

**DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND
EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008 -
- (House of Representatives - July 18, 2007)**

Mr. ISRAEL. Madam Chairman, I come to the floor today to compliment the Chairman of the Labor, Health and Human Services and Education Appropriations bill, Mr. *Obey*, on preparing an excellent and well-balanced appropriations bill. The large number of meritorious programs included in this bill creates difficult choices and the Chairman has done a great job balancing the competing interests and preparing a good bill for consideration in the full House.

However, on behalf of my constituents I feel compelled to express one concern with regard to language in the bill that would require NIH funded scientists to submit to the NIH their peer-reviewed manuscripts approved for journal publication. While I believe it is important to expand access to articles on government sponsored research, my concern is that such a mandatory policy could harm some nonprofit scientific societies that depend largely on income generated by their journal publications.

A mandatory policy like this could harm journal publishers who make substantial private-sector investments in the peer review, publishing, dissemination and archiving of these research articles. Scientific societies foster and promote our Nation's scientific endeavor, and these societies and their contributions to science should be protected.

I have a substantial scientific publishing organization, the American Institute of Physics, in my district, in Melville, New York. The American Institute of Physics, AIP, was established in 1931 for the purpose of promoting physics and its application to human welfare. AIP is a 501(c)(3) membership corporation of ten physical science and astronomy societies serving a combined membership of more than 125,000 scientists, engineers and students. AIP is a large publisher of physics journals and produces publications of more than 25 scientific and engineering societies through its New York-based publishing division. My concerns on this issue are to protect and support our Nation's scientific infrastructure and a viable export industry. The issue has been highlighted for me by my constituents in Melville, NY.

I also want to voice concerns with the rescission of \$335 million from unexpended Workforce Investment Act, WIA, funds included in the bill. I fully support increasing funding for the Individuals with Disabilities Act, IDEA, the program this rescinded WIA funding was redirected towards in an amendment during full committee consideration of the bill. I've advocated for increasing funding for IDEA since I first came to Congress in 2000. However, I am concerned about the use of WIA as an offset.

Unexpended WIA funding is not actually ``unspent carryover." It is either obligated for services, such as training, or set aside to respond to mass layoffs and other unpredictable economic events. And the Government Accountability Office, in a study on WIA expenditures, found that WIA funds are spent ``much faster than required under the law." WIA regulations give local governments three years to spend Title I-B Adult and two years to spend Youth and Dedicated Worker funds. Local governments have been complying with the law.

Further, carryover was an intentional spending strategy built into WIA as a planned management strategy to assure proper and consistent operation of the workforce system. Since the WIA system must respond to unforeseen economic events such as plant closings, mass layoffs or disaster relief, some funds must be held in reserve to enable immediate response.

This rescission could impact the local workforce system and their ability to train workers. It is estimated that my state's share of the national rescission would be nearly \$28 million.

I recognize the tough choices we need to make in a difficult budget environment and believe the Chairman prepared an excellent bill which I was proud to support in committee and I am proud to support today on the floor. And again, I fully support an increase in funding for IDEA. However, I wanted to express this concern regarding WIA rescissions and highlight the impact it can have on states like mine.

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