

H.R. 4603: Mr. McHUGH.
H.R. 4616: Mr. GREEN of Wisconsin.
H.R. 4628: Ms. SOLIS, Mr. ABERCROMBIE, Mr. WEXLER, and Mr. FRANK of Massachusetts.
H.R. 4634: Mr. EHLERS, Mr. PLATTS, Mr. LUCAS of Oklahoma, Mr. BOEHLERT, Mr. McHUGH, Mr. LEACH, and Mr. LINCOLN DIAZ-BALART of Florida.
H.R. 4662: Mr. ROHRBACHER.
H.R. 4670: Mr. PRICE of North Carolina.
H.R. 4673: Ms. LEE.
H.R. 4682: Mr. PASTOR, Mr. ACKERMAN, Mr. THOMPSON of California, Mr. CONYERS, Mr. DELAHUNT, Mr. BACA, Mr. WYNN, Ms. MAJETTE, and Mrs. BONO.
H.R. 4693: Mr. VISCLOSKY.
H.R. 4701: Mr. CROWLEY.
H.R. 4702: Mr. BISHOP of Georgia, Mr. GREEN of Wisconsin, and Mr. ENGLISH.
H.R. 4706: Ms. LOFGREN, Mr. BERMAN, Mrs. JONES of Ohio, Mr. STARK, Mrs. DAVIS of California, Ms. BERKLEY, and Mrs. LOWEY.
H.R. 4711: Mr. MARSHALL and Mr. BROWN of South Carolina.
H.R. 4730: Mr. NEY.
H.R. 4773: Mr. GARRETT of New Jersey.
H.R. 4776: Mr. RAMSTAD, Mr. PAYNE, Mr. FRANK of Massachusetts, Mr. HOLDEN, Mr. SIMMONS, Mr. MARSHALL, Mr. GORDON, Ms. DELAURO, and Mr. OSBORNE.
H.R. 4792: Mrs. TAUSCHER, Mr. FATTAH, Mr. EVANS, Mr. ABERCROMBIE, and Mr. FILNER.
H.R. 4793: Mr. SANDERS, Ms. MILLENDER-McDONALD, Mr. SERRANO, and Ms. KILPATRICK.
H.R. 4802: Mr. FRANK of Massachusetts, Mrs. JONES of Ohio, Mr. LATOURETTE, Mr. RUPPERSBERGER, Mr. UDALL of Colorado, Mr. MCGOVERN, and Mr. KUICINICH.
H.R. 4826: Ms. MCCARTHY of Missouri and Mr. FORD.
H.R. 4843: Mr. NEY.
H.R. 4858: Mr. CASE, Mr. GRIJALVA, Mr. SCOTT of Georgia, Mr. LATOURETTE, Mr. MARSHALL, and Ms. MCCOLLUM.
H.R. 4875: Mr. MEEKS of New York, Mr. TURNER of Texas, Mr. DOOLITTLE, Mr. FEENEY, and Mrs. JO ANN DAVIS of Virginia.
H.R. 4892: Mr. NEUGEBAUER and Mr. ROGERS of Alabama.
H.R. 4897: Mrs. LOWEY.
H.R. 4904: Mr. RUPPERSBERGER.
H.R. 4956: Mr. SANDERS, Mr. CASE, and Mr. UDALL of New Mexico.
H.J. Res. 62: Mr. MEEHAN.
H. Con. Res. 247: Mr. DAVIS of Illinois.
H. Con. Res. 366: Mrs. MILLER of Michigan and Mr. BUTTERFIELD.
H. Con. Res. 390: Mrs. LOWEY.
H. Con. Res. 391: Mr. LARSEN of Washington.
H. Con. Res. 461: Mr. RAMSTAD and Mr. EHLERS.
H. Con. Res. 463: Mr. MORAN of Virginia.
H. Con. Res. 486: Mr. STENHOLM, Mr. McDERMOTT, Mr. GRIJALVA, and Ms. MCCARTHY of Missouri.
H. Res. 466: Mr. BLUMENAUER.
H. Res. 570: Mr. FATTAH, Mr. ISRAEL, Mrs. MALONEY, Mr. GONZALEZ, and Mr. CLAY.
H. Res. 586: Mr. ABERCROMBIE.
H. Res. 641: Mr. WILSON of South Carolina and Mr. SMITH of Washington.
H. Res. 716: Mr. FRANK of Massachusetts.
H. Res. 744: Mr. PITTS and Mr. BLUMENAUER.
H. Res. 746: Mr. FILNER.
H. Res. 747: Mr. CONYERS, Ms. KILPATRICK, Mr. MEEKS of New York, Mr. PAYNE, Mr. TOWNS, Mr. RUSH, Mrs. CHRISTENSEN, Mr. OWENS, and Mr. RANGEL.
H. Res. 751: Mr. KING of New York, Ms. HARRIS, and Mr. BELL.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 5006

