

CHAMBER OF COMMERCE
OF THE
UNITED STATES OF AMERICA

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EXECUTIVE VICE PRESIDENT &
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July 12, 2020

The Honorable Nita M. Lowey
Chair
Committee on Appropriations
U.S. House of Representatives
Washington, DC 20515

The Honorable Kay Granger
Ranking Member
Committee on Appropriations
U.S. House of Representatives
Washington, DC 20515

Dear Chair Lowey and Ranking Member Granger:

As the Committee prepares to mark up the Fiscal Year 2021 Labor, Health and Human Services, Education, and Related Agencies Appropriations bill, the U.S. Chamber of Commerce would like to detail the important program and policy positions we support and oppose under this legislation. We strongly urge you to provide full funding for programs and initiatives important to the business community and ask you to consider the following recommendations.

The Chamber supports the following provisions:

- Increasing funding for the Child Care and Development Block Grant and Head Start.
- Adding a prohibition of funding for implementation or enforcement of the Occupational Safety and Health Administration rulemaking entitled “Tracking of Workplace Injuries and Illnesses,” published as a final regulation in the Federal Register, January 25, 2019, RIN: 1218-AD17.
- Increasing funding for Title I grants to school districts for low-income children.
- Adding a provision that prevents the Administration from withholding federal funds from schools that do not return to in-person instruction due to the COVID19 pandemic.
- Increasing funding for the Strengthening Career and Technical Education for the 21st Century (Perkins V) Act.
- Making incarcerated individuals eligible for Pell Grants, but the Chamber opposes the restrictions included in the bill that limit attendance to public and non-profit institutions of higher education. All institutions of higher education, regardless of tax status, should be able to provide education and training, if they meet the requirements of Pell Grant eligibility outlined in the Higher Education Act and in subsequent regulations.

- Adding a provision allowing eligible students attending programs that are at least 15 credit hours to receive Pell Grants, if the program meets the requirements of Pell Grant eligibility outlined in the Higher Education Act and in subsequent regulations.
- Increasing funding for Federal Work Study.
- Adding the requirement that the Office of Federal Contract Compliance Programs conclude its investigations within a reasonable timeframe.
- Restoring funding for the DOL Office of Labor-Management Standards to the President’s FY 2009 request (\$58.256 mil.)
- Adding provisions restoring the Office of Labor-Management Standards International Compliance Audit Program (I-CAP).
- Adding a provision that respects tribal sovereignty by prohibiting funding for the enforcement of the National Labor Relations Act against any Indian tribe.
- Adding provisions giving businesses the flexibility they need to utilize private wage surveys for the prevailing wage determination process under the H-2B program.
- Adding a prohibition on funding for certain requirements for H-2B employers contained in “Temporary Non-Agricultural Employment of H-2B Aliens in the United States” (80 FR 24042), RIN: 1205-AB76, such as the definitions of temporary need, corresponding employment, and the three-quarter guarantee.
- Increasing funding for the Workforce Innovation and Opportunity Act.

The Chamber opposes the following provisions:

- Decreasing funding for charter schools, as funding should be increased to foster their continued development and expansion.
- Adding provisions that would prohibit implementation of the Department of Labor’s final regulations on “Joint Employer Status under the Fair Labor Standards Act” published in the Federal Register January 16, 2020, RIN: 1235-AA26.
- Changing the calculation of the 90/10 rule, as well as provisions changing the ratio to 85/15.
- Adding provisions prohibiting implementation of the National Labor Relations Board’s final regulations for “The Standard for Determining Joint-Employer Status” published in the Federal Register on February 26, 2020, RIN: 3142-AA13.

- Adding provisions prohibiting implementation of the National Labor Relations Board’s final rule on “Representation Case Procedures” published in the Federal Register on December 18, 2019, RIN: 3142-AA12.

The Chamber looks forward to working with the Committee to create a balanced bill that increases investments for priorities critical to Chamber members and that gives agencies the resources necessary to keep Americans safe. The Chamber appreciates your consideration of these recommendations as you mark up the Fiscal Year 2021 Labor, Health and Human Services, Education, and Related Agencies Appropriations bill.

Sincerely,



Neil L. Bradley

cc: Members of the House Committee on Appropriations