

AMENDMENTS ADOPTED TO THE LABOR/HHS/EDUCATION

APPROPRIATIONS BILL FOR FY 2018

Full Committee Markup  
House Appropriations Committee  
Wednesday, July 18, 2017

#1

**Chairman Cole Manager's Amendment  
Labor HHS Education Full Committee Markup  
July 19, 2017**

Cole  
agreed to

**Page 73, lines 22-25 and Page 74 lines 1-11 of the bill – *Children and Families Services Programs***

Strike provisos 8 through 11 and insert the following:

*Provided further*, That \$617,500,000 shall be for making payments under the CSBG Act:  
*Provided further*, That \$17,850,000 shall be for sections 680 and 678E(b)(2) of the CSBG Act, of which not less than \$10,000,000 shall be for section 680(a)(2) and not less than \$7,500,000 shall be for section 680(a)(3)(B) of such Act: *Provided further*, That, notwithstanding section 675C(a)(3) of such Act, to the extent Community Services Block Grant funds are distributed as grant funds by a State to an eligible entity as provided under such Act, and have not been expended by such entity, they shall remain with such entity for carryover into the next fiscal year for expenditure by such entity consistent with program purposes: *Provided further*, That the Secretary shall establish procedures regarding the disposition of intangible assets and program income that permit such assets acquired with, and program income derived from, grant funds authorized under section 680 of the CSBG Act to become the sole property of such grantees after a period of not more than 12 years after the end of the grant period for any activity consistent with section 680(a)(2)(A) of the CSBG Act: *Provided further*, That intangible assets in the form of loans, equity investments and other debt instruments, and program income may be used by grantees for any eligible purpose consistent with section 680(a)(2)(A) of the CSBG Act: *Provided further*, That these procedures shall apply to such grant funds made available after November 29, 1999: *Provided further*, That funds appropriated for section 680(a)(2) of the CSBG Act shall be available for financing construction and rehabilitation and loans or investments in private business enterprises owned by community development corporations:

**Page 104 line 2 of the bill – *Innovation and Improvement***

Insert the following at the end of the line:

“, 3”

**Page 4 of the report – Insert the following paragraph before Title I:**

*Paper Reduction Efforts.*—The Committee urges each agency funded by this Act to work with the Office of Management and Budget (OMB) to reduce printing and reproduction costs and directs each agency to inform the Committee on what steps have been taken to achieve this goal, including identifying how much money each agency expects to save by implementing these measures.

**Page 5 of the report—Insert the following as a sixth paragraph**

*Formal Partnerships and Job-Placement Services.*—The United States is experiencing a shortfall of workers with education and training beyond a high school education. At the same time, industry surveys show that a lack of qualified workers is a top concern for many employers. The Committee urges the Secretary of Labor to research and develop strategies for creating formal partnerships and job-placement services with industry employers and the Adult Employment and Training Activities and Dislocated Worker Employment and Training Activities programs authorized by WIOA.

**Page 8 of the report—Insert as a seventh paragraph on the page:**

Section 106(b) authorizes the Secretary to transfer up to 0.5 percent of discretionary ETA appropriations to carry out program integrity activities within those programs, the Committee directs the Department to notify the Committees on Appropriations of the House of Representatives and the Senate at least 15 days in advance of any such transfer with respect to funds appropriated to Job Corps.

**Page 25 of the report—Strike the paragraph “Prenatal Screening” and insert the following:**

*Prenatal Screening Working Group.*—Patient education materials related to non-invasive prenatal screening (NIPS) often lag behind fast-moving NIPS technological advancements and fail to reflect the most current clinical guidance. To ensure patients and providers are educated about evidence-based practices and their applications, as well as the underlying conditions for which a patient may require further diagnostic testing based on screening results, the Committee asks the Maternal and Child Health Bureau within 120 days of enactment of this Act to convene a meeting of Federal and public stakeholders representing health care professionals, industry, and patient voices to discuss the purposes and definitions of NIPS, the status of research regarding the effectiveness of various practices regarding NIPS, other factors that should be considered in implementing NIPS, provider best practices and guidance, and patient and industry needs related to information dissemination and standards for screenings. The goal of such a meeting is for stakeholders to establish consensus about next steps for provider and patient education. Within 120 days after the meeting, recommended consensus driven activities will be reported from HRSA, along with a plan and timeline for implementation of next steps. The Committee expects a report outlining consensus recommendations for education of women regarding NIPS, and possible methods/timeline for implementing an education initiative related to prenatal screening. In addition, the working group should recommend to the Secretary a process by which materials related to specific conditions are created, disseminated, and updated on a routine basis.

**Page 28 of the report—Insert as a second paragraph under the heading “Healthy Start”**

Within the total for Healthy Start, the Committee directs not less than \$1,000,000 for screening and treatment for maternal depression as authorized in section 10005 of the 21st Century Cures Act (P.L. 114-255).

