

September 9, 2004

Additional Possible Amendments to the FY2005 Labor-HHS-Education Appropriations Act (H.R. 5006)

The following are additional amendments that may be offered. Under the open rule (H.Res. 754), new amendments may be offered without notice (although the rule does give priority to those amendments that were pre-printed in the *Congressional Record*). Under the rules of the House, the bill will be read for amendment by paragraph. If your boss is considering offering an amendment, please forward the **text** and talking points to: paul.teller@mail.house.gov.

King (of Iowa): Prohibits funds from being spent by the Department of Education in violation of Section 505 of the Illegal Immigration Reform and Responsibility Act of 1996 (8 U.S.C. 1623), which requires that any state providing illegal aliens in-state tuition discounts must provide these discounts to all students, regardless of state of residence.

Allen (#10 in the *Congressional Record*): Prohibits funds from being used to enforce any requirement that a school be identified for improvement, corrective action, or restructuring under Title I, Part A, Section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316 et seq.), or to otherwise implement any penalty or sanction applicable to a state, a state educational agency, a local educational agency, or a school under this Part, if the amount appropriated for this Part (regarding improvement of schools serving disadvantaged families) in the final FY05 Labor-HHS-Education Appropriations Act is less than \$20.5 billion.

LaTourette (#12 in the *Congressional Record* but not likely to be offered): Essentially codifies the framework of the Bush Administration's new overtime regulations. That is, this amendment would prevent the Secretary of Labor from promulgating:

- any regulation that exempts from overtime pay any employee who earns less than \$23,660 per year; and
- any regulation concerning overtime that is not as protective, or more protective, of the overtime pay rights of employees in dozens of listed occupations or job classifications as the protections provided for such employees under the regulations in effect beginning March 31, 2003.

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