OFFERED BY: MR. HEFLEY

AMENDMENT NO. 5: At the end of the bill (before the short title), insert the following:
SEC. ____ Total appropriations made in this Act (other than appropriations required to be made by a provision of law) are hereby reduced by \$1,425,000,000.

H.R. 5006

OFFERED BY: MR. HAYWORTH

AMENDMENT NO. 6: At the end of the bill (before the short title), insert the following:
SEC. ____ None of the funds made available in this Act may be used by the National Labor Relations Board to exert jurisdiction over any organization or enterprise pursuant to the standard adopted by the National Labor Relations Board in San Manuel Indian Bingo and Casino and Hotel Employees & Restaurant Employees International Union, AFL-CIO, CLC and Communication Workers of America, AFL-CIO, CLC, Party in Interest, and State of Connecticut, Intervenor, 341 NLRB No. 138 (May 28, 2004).

H.R. 5006

OFFERED BY: MRS. JOHNSON OF CONNECTICUT

AMENDMENT NO. 7: In title I, in the item relating to OCCUPATIONAL HEALTH AND SAFETY ADMINISTRATION, after the aggregate dollar amount insert the following: "(reduced by \$25,000,000)".

In title II, in the item relating to OFFICE OF THE SECRETARY, after the aggregate dollar amount insert the following: "(increased by \$25,000,000)".

In title II, in the item relating to OFFICE OF THE SECRETARY, after the fourth dollar amount, insert the following: "(increased by \$25,000,000)".

H.R. 5006

OFFERED BY: MR. GREEN OF TEXAS

AMENDMENT NO. 8: In title II, in the item relating to "HEALTH RESOURCES AND SERVICES ADMINISTRATION—HEALTH RESOURCES AND SERVICES", insert after the first undesignated paragraph the following undesignated paragraph:

In addition, for carrying out section 340 of the Public Health Service Act (relating to the healthy communities access program), \$104,000,000.

H.R. 5006

OFFERED BY: MR. ALLEN

AMENDMENT NO. 9: At the end of title II (before the short title), insert the following:

SEC. ____ For research on outcomes of health care items and services (including the comparative clinical effectiveness of prescription drugs), as authorized by section 1013 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108-173), \$50,000,000.

H.R. 5006

OFFERED BY: MR. ALLEN

AMENDMENT NO. 10: At the end of the bill (before the short title), insert the following:

SEC. ____ None of the funds made available in this Act may be used to enforce any requirement that a school be identified for improvement, corrective action, or restructuring under section 1116 of part A of title I 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 such part A, if the amount appropriated in this Act for the purpose of carrying out such part A for fiscal year 2005 is less than \$20,500,000,000, as authorized to be appropriated for such purpose in section 1002(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6302(a)).

H.R. 5006

OFFERED BY: MR. LOBIONDO

AMENDMENT NO. 11: In title II, amend section 221 (page 65, line 19, through page 68, line 2) to read as follows:

SEC. 221. (a) Notwithstanding section 412.23(b)(2) of title 42 of the Code of Federal Regulations, none of the funds appropriated by this Act may be expended by the Secretary of Health and Human Services to treat a hospital or unit of a hospital that was certified by the Secretary as an inpatient rehabilitation facility on or before June 30, 2004, as a subsection (d) hospital (as defined in section 1886(d)(1)(B) of the Social Security Act (42 U.S.C. 1395ww(d)(1)(B))) until, not later than 60 days after the date on which the report under subsection (b) is issued, the Secretary, taking into account the recommendations in such report—

(1) determines that the classification criteria of hospitals and units of hospitals as inpatient rehabilitation facilities under such section 412.23(b)(2) are not inconsistent with such recommendations; or

(2) promulgates a regulation providing for revised criteria under such section 412.23(b)(2), which regulation shall be effective and final immediately on an interim basis as of the date of publication of the regulation.