**Page 29 of the report—Strike the paragraph “Organ Distribution Proposal” and insert the following:**

*Organ Distribution Proposal.*—The Committee understands that the Organ Procurement and Transplantation Network (OPTN) developed the “Redesigning Liver Distribution” proposal and released the proposal for public comment in 2016. The Committee recognizes that OPTN expects to release for public comment an amended proposal in 2017. The Committee urges HRSA to ensure that any proposals see a robust and transparent public debate on the merits of the proposal. Furthermore, the Committee believes that an extended process will allow the transplant community and its stakeholders to assess fully the use of appropriate supply and demand metrics and the protection of programs serving rural and underserved communities. The Committee encourages HRSA to ensure that liver redistribution proposals go through a transparent process and receive support from the transplant community prior to final action.

**Page 31 of the report—Insert as a second paragraph under the heading “Rural Health”**

The Committee requests an update in the fiscal year 2019 Congressional Justification information on the best practices and strategies to attract healthcare practitioners to rural clinics and hospitals in areas with healthcare professional shortages.

**Page 34 of the report—*Emerging and Zoonotic Infectious Diseases***

In the table, update the funding level for “Prion Disease” to read “\$6,000,000” and for “All Other Infectious Diseases” to read “\$23,840,000”.

**Page 39 of the report—Insert as the fourth paragraph, the following:**

*Outreach to and Study of Obese Populations with Limited English Ability.*—The Committee is concerned about specific obese populations that are overrepresented and medically underserved. The Committee encourages CDC to conduct additional outreach to and study of these specific populations. CDC is additionally encouraged to work with Hispanic-Serving Institutions and Historically Black Colleges and Universities in this effort.

**Page 47 of the report—*CDC-Wide Activities and Program Support***

After the table, insert the following two paragraphs:

*Cross-Border Disease Control.*—The Committee requests that CDC provide a report in the fiscal year 2019 Congressional Justification on how CDC coordinates its various programs with State and local public health departments and international partners to measure, track, control, and manage cross-border infectious disease in high-volume port cities.

*Vector-Borne Disease Centers of Excellence.*—The Committee encourages CDC to fund an additional university-based vector-borne disease center of excellence in the West. The Committee notes that CDC only awarded centers east of the Rocky Mountains, despite the fact that the West is home to densely populated areas and is at high risk of importation of vectors and vector-borne diseases due to high volumes of travel and trade.

**Page 53 of the report—Before the heading “National Institute of Neurological Disorders and Stroke, Insert as the first paragraph on the page, the following paragraph:**

*Study of Overrepresented and Medically Underserved Populations with Diabetes.*—The Committee is concerned about specific diabetic populations that are more likely to be overrepresented and medically underserved. The Committee encourages NIDDK to support research on these specific populations. The Committee also encourages NIDDK to work with Hispanic-Serving Institutions and Historically Black Colleges and Universities in this effort.

**Page 57 of the report—Under the heading “National Breastfeeding Research Consortium” Strike the last two sentences in the paragraph. Insert the following, after the first sentence:**

The Committee urges NICHD to convene the national consortium on breastfeeding research called for by the Surgeon General.

**Page 69 of the report—Insert as the third paragraph on the page, the following:**

*Dietary Reference Intake for Carbohydrates.*—The Committee notes keen public interest in various dietary guidance proposals and food labeling initiatives regarding consumption of carbohydrates. Yet, the last Dietary Reference Intake (DRI) review conducted regarding carbohydrates was completed in 2002. The Committee encourages NIH to consider arranging for a DRI review for carbohydrates.

**Page 71 of the report—Office of the Director—Insert as the third paragraph, the following:**

*Teacher Stress.*—The Committee is aware that high levels of stress are adversely affecting the health of teachers. Elementary school teachers who have greater stress and show more symptoms of depression create classroom environments that are less conducive to learning. Stress is contributing to the high turnover rate among teachers. The Committee encourages NIH to support research on reducing teacher stress and promoting wellbeing by implementing and

analyzing evidence-based stress management programs that will help reduce the stress of teachers.

**Page 73 of the report—Insert as a second paragraph under the heading “Mental Health”**

The Committee requests an update in the fiscal year 2019 Congressional Justification information on the costs to law enforcement, first responders, judicial systems, and health systems that accrue due to recidivist clients, including potential options for more cost-effective solutions to providing care for such clients.

**Page 78 of the report—Substance Abuse Prevention**

In the table, update the funding level for “Strategic Prevention Framework” to read “\$74,000,000”

**Page 80 of the report—Agency for Healthcare Research and Quality:**

Insert the following two paragraphs as the second and third paragraphs on the page:

*DRI for Sodium.*—The Committee notes that the systematic review for updating the DRI for sodium for healthy populations is already underway. The Committee is concerned that the key questions being asked in the AHRQ systematic review ignore the impact of sodium intake on healthy populations within the normal (as defined by medical literature) versus low sodium ranges. This question must be answered in order for the DRI committee to be able to determine optimal sodium intakes for healthy populations, including whether the impact to health at normal vs. low intakes is linear or non-linear. The Committee requests that AHRQ answer this question and report back to the Committee before finalizing the systematic review and sending it to the DRI committee.

