



June 29, 2022

The Honorable Rosa DeLauro  
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 DeLauro and Ranking Member Granger:

As the Committee prepares to mark up the Fiscal Year 2023 Labor, Health and Human Services, Education, and Related Agencies Appropriations bill, the U.S. Chamber of Commerce would like to detail the important federal programs 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.

- **Strengthen and support critical Department of Education programs:** The Chamber supports increasing funding for the Child Care and Development Block Grant and Head Start. We also support increasing funding for Title I grants to school districts for low-income children, increasing funding for the Strengthening Career and Technical Education for the 21st Century (Perkins V) Act, and increasing funding for Federal Work Study. Additionally, we support language that would allow eligible students attending programs that are at least 15 credit hours over an eight-week period to receive Pell Grants, if the program meets the requirements of Pell Grant eligibility outlined in the Higher Education Act and in subsequent regulations and regardless of the tax classification or in-person/online status of the institution the student is attending. Finally, the Chamber supports increasing funding for the Workforce Innovation and Opportunity Act.
- **Common sense policy changes for the Department of Labor:** The Chamber supports adding a prohibition of funding for finalizing and enforcing of the Occupational Safety and Health Administration emergency temporary standard entitled “Occupational Exposure to COVID-19; Emergency Temporary Standard,” published as an interim final regulation in the Federal Register, June 21, 2021, RIN: 1218-AD36. We also support adding language that would require the Office of Federal Contract Compliance Programs to conclude its investigations within a reasonable timeframe. In addition, we recommend including language that would prohibit funding for a potential Wage and Hour Division rulemaking Defining and Delimiting the Exemptions under the Fair Labor Standards Act for Executive, Administrative, Professional, Outside Sales and Computer Employees; RIN: 1235-AA39. We would also support a prohibition of funding a potential Wage and Hour Division rulemaking on classification of independent

contractors and employees. Lastly, we support increasing funding for the Department of Labor (DOL) Office of Labor-Management Standards.

- **Strengthening our Immigration System for Employers:** The Chamber supports adding language that would give businesses the flexibility they need to utilize private wage surveys for the prevailing wage determination process under the H-2B program. We also support adding language that would prohibit 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. We would like to see expanded eligibility for Federal student aid under the HEA to include Deferred Action for Childhood Arrivals (DACA) participants and those who have received Temporary Protected Status under the Immigration and Nationality Act.
- **Reigning in job killing policies at the National Labor Relations Board:** The Chamber supports 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., as well as including a prohibition of funding for imposing restrictions on employer speech or requiring card check recognition as outlined in the NLRB General Counsel’s filing in the *Cemex Construction Materials, LLC* case.

The Chamber looks forward to working with the Committee to create a balanced bill that increases educational opportunities for all Americans and gives the agencies the resources necessary to continue successful federal programs. We appreciate your consideration of these recommendations as you mark up the Fiscal Year 2023 Labor, Health and Human Services, Education, and Related Agencies Appropriations bill.

Sincerely,



Neil L. Bradley  
Executive Vice President, Chief Policy Officer,  
and Head of Strategic Advocacy  
U.S. Chamber of Commerce

cc: Members of the House Committee on Appropriations