(2) Rollcall Vote No. 264, an amendment to H.R. 5576, the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia and Independent Agencies Appropriations Act, 2007—an amendment to increase funding—by offsets—for the National Highway Traffic Safety Administration Operations and Research by \$6,700,000. Had I been present, I would have voted “aye.”

AMENDMENT OFFERED BY MR. ISRAEL

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. ISRAEL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 197, noes 228, not voting 7, as follows: