



Legislative Bulletin.....June 30, 2005

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

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 30th, 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.

Staff Contacts: Sheila Cole, Sheila.cole@mail.house.gov, Derek Baker, Derek.baker@mail.house.gov, Joelle Cannon, Joelle.cannon@mail.house.gov

Garrett (R-NJ) Revised: The bill adds at the end the following:

“SEC. __. None of the funds made available in this Act may be used to enforce the judgment of the United States Supreme Court in the case of *Kelo v. New London*, decided June 23, 2005.”

According to the sponsor, “The amendment seeks to prohibit any funds made available under this Act from being used to improve or construct infrastructure support on lands acquired involuntarily, through the use of Eminent Domain, for private development.”

Lee (D-CA): Text of the amendment is not available. According to reports, the amendment would overturn restrictions on education travel to Cuba.

According to the sponsor, “until last year, thousands of U.S. students participated in study programs in Cuba run by scores of U.S. educational institutions. Students from colleges and universities across the country took part in these programs. Now U.S. citizens’ participation in educational activities in Cuba is severely limited under new restrictions.”

Rangel (D-NY): Prohibits funds from being used to “implement, administer, or enforce the economic embargo of Cuba, as defined in section 4(7) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (Public Law 104-114), except that the foregoing limitation does not apply to the administration of a tax or tariff.” According to

the sponsor, “the embargo has failed to achieve any of its objectives and has unnecessarily infringed upon the rights of Americans.”

Honda (D-CA): According to the sponsor’s office, this amendment will not be offered. According to the U.C., the amendment is regarding military recruiters and the Department of Education.

Markey (D-MA): Prohibits available funds from being “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.

According to the sponsor the, “amendment would prevent the Federal departments and agencies funded through H.R. 3058 from spending funds on activities which would violate the Privacy Act, such as the collection of information on Americans that goes beyond the purposes for which particular collection efforts are designed.”

Wynn (D-MD): Prohibits available funds from being “used to pay a Federal contractor if the contractor fails to enter into a subcontract with a small business in accordance with the contractors subcontracting plan (under section 8 (d) of the Small Business Act (15 U.S.C. 637(d)), unless the contractor provides written justification.”

According to the sponsor, the amendment “addresses the problem of subcontractors not receiving payment for services to a prime contractor in a timely manner.”

Wynn (D-MD): Prohibits available funds from being “used to pay a Federal contractor if the contractor has a history of late payments to subcontractors and the contractor is the subject of litigation relating to a late payment to a subcontractor contractor.”

According to the sponsor, the amendment “penalizes Federal contractors that fail to subcontract with a small business as submitted in its subcontracting plan.”

Jackson-Lee (D-TX): Text of the amendment is not available. According to the U.C., the amendment is regarding Section 12 of the Housing Act.

Section 12(a) of the U. S. Housing Act (USHA) of 1937. Section 12(a) requires the payment of HUD-determined prevailing wages to “all maintenance laborers and mechanics employed in the operation, of the low-income housing project involved”

Clay (D-MO): According to his office, the sponsor will not be offering the amendment. According to the U.C., the amendment was regarding HFA loans and abusive lending practices.

Jackson-Lee (D-TX): Text of the amendment is not available. According to the sponsor, the amendment gives FAA \$5 million to help air traffic controllers.

Simmons (R-CT) #14: Prohibits available funds from being “used to enter into, implement, or provide oversight of contracts between the Secretary of the Treasury, or his designee, and private collection agencies. Notwithstanding this provision, the Secretary of the Treasury, or his designee, may continue to utilize any private collection contract authority in effect prior to October 22, 2004. Nothing in this provision shall impact the administration of any tax or tariff.” Additionally, the amendment reduces by \$5 million, funds available for the Internal Revenue Service, Business Systems Modernization.

According to the sponsor, “The amendment would prohibit funds that would allow the Secretary of the Treasury, or his designee, to outsource tax collection.” Additionally, the sponsor states the amendment is likely subject to a point of order.

Souder (R-IN): Prohibit funds from being used to “enforce section 702 of the Firearms Control Regulations Act of 1975 (sec. 7-2507.02, D.C. Official Code).”

This section requires that every registered gun owner “shall keep any firearm in his possession unloaded and disassembled or bound by a trigger lock or similar device unless such firearm is kept at his place of business, or while being used for lawful recreational purposes within the District of Columbia” (without an exception for self-defense). The amendment would restrict funds from being used to enforce this section of the D.C. Firearms Control Act which was put in place by the DC City Council in 1976.

According to the sponsor, the District of Columbia is the only jurisdiction in the U.S. that prohibits keeping firearms available at home for defense against criminal attack. The amendment would allow D.C. citizens the same rights at home that they currently have at work.” The National Rifle Association has indicated it supports passage of the amendment.

Knollenberg (R-MI): Text of the amendment was not available. According to the U.C., the amendment is regarding funding levels.

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