

HR 3975

Hurricane Regulatory Relief Act of 2005

Congress: 109 (2005–2007, Ended)

Chamber: House

Policy Area: Emergency Management

Introduced: Oct 6, 2005

Current Status: Received in the Senate and Read twice and referred to the Committee on Health, Education, Labor, and

Latest Action: Received in the Senate and Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (Nov 16, 2005)

Official Text: <https://www.congress.gov/bill/109th-congress/house-bill/3975>

Sponsor

Name: Rep. Jindal, Bobby [R-LA-1]

Party: Republican • State: LA • Chamber: House

Cosponsors (11 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Alexander, Rodney [R-LA-5]	R · LA		Oct 6, 2005
Rep. Boehner, John A. [R-OH-8]	R · OH		Oct 6, 2005
Rep. Boustany, Charles W., Jr. [R-LA-7]	R · LA		Oct 6, 2005
Rep. Castle, Michael N. [R-DE-At Large]	R · DE		Oct 6, 2005
Rep. McCrery, Jim [R-LA-4]	R · LA		Oct 6, 2005
Rep. McKeon, Howard P. "Buck" [R-CA-25]	R · CA		Oct 6, 2005
Rep. Pickering, Charles W. "Chip" [R-MS-3]	R · MS		Oct 6, 2005
Rep. Porter, Jon C. [R-NV-3]	R · NV		Oct 6, 2005
Rep. Wilson, Joe [R-SC-2]	R · SC		Oct 6, 2005
Rep. Miller, Jeff [R-FL-1]	R · FL		Nov 2, 2005
Rep. Tiahrt, Todd [R-KS-4]	R · KS		Nov 2, 2005

Committee Activity

Committee	Chamber	Activity	Date
Education and Workforce Committee	House	Referred To	Oct 6, 2005
Health, Education, Labor, and Pensions Committee	Senate	Referred To	Nov 16, 2005

Subjects & Policy Tags

Policy Area:

Emergency Management

Related Bills

Bill	Relationship	Last Action
109 HR 4490	Related bill	<b>Mar 27, 2006:</b> Referred to the Subcommittee on 21st Century Competitiveness.
109 S 1802	Related bill	<b>Sep 30, 2005:</b> Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 233.

Hurricane Regulatory Relief Act of 2005 - Authorizes regulatory relief and transfers of funds under various programs of the Departments of Education, of Health and Human Services (HHS), and of Labor for limited periods to facilitate delivery of services to individuals affected by Hurricanes Katrina and Rita (Gulf hurricanes), and to ease fiscal burdens in affected states (Alabama, Florida, Louisiana, Mississippi, and Texas).

**Title I: Education - Subtitle A: Elementary and Secondary Educational Programs** - (Sec. 101) Directs the Secretary of Education to encourage states to: (1) include charter schools in Gulf hurricane disaster relief efforts; (2) support charter schools serving individuals adversely affected by a Gulf hurricane disaster; and (3) facilitate enrollment in charter schools of students displaced by a Gulf hurricane disaster.

**Subtitle B: Teacher Flexibility** - (Sec. 111) Allows a highly qualified teacher who was employed on August 29, 2005, by a local educational agency (LEA) in a state serving an area affected by a Gulf hurricane to be considered by another state as highly qualified in the same core academic subjects for subsequent employment by the LEA during the 2005-2006 school year because of needs created by enrollment of displaced students.

**Subtitle C: Educational Programs for Children with Disabilities** - (Sec. 121) Authorizes the Secretary of Education to: (1) enter into agreements to extend certain deadlines of the Individuals with Disabilities Education Act (IDEA) to facilitate the provision of educational services to children with disabilities affected by a Gulf hurricane disaster; and (2) permit affected states to participate in a paperwork reduction pilot program.

**Subtitle D: Higher Education Relief** - (Sec. 131) Authorizes the Secretary of Education to waiver waive or modify requirements under the Higher Education Act of 1965 (HEA) for student financial assistance programs, or other student or institutional eligibility provisions, as necessary to reflect changes in the financial condition of affected students and their families resulting from a Gulf hurricane disaster.

(Sec. 132) Requires institutions of higher education to establish and publicize transfer policies that do not deny transfer of credit based solely on the accreditation of the sending institution as long as its accrediting association or agency is recognized by the Secretary of Education.

(Sec. 133) Directs the Secretary of Education to make special efforts to notify affected students who qualify for a means-tested federal benefit program of their potential eligibility for a maximum Pell Grant and to disseminate informational materials regarding such eligibility.

