

House and Secretary Rumsfeld can keep quoting President Clinton, Vice President Gore, and Secretary Albright; but they were not the ones who sent thousands of American soldiers to war.

Mr. Speaker, the President owes us an apology. He should level with the American people and stop trying to shirk responsibility for his flawed Iraq policy.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ADERHOLT). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later today.

□ 1045

HURRICANE REGULATORY RELIEF ACT OF 2005

Mr. JINDAL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3975) to ease the provision of services to individuals affected by Hurricanes Katrina and Rita, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3975

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Hurricane Regulatory Relief Act of 2005”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—EDUCATION

Subtitle A—Elementary and secondary educational programs

Sec. 101. Charter schools.

Subtitle B—Teacher flexibility

Sec. 111. Treatment of highly qualified teachers.

Subtitle C—Educational programs for children with disabilities

Sec. 121. Agreements to extend certain deadlines of the Individuals with Disabilities Education Act to facilitate the provision of educational services to children with disabilities.

Sec. 122. Paperwork reduction pilot program participation for affected States.

Subtitle D—Higher education relief

Sec. 131. Waivers and modifications.

Sec. 132. Transfer of credit.

Sec. 133. Expanding information dissemination regarding eligibility for Pell Grants.

Sec. 134. Procedures; termination of authority.

Subtitle E—Regulatory relief

Sec. 151. Regulatory and financial relief.

TITLE II—HEALTH AND HUMAN SERVICES

Subtitle A—Community services

Sec. 201. Secretary authority.

Sec. 202. State authority.

Subtitle B—Head Start

Sec. 211. Head start and early head start children affected by a Gulf hurricane disaster.

Subtitle C—Child care services

Sec. 221. Waiver authority to expand the availability of services under Child Care and Development Block Grant Act of 1990.

TITLE III—LABOR

Subtitle A—Pension Flexibility for Displaced Workers Act of 2005

Sec. 301. Short title.

Sec. 302. Authority to prescribe guidance by reason of the Presidentially declared disasters caused by Hurricane Katrina and Hurricane Rita.

Sec. 303. Authority in the event of Presidentially declared disaster or terroristic or military actions.

Subtitle B—Occupational safety and health

Sec. 311. Authorization for volunteers.

Sec. 312. Purchase and distribution of equipment.

Sec. 313. State assistance and matching fund restrictions.

Sec. 314. Expiration.

TITLE IV—GENERAL PROVISIONS

Sec. 401. Definitions.

Sec. 402. Procedural waivers.

Sec. 403. Reporting requirements.

TITLE I—EDUCATION

Subtitle A—Elementary and Secondary Educational Programs

SEC. 101. CHARTER SCHOOLS.

The Secretary of Education shall encourage States—

(1) to include charter schools in Gulf hurricane disaster relief efforts;

(2) to provide support to charter schools that are serving individuals adversely affected by a Gulf hurricane disaster; and

(3) to facilitate the enrollment of students displaced by a Gulf hurricane disaster in charter schools, including by—

(A) waiving any requirement relating to whether a student has resided in the geographic area of the charter school;

(B) increasing the number of students who may attend a charter school; and

(C) removing any other relevant restrictions.

Subtitle B—Teacher Flexibility

SEC. 111. TREATMENT OF HIGHLY QUALIFIED TEACHERS.

For purposes of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et. seq.), and the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), an individual who was employed as a teacher on August 29, 2005, by a local educational agency in a State, and who was highly qualified for such employment on such date, may be considered by another State, during the 2005–2006 school year, to be highly qualified in the same core academic subjects for purposes of subsequent employment as a teacher by a local educational agency in such other State, if—

(1) the local educational agency employing the teacher on August 29, 2005, serves an area affected by a Gulf hurricane disaster; and

(2) the local educational agency subsequently employing the teacher hired the teacher due to needs created by the enrollment of displaced students.

Subtitle C—Educational Programs for Children With Disabilities

SEC. 121. AGREEMENTS TO EXTEND CERTAIN DEADLINES OF THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT TO FACILITATE THE PROVISION OF EDUCATIONAL SERVICES TO CHILDREN WITH DISABILITIES.

(a) AUTHORITY.—The Secretary of Education may enter into an agreement described in subsection (b) with an eligible entity to extend certain deadlines under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) related to providing special education and related services, including early intervention services, to individuals adversely affected by a Gulf hurricane disaster.

(b) TERMS OF AGREEMENTS.—An agreement referred to in subsection (a) is an agreement with an eligible entity made in accordance with subsection (e) that may extend the applicable deadlines under one or more of the following sections:

(1) Section 611(e)(3)(C)(ii) of such Act, by extending up to an additional 60 days the 90 day deadline for developing a State plan for the high cost fund.

(2) Section 612(a)(15)(C) of such Act, by extending up to an additional 60 days the deadline for submission of the annual report to the Secretary of Education and the public regarding the progress of the State and of children with disabilities in the State.

(3) Section 612(a)(16)(D) of such Act, by extending up to an additional 60 days the deadline for making available reports regarding the participation in assessments and the performance on such assessments of children with disabilities.

(4) Section 614(a)(1)(C)(i)(I) of such Act, by extending up to an additional 30 days the 60 day deadline for the initial evaluation to determine whether a child is a child with a disability for purposes of the provision of special education and related services to such child.

(5) Section 616(b)(1)(A) of such Act, by extending up to an additional 60 days the deadline for finalization of the State performance plan.

(6) Section 641(e)(1)(D) of such Act, by extending up to an additional 60 days the deadline for submission to the Governor of a State and the Secretary of Education of the report on the status of early intervention programs for infants and toddlers with disabilities and their families operated within the State.

(c) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed—

(1) as permitting the waiver of—

(A) any applicable Federal civil rights law;

(B) any student or family privacy protections, including provisions requiring parental consent for evaluations and services;

(C) any procedural safeguards required under section 615 or section 639 of the Individuals with Disabilities Education Act; or

(D) any requirements not specified in subsection (b)(1) of this section; or

(2) as removing the obligation of the eligible entity to provide a child with a disability or an infant or toddler with a disability and their families—

(A) a free appropriate public education under part B of the Individuals with Disabilities Education Act; or

(B) early intervention services under part C of such Act.

(d) DURATION OF AGREEMENT.—An agreement under this section shall terminate at the conclusion of the 2005–2006 academic year.

(e) REQUEST TO ENTER INTO AGREEMENT.—To enter into an agreement under this section, an eligible entity shall submit a request to the Secretary of Education at such