*Investigator-Initiated Research.*—The Committee provides support for investigator-initiated research. Investigator-initiated research should not be targeted to any specific area of health services research and should be merit based from the best unsolicited ideas from the research community within the AHRQ patient safety and medical error mission. The Committee is aware that enhanced utilization of independent academic medical centers (non-university-owned centers that retain significant graduate medical education positions) could lead to innovative and pragmatic solutions that improve clinical practices.

**Page 85 of the report—Insert as a third paragraph on the page:**

*Transparency in Hospital Reimbursement.*—The Committee requests CMS provide information in the fiscal year 2019 Congressional Justification identifying all pass-through payments reimbursed from the Hospital Insurance Trust Fund. The Committee expects CMS to address pass-through payments for hospital-based nursing programs, as well as the oversight function CMS performs to ensure such programs are fully accredited.

**Page 88 of the report—In the table, insert a row under “Community Services Block Grant”**

Community Economic Development.....10,000,000

**Page 88 of the report—In the table, update the funding level for “Program Direction” to read “\$194,610,000”**

**Page 89 of the report—Strike the paragraph “Community Economic Development Grants” and insert the following:**

*Community Economic Development.*—The Committee provides \$10,000,000 for Community Economic Development grants, which is \$9,883,000 below the fiscal year 2017 enacted level and \$10,000,000 above the fiscal year 2018 budget request. Community Economic Development is a Federal grant program funding Community Development Corporations that address the economic needs of individuals and families with low income through the creation of sustainable business development and employment opportunities. CED awards funds to private, non-profit organizations that are community development corporations, including faith-based organizations, and Tribal and Alaskan Native organizations. The Committee directs the Administration for Children and Families to issue a funding opportunity announcement prioritizing applications from rural areas with high rates of poverty, unemployment, and substance abuse.

**Page 121 of the report, under Career and Technical Education, insert the following:**

*Maker Education.*—The Committee recognizes the need for increased maker education in career and technical education in addition to K-12 curriculum in response to the increasing reliance on tools such as 3D printers, laser cutters, desktop machines, and programs for digital design becoming more affordable. Maker education exposes students to hands on project based learning approaches that build critical skills needed to increase economic growth and encourages students to imagine, create, innovate, and collaborate through the process of manufacturing, testing and demonstrating their ideas. The Committee encourages the expansion of maker-spaces in schools, which are community spaces that provide access to tools, technology and knowledge for learners and entrepreneurs and result in the prototyping or creation of physical goods, and support the development of educational opportunities for personal growth, workforce training, and early stage business ventures.

**Page 92 of the report—Insert as a second paragraph under the heading “Alzheimer’s Disease Services”**

The Committee accepts the Administration’s proposal to consolidate funding for Alzheimer’s disease programs into one more flexible program authorized under Title IV of the Older Americans Act.

Stewart ~~#1~~

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**AMENDMENT TO LABOR, HHS, EDUCATION**

**APPROPRIATIONS BILL**

**OFFERED BY MR. STEWART OF UTAH**

At the end of the bill (before the spending reduction account), insert the following:

1        SEC. \_\_\_\_ . None of the funds made available by this

2 Act may be used to implement, administer, or enforce the

3 rule entitled "Establishing a Minimum Wage for Contrac-

4 tors" published by the Department of Labor in the Fed-

5 eral Register on October 7, 2014 (79 Fed. Reg. 60634),

6 with respect to Federal contracts, permits, or other con-

7 tract-like instruments entered into with the Federal Gov-

8 ernment in connection with Federal property or lands, spe-

9 cifically related to offering seasonal recreational services

10 or seasonal recreation equipment rental for the general

11 public: *Provided*, That this section shall not apply to lodg-

12 ing and food services associated with seasonal recreation

13 services.

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HARRIS # 1  
agreed to  
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**AMENDMENT TO LABOR, HHS, EDUCATION  
APPROPRIATIONS BILL  
OFFERED BY MR. HARRIS OF MARYLAND**

After section 408, insert the following:

1 SEC. 409. None of the funds made available by this

2 Act may be used to—

3 (1) implement, create, apply, or enforce through  
4 prosecution, adjudication, rulemaking, or the issuing  
5 of any interpretation, opinion, certification, decision,  
6 or policy, any standard for initial bargaining unit  
7 determinations that conflicts with the standard ar-  
8 ticulated in the majority opinion in Wheeling Island  
9 Gaming Inc. and United Food and Commercial  
10 Workers International Union, Local 23, 355 NLRB  
11 127 (August 27, 2010) (including the majority opin-  
12 ion in footnote 2), except for unit determinations  
13 governed by section 103.30 of title 34, Code of Fed-  
14 eral Regulations, for employers covered by such sec-  
15 tion; or

16 (2) implement, create, apply, or enforce through  
17 prosecution, adjudication, rulemaking, or the issuing  
18 of any interpretation, opinion, certification, decision,  
19 or policy, any standard for initial bargaining unit

- 1 determinations that utilize the overwhelming com-
- 2 munity of interest test except in accretion cases.

