



Conference Report to Accompany H.R. 3043 – Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2008

EXECUTIVE SUMMARY

The House passed the conference report to accompany H.R. 3043 on November 6, 2007, by a vote of 269 to 142. The conference report included the Departments of Labor, Health and Human Services, and Education Appropriations Act, as well as the Military Construction and Department of Veterans Affairs Appropriations Act.

On November 7, 2007, the Senate took a procedural vote that split the Labor, Health and Human Services, and Education appropriations bill from the Military Construction and Department of Veterans Affairs appropriations bill. The Senate then voted to send the conference report to accompany H.R. 3043 as amended back to the House for consideration.

Note: In an attempt to ensure passage of H.R. 3043, the Democrats elected to combine a widely supported Military Construction and Veterans Affairs appropriations bill with the fiscally irresponsible Labor, Health and Human Services, and Education bill that is subject to a veto threat by the President.

The House is expected to consider the conference report to accompany H.R. 3043, which no longer includes Military Construction and Veterans Affairs Appropriations, on November 8, 2007.

FLOOR SITUATION

Consideration of the conference report to accompany H.R. 3043 with a Senate amendment was provided for in the original closed rule:

- Provides that, upon receipt of a message from the Senate transmitting H.R. 3043, with a Senate amendment thereto, the chairman of the Committee on Appropriations may move that the House concur in the Senate amendment, that such motion shall be considered as read and debatable for one hour, and that the previous question shall be considered as ordered on the motion to its adoption without intervening motion.

The amended conference report is expected to be considered on the floor on November 8, 2007.

SUMMARY

DIVISION A – Labor, Health and Human Services, and Education Appropriations Act

The conference agreement provides \$606.4 billion for programs included in the Labor, Health and Human Services, and Education appropriations bill. Of that amount, \$150.7 billion is for discretionary funding.

	House- Passed	Senate-Passed	Budget Request	Conference Report
Total	\$607.4 billion	\$605.5 billion	\$596 billion	\$606.4 billion
Dept of Labor	\$14.8 billion	\$14.9 billion	\$13.9 billion	\$14.9 billion
Dept of Health and Human Services	\$479.4 billion	\$479.2 billion	\$472 billion	\$479.5 billion
Dept of Education	\$65 billion	\$63 billion	\$59 billion	\$63.6 billion
Related Agencies	\$50.7 billion	\$50.9 billion	\$50 billion	\$50.9 billion

Title I – Department of Labor

The bill provides \$14.9 billion for the Department of Labor, which is \$1.0 billion above the President's request and \$296 million above the FY2007 enacted level. The conference agreement is \$139 million above the House request and \$47 million above the Senate request. Highlights include:

- **Occupational Safety and Health Administration (OSHA)**: The conference agreement provides \$500.6 million for OSHA. This is \$2.9 million more than the House-funding level and \$10.3 million above the President's request.
- **Dislocated Worker Employment and Training Activities**: This program provides information and education to workers that have been laid off and those about to be laid off. The conference report would fund this program at \$1.47 billion for FY2008. This is \$356.9 million above the President's request and equals the FY2007 level and the House-passed level.
- **Migrant and Seasonal Farmworkers**: The conference agreement would fund this program at \$82.7 million, which is \$3 million above the FY2007 level and \$1 million below the House-passed funding level. The President did not request any funding for this program for the 5th year in a row.
- **National Competitive Grant Programs**: This funding would support the programs included in the Workforce Investment Act, which authorizes programs in support of the workforce system. Included in this funding would be \$78.7 million for the Reintegration of Ex-Offenders program. This is \$9.9 million more than the House-passed level and \$39 million above the President's request.

- Bureau of Labor Statistics: The conference agreement includes \$566.8 million, which is \$6.8 million more than the Senate and \$9.3 million less than the House funded.
- Office of Labor – Management Standards: The conference agreement would fund this program at \$45.7 million, which is equal to the funding provided in the House- passed appropriations bill. However, it is \$11.2 million less than the President’s budget request and \$2 million below the FY2007 enacted level.
- State Unemployment Insurance and Employment Service Operation: This program would be funded at \$3.37 billion, which is \$5.1 million less than the House and \$9.1 million less than the Senate funded the program. This program provides the funding for administrative grants and assistance to State agencies that manage Federal and State unemployment laws.
- Mine Safety and Health Administration (MSHA): This program would be funded at \$339.9 million, which is \$38.3 million more than FY2007 enacted level. The conference agreement funding for this program is \$26.4 million above the House-passed funding level and the President’s request. According to the report , “the conferees believe that the additional funds provided are sufficient to ensure that MSHA completes all of its inspection responsibilities.”
- Diacetyl: The conference agreement directs OSHA to provide a report to the Committees on Appropriations regarding its timeline for issuing a minimum permanent standard for the chemical diacetyl, which is used in artificial butter flavorings. The House passed the Popcorn Workers Lung Disease Prevention Act (H.R. 2693) on September 26, 2007, which requires the Secretary of Labor to issue a final interim rule regarding worker exposure to diacetyl. ([Legislative Digest for H.R. 2693](#)) There has been no Senate action on H.R. 2693.
- Office of Job Corps: The bill would fund this program at \$1.65 billion, which is \$128.1 million above the President’s request, \$1 million more than the House-passed version, and \$72.2 million above the FY2007 enacted level. The Jobs Corps is a nationwide network of residential facilities chartered by Federal law to provide a comprehensive and intensive array of training, job placement, and support services to at-risk young adults.