(b) The study referred to in subsection (a) is a study by the Comptroller General of the United States directed in the statement of managers accompanying the conference report on the bill H.R. 1 of the 108th Congress regarding clinically appropriate standards for defining inpatient rehabilitation services under such section 412.23(b)(2).

(c) The aggregate amount appropriated under title II for "Centers for Medicare and Medicaid Services—Program Management" is hereby reduced by \$3,500,000.

H.R. 5006

OFFERED BY: MR. LATOURETTE

AMENDMENT NO. 12: Page 23, after line 2, insert the following new section:

SEC. ____ Section 13 of the Fair Labor Standards Act of 1938 (29 U.S.C. 213) is amended by adding at the end the following new section:

"(k)(1) The Secretary of Labor shall not promulgate any rule under subsection (a)(1) that exempts from the overtime pay provisions of section 7 any employee who earns less than \$23,660 per year.

"(2) The Secretary shall not promulgate any rule under subsection (a)(1) concerning the right to overtime pay that is not as protective, or more protective, of the overtime pay rights of employees in the occupations or job classifications described in paragraph (3) as the protections provided for such employees under the regulations in effect under such subsection on March 31, 2003.

"(3) The occupations or job classifications to which paragraph (2) applies are as follows:

"(A) Any worker paid on an hourly basis.
"(B) Blue collar workers.
"(C) Any worker provided overtime under a collective bargaining agreement.
"(D) Team leaders.
"(E) Computer programmers.
"(F) Registered nurses.
"(G) Licensed practical nurses.
"(H) Nurse midwives.
"(I) Nursery school teachers.
"(J) Oil and gas pipeline workers, field workers, and platform workers.
"(K) Refinery workers.
"(L) Steel workers.
"(M) Shipyard and ship scrapping workers.
"(N) Teachers.
"(O) Technicians.
"(P) Journalists.
"(Q) Chefs.
"(R) Cooks.

“(S) Police officers, including sergeants.
 “(T) Firefighters, including sergeants.
 “(U) Emergency medical technicians and paramedics.
 “(V) Waste disposal workers.
 “(W) Day care workers.
 “(X) Maintenance employees.
 “(Y) Production line employees.
 “(Z) Construction employees.
 “(AA) Carpenters, mechanics, and plumbers.
 “(BB) Iron workers.
 “(CC) Craftsmen.
 “(DD) Operating engineers.
 “(EE) Laborers.
 “(FF) Painters.
 “(GG) Cement masons and stone and brick masons.
 “(HH) Sheet metal workers.
 “(II) Utility workers.

“(JJ) Longshoremen.
 “(KK) Stationary engineers.
 “(LL) Welders.
 “(MM) Boilermakers.
 “(NN) Funeral directors.
 “(OO) Athletic trainers.
 “(PP) Outside sales employees and inside sales employees.
 “(QQ) Grocery store managers.
 “(RR) Financial services industry workers.
 “(SS) Route drivers.
 “(TT) Assistant retail managers.
 “(4) Any portion of a rule promulgated under subsection (a)(1) after March 31, 2003, that modifies the overtime pay provisions of section 7 in a manner that is inconsistent with paragraphs (2) and (3) shall have no force or effect as it relates to the occupation or job classification involved.”.

H.R. 5006

OFFERED BY: MR. STEARNS

AMENDMENT NO. 13: At the end of the bill (before the short title), insert the following:
 SEC. _____. None of the funds appropriated by this Act may be expended by the Secretary of Health and Human Services to carry out the modification of coverage policy number 35-26 of the Medicare Coverage Issues Manual R125CM announced by the Secretary on July 15, 2004, in the press release entitled “HHS ANNOUNCES REVISED MEDICARE OBESITY COVERAGE POLICY—Policy Opens Doors to Coverage based on Evidence” until the date on which the Secretary submits to Congress a report containing the Secretary’s estimate of the increased costs to the Medicare program by reason of such modification of coverage policy.