



**Legislative Bulletin.....June 29, 2005**

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**H.R. 3058** —Amendments to the FY06 Treasury, Transportation/Housing and Urban Development Appropriations Bill, **Part III**

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H.R. 3058, the FY06 Amendments to the FY06 Treasury, Transportation/Housing and Urban Development Appropriations Bill, is scheduled to be considered on the House floor on Thursday, June 30<sup>th</sup>, under a unanimous consent agreement. Below are the summaries of amendments currently available. Note: Summaries are based on RSC staff's review of actual amendment text. For a summary of the underlying bill, see the separate RSC Policy Brief distributed earlier.

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**Davis (D-FL) #4:** Prohibits available funds from being used to “to implement, administer, or enforce the amendments made to section 515.560 or 515.561 of title 31, Code of Federal Regulations (relating to travel-related transactions incident to travel to Cuba and visiting relatives in Cuba), as published in the Federal Register on June 16, 2004. The limitation...shall not apply to the implementation, administration, or enforcement of section 515.560(c)(3) of title 31, Code of Federal Regulations.”

On June 30, 2004, the Department of Treasury implemented new restrictions on family travel to Cuba. An identical amendment was offered to the FY05 Transportation/Treasury Appropriations bill, and passed by a vote of 225 to 174, but was stripped in Conference.

According to the sponsor, “this ‘get-tough’ initiative to rid Cuba of Fidel Castro punishes Cubans on both sides of the Florida straits and will have a minimal effect on the government of Cuba. Specifically, the new Office of Foreign Assets Control (OFAC) rules limit family visits to Cuba to one trip every three years for a maximum of 14 days under a specific license to visit only immediate family. Under this new policy, emergency visits will no longer be allowed nor will any visits to aunts, uncles and cousins in Cuba. The previous policy allowed Cuban-Americans one trip per year under a general license for an unspecified number of days, included a broader definition of family and allowed emergency visits under a specific license. The newest collection of misguided regulations jeopardizes countless innocent Cubans who depend on visits from their Cuban-American relatives not only for moral support but also for the delivery of

food, medicine, clothing and money. These sweeping changes were done without as much as one hearing in Congress.”

**Pickering (R-MS):** Prohibits available funds from being “used to enforce the Individuals With Disabilities Parking Reform Amendment Act of 2000 (D.C. Law 13—279).”

According to the sponsor, “Currently, if a handicapped resident were visiting DC and parked in a handicapped spot where DC residents get four free hours, they would get a ticket unless they went to the DMV and applied for a DC permit. This happened to a Mississippi visitor last week. This amendment would restrict funding from implementing DC’s provision that allows them to treat the disabled citizens of other states differently from disabled citizens in DC.

**Obey (D-WI):** The sponsor refused to provide the text of the amendment. According to the UC agreement, the amendment is regarding D.C. funding. (If this deals with OMB Circular A-76, see information on Van Hollen amendment below).

**Sanders (I-VT):** Prohibits available funds from being “used to provide for the competitive sourcing of flight service stations.”

According to the sponsor, the amendment would “prohibit the Federal Aviation Administration from jeopardizing the safety and security of air travel by privatizing National Air Traffic Control Specialists, closing Flight Service Stations, and slashing retirement benefits. This amendment will help ensure that vital safety functions provided to the general aviation public are provided by a well-trained and highly qualified federal workforce.”

**DeLauro (D-CT):** Text of the amendment was not available. According to one report, “the amendment would prohibit U.S. companies that are incorporated overseas from receiving government contracts from the agencies addressed in this bill.” According to the UC, the amendment deals specifically “with corporate entities chartered in Antigua, Panama, Bermuda, Barbados and the Cayman Islands.” The sponsor offered a similar amendment, which failed by a vote of [182 – 221](#), to last year’s FY05 Homeland Security Appropriations bill.

According to opponents, “Companies that complete legal and legitimate transactions in full compliance with current law should not be barred from contracting with the Federal government. Preventing successful companies from bidding on government contracts just because they are incorporated offshore would reject the free market principles of the Federal procurement system.”

**Obey (D-WI):** The sponsor did not provide the text of the amendment. According to the U.C., the amendment is regarding an OMB Circular.

**Cuellar (D-TX):** According to the sponsor’s office, the amendment will no longer be offered. According to the U.C., the amendment is regarding funding for the community development fund.

**Tubbs-Jones (D-OH):** According to the sponsor’s office, the amendment will no longer be offered. According to the U.C., the amendment is regarding the HOME Investment Partnership Program.

**Costello (D-IL):** According to the sponsor’s office, this amendment will no longer be offered. According to the U.C., the amendment is regarding cities of Alton and Granite City, Illinois.

**Velazquez (D-NY):** The sponsor could not provide text. According to the U.C., the amendment is regarding e-travel and small business protection.

**Kilpatrick (D-MI):** Prohibits available funds from being used by the Department of Treasury to “recommend approval of the sale of Unocal Corporation to CNOOC Ltd. of China (National Offshore Oil Corporation).”

According to the sponsor, “China has had ample access to the U.S. market. Chinese companies have acquired IBM’s personal computer sector; placed a bid for Maytag; purchased Treasury bonds, which have financed the deficits we have generated over the last 4 years; and it has dumped its clothing and textiles in the U.S. market place, forcing thousands of clothing and textile workers out of jobs.”