**Subtitle E: Regulatory Relief** - (Sec. 151) Authorizes the Secretary of Education to waive or modify any requirement relating to maintenance of effort, not supplanting nonfederal funds, or matching federal funds under any program administered by the Department of Education, except under IDEA, in order to ease fiscal burdens in any affected state.

**Title II: Health and Human Services - Subtitle A: Community Services** - (Sec. 201) Authorizes the Secretary of HHS to waive a filing deadline under the Community Services Block Grant Act (CBGA) with respect to any affected state. Allows other states to transfer portions of their CBGA to affected states, and to send employees of their state lead agency or of eligible entities to affected areas to help provide disaster assistance.

(Sec. 202) Permits state lead agencies in affected states, in certain circumstances, to temporarily fund eligible entities in contiguous areas or alternative service providers. Authorizes affected states to recapture and redistribute unobligated CBGA funds.

**Subtitle B: Head Start** - (Sec. 211) Requires HHS to provide technical assistance, guidance, and resources to Head Start agencies in major disaster areas, as well as to affected Head Start agencies, to assist those involved in providing Head Start and Early Head Start services to children affected by a Gulf hurricane disaster. Provides for waivers of: (1) certain agency requirements; and (2) documentation for adversely affected participants in Head Start and Early Head Start programs.

Authorizes the Secretary of HHS to waive or modify, for any affected state and any state serving significant numbers of individuals adversely affected by a Gulf hurricane disaster, certain types of limitations and requirements under the Child Care and Development Block Grant Act of 1990, in order to ease fiscal burdens on such states and provide child care services for those orphaned or displaced by such disaster.

**Subtitle C: Child Care Services** - (Sec. 221) Authorizes the Secretary of HHS to waive or modify certain types of limitations and requirements, for any affected state and any state serving significant numbers of affected individuals, in order to expand availability of services to such individuals under the Child Care and Development Block Grant Act of 1990.

**Title III: Labor - Subtitle A: Pension Flexibility for Displaced Workers Act of 2005** - Pension Flexibility for Displaced Workers Act of 2005 - (Sec. 302) Authorizes the Secretary of Labor to issue waivers, suspensions, or exemptions from requirements under the Employee Retirement Income Security Act of 1974 (ERISA) in the case of individual account pension plans, or persons or service providers involved with or dealing with such plans, that are affected by the Gulf hurricane disasters.

(Sec. 303) Amends ERISA to include regulations issued under ERISA and plan provisions under the Secretary of Labor's current authority to prescribe a one-year extension of ERISA deadlines in the event of presidentially declared disasters or terrorist or military actions.

**Subtitle B: Occupational Safety and Health** - (Sec. 311) Authorizes the Secretary of Labor to: (1) recruit, train, accept, and use the services of volunteers for Occupational Safety and Health Administration (OSHA) projects related to worker safety and health in response to the effects of the Gulf hurricanes; (2) purchase and distribute equipment and supplies to public or private entities and individuals for such projects; and (3) increase the size of a grant under the Occupational Safety and Health Act of 1970 (OSHAct) to any state using such funds to provide assistance for such projects, without regard to matching fund restrictions. Allows states to use certain grant funds under OSHAct to provide assistance to OSHA for such projects.

**Title IV: General Provisions** - (Sec. 402) Directs the Secretary of Education to make publicly available waivers or modifications of statutory and regulatory provisions and other actions the Secretary issues under this Act.

(Sec. 403) Requires states that exercise authority under this Act to report certain information to the appropriate Secretary for submission to specified congressional committees.

## Actions Timeline

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- **Nov 16, 2005:** Mr. Jindal moved to suspend the rules and pass the bill, as amended.
- **Nov 16, 2005:** Considered under suspension of the rules. (consideration: CR H10235-10242)
- **Nov 16, 2005:** DEBATE - The House proceeded with forty minutes of debate on H.R. 3975.
- **Nov 16, 2005:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H10235-10238)
- **Nov 16, 2005:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H10235-10238)
- **Nov 16, 2005:** Motion to reconsider laid on the table Agreed to without objection.
- **Nov 16, 2005:** Received in the Senate and Read twice and referred to the Committee on Health, Education, Labor, and Pensions.
- **Oct 6, 2005:** Introduced in House
- **Oct 6, 2005:** Introduced in House
- **Oct 6, 2005:** Referred to the House Committee on Education and the Workforce.