Title II – Department of Health and Human Services

The bill provides \$479.5 billion for the Department of Health and Human Services, which is \$5.5 billion above the President’s request and \$54.5 billion above the FY2007 enacted level. Highlights include:

- Pandemic Flu: The conference agreement would provide \$763.9 million for the Department of Health and Human Services to protect against a potential flu

- pandemic. The President requested \$6.7 billion for this project on November of 2005 and Congress has twice provided funding, but \$1 billion remained unfunded.
- National Cord Blood Inventory Program: The bill would fund this program at \$12 million, which is \$3 million less than the House- passed level.
 - Terrorism Preparedness and Response: The conference agreement funds this program at \$1.549 billion, which is \$49 million less than the House-passed appropriations.
 - Family Planning: The program would be funded at \$310.9 million, the same amount as passed by the House, which is \$27.8 million above the President's request and the FY2007 enacted level.
 - Centers for Disease Control and Prevention: The CDC would be funded at \$6.6 billion, which is \$632.7 million more than the President's request and \$412.6 million above the FY2007 enacted level. It is also an increase of \$157.5 million over the House- passed funding level.
 - National Institutes of Health: The conference agreement would fund the NIH at \$29.7 billion, which is \$1.4 billion above the President's request and \$899 million above the FY2007 enacted level. The conference agreement funding level is \$330 million above the House- passed funding level. The increase will go towards biomedical research supported by the NIH. The funding would also provide an increase of over 545 competing grants and support medical research.
 - Low Income Home Energy Assistance (LIHEAP): This program would be funded at \$2.4 billion, which is \$250.4 million less than the House originally appropriated. It is \$629.6 million more than the President's budget request and \$250.4 million above the FY2007 enacted level.
 - Children and Families Services Programs: The conference agreement would provide \$9.23 billion for the program, which is \$73.3 million more than House passed bill and \$980.7 million more than the President's request. This includes \$665 million for Community Services Block Grants and \$141 million for Abstinence Education.
 - World Trade Center: The conference agreement would provide \$52.5 million for treatment of responders, residents, students, and others involved in the World Trade Center attack on September 11, 2001. The \$52.5 million would be provided under the CDC's National Institute for Occupational Safety and Health (NIOSH). The bill also requires the Secretary of Health and Human Services to establish a long-term, comprehensive Federal plan for monitoring, screening, analysis, and medical treatment for all individuals who were exposed to the toxins at the World Trade Center site.

- Office of the National Coordinator for Health IT: The conference agreement appropriates \$66.15 million for this office. This is \$4.85 million more than the House- passed funding level.

**Note: The conference report removes the Senate's drug re-importation language, which prohibited funds for preventing individuals from importing drugs from Canada.*

Title III – Department of Education

The conference agreement provides \$63.6 billion for the Department of Education, which is \$4.4 billion above the President's request, \$1.38 billion less than the House funding levels, and \$3.2 billion over the FY2007 enacted level. Highlights include:

- Reading First State Grants: This program would be funded at \$400 million, which is \$619 million less than the President's request and \$629 million less than the FY2007 enacted level. This is \$46.5 million above the House- passed funding level. The majority indicates this decrease is in response to the Inspector General's report that the program has been mismanaged.
- Pell Grants: The conference agreement would provide \$14.5 billion for Pell Grants, which is \$1.08 less than the House- passed funding level. This is \$1.08 billion above the President's request and \$837 million above the FY2007 enacted level. Under the conference agreement, the maximum award for a Pell Grant would be set at \$4,435.
- No Child Left Behind Act: The conference agreement funds grants for local education agencies and special education at \$25.6 billion, which is \$100 million less than the House funding level. The funding level is \$1.2 billion over the President's request and \$2 billion above the FY2007 enacted level.

Title IV – Related Agencies

The bill provides \$50.9 billion for related agencies. Highlights include:

- Corporation for Public Broadcasting: The conference agreement would provide \$420 million in advanced funding for FY2010, which is consistent with the House- passed funding level. This is \$20 million over the FY2009 level and the President did not request any new appropriations. In addition to this appropriation, \$29.7 million is proposed for digital transition activities and \$26.8 million is proposed for replacing the National Public Radio interconnection system. The President proposed that both digital transition and interconnection be paid for out of the existing FY2008 advance appropriation.
- Social Security Administration: The bill would provide \$9.87 billion for the Social Security Administration, which is \$175 million more than the House appropriated. This funding level is \$275 million above the President's request and \$576.4 million over the FY2007 enacted level.

Staff Contact

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