**Van Hollen (D-MD):** The sponsor could not provide the text of the amendment, though it appears to be similar to his amendment from last year which prohibited funds from being used to implement the revision to Office of Management and Budget Circular A–76 made on May 29, 2003. The revised circular A-76 allowed for increased public-private competition in providing certain government services (thereby allowing more private contracting often referred to as “outsourcing”). For more information on A-76, go to this website: [http://www.whitehouse.gov/omb/circulars/a076/rev\\_a76\\_052903.pdf](http://www.whitehouse.gov/omb/circulars/a076/rev_a76_052903.pdf) Last year’s amendment passed the House 210-187; <http://clerk.house.gov/evs/2004/roll457.xml>

**Tiahrt (R-KS) #21:** According to the sponsor, he intends to offer and withdraw. The amendment adds at the end of the bill the following:

SEC. \_\_. None of the funds made available in this Act may be used to promulgate regulations without consideration of the effect of such regulations on the competitiveness of American businesses.

**Hefley (R-CA) #7:** Reduces funding in the Act by \$669,350,000. This amount is equal to one percent of the total amount of discretionary funding in the bill. According to the Republican Conference, this amendment is drafted under the Holman Rule which allows for the administration to determine where the cuts would come from (this is not an across the board cut).

**Brown (D-OH):** Prohibits funds from being used “by the Council of Economic Advisors to produce an Economic Report to the President regarding the average cost of developing and introducing a new prescription drug to the market at \$800 million or more.”

According to the sponsor, “The 2005 *Economic Report of the President* used an inflated estimate of the cost of drug research and development costs, without citing the source or even acknowledging that it was produced by a drug industry-funded researcher.” This amendment is intended to prohibit such incidents.

**Hinchey (D-NY):** The sponsor could not provide the text of the amendment. According to the U.C., the amendment would prohibit funds in this Act from being used directly or indirectly, including by private contractor, for publicity or propaganda.

**Garrett (R-NJ):** Prohibits available funds from being “used to improve or construct infrastructure support on lands acquired through the use of eminent domain of private property for private development.”

**Flake (R-AZ):** The amendment would prevent funding for the enforcement of the travel ban to Cuba. It does this by inserting at the end of the bill the following:

SEC. (a) None of the funds made available in this Act may be used to administer or enforce part 515 of title 31, Code of Federal Regulations (the Cuban Assets Control Regulations) with respect to any travel or travel-related transaction. (b) The limitation established in subsection (a) shall not apply to the administration of general or specific licenses for travel or travel-related transactions, shall not apply to section 515.204, 515.206, 515.332, 515.536, 515.544, 515.547, 515.560(c)(3), 515.569, 515.571, or 515.803 of such part 515, and shall not apply to trans-actions in relation to any business travel covered by section 515.560(g) of such part 515.

**Flake (R-AZ):** The amendment would prevent further restrictions to what is now an exemption for religious travel to Cuba. It does this by inserting at the end of the bill the following:

SEC. 948. None of the funds made available in this Act may be used to amend section 515.566 of title 31, Code of Federal Regulations (relating to religious activities in Cuba), as in effect on June 29 2005.

**Flake (R-AZ):** The amendment would prevent enforcement of the cap on remittances to Cuba. It does this by inserting at the end of the bill the following:

SEC. \_\_. None of the funds made available in this Act may be used to implement, administer, or enforce the amendments made to section 515.570 of title 31, Code of Federal Regulations, as published in the Federal Register on June 16, 2004.

**Flake (R-AZ):** The amendment would prevent enforcement of the weight limit on baggage for travelers to Cuba permitted under exemptions. It does this by inserting at the end of the bill the following:

SEC. \_\_. None of the funds made available in this Act may be used to implement, administer, or enforce the amendments made to section 515.560(f) of title 31, Code of Federal Regulations, as published in the Federal Register on June 16, 2004.

**Flake (R-AZ):** The amendment would roll back new restrictions requiring amateur sports teams from Cuba to receive specific permission prior to travel. According to the

sponsor, this would effectively restore former regulations that permit such travel under a general license. It does this by inserting at the end of the bill the following:

SEC. \_\_. (a) None of the funds made available in this Act may be used to implement, administer, or enforce—

(1) the amendments made to section 515.565(a) and (b) of title 31, Code of Federal Regulations, as published in the Federal Register on June 16, 2004; or (2) the amendments made to part 515 of title 31, Code of Federal Regulations, as published in the Federal Register on June 16, 2004, that remove the references to “§ 515.565(a)(2)(v)” each place it appears and replace them with “§ 515.565(a)(5)”.

(b) The limitation in subsection (a) shall not apply to the implementation, administration, or enforcement of section 515.560(c)(3) of title 31, Code of Federal Regulations.

**Flake (R-AZ):** The amendment would create an exemption under the family travel restrictions for military personnel to visit Cuba. It does this by inserting at the end of the bill the following:

SEC. \_\_. (a) None of the funds made available in this Act may be used to implement, administer, or enforce the amendments made to section 515.561 of title 31, Code of Federal Regulations, as published in the Federal Register on June 16, 2004, with respect to any Member of the United States Armed Forces. (b) The limitation in subsection (a) shall not apply to the implementation, administration, or enforcement of section 515.560(c)(3) of title 31, Code of Federal Regulations.

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