

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 865
OFFERED BY M . _____**

At the end of title III add the following:

1 **SEC. ____ . COMPLIANCE COSTS.**

2 (a) IN GENERAL.—None of the funds appropriated
3 or otherwise made available pursuant to an authorization
4 of appropriations or other provision of this Act shall be
5 expended for any fiscal year unless a determination is
6 made under subsection (c) that, except as provided in sub-
7 section (b), compliance with the provisions of this Act will
8 not require any expenditures by States and local edu-
9 cational agencies of State and local funds for such fiscal
10 year that such States and local educational agencies would
11 not have otherwise expended.

12 (b) EXCEPTION.—Subsection (a) does not apply with
13 respect to expenditures by States to meet the requirement
14 of section 102(c)(1).

15 (c) DETERMINATION.—The determination required
16 under subsection (a) shall—

17 (1) be made by an independent auditor under
18 contract with the Secretary; and

1 (2) be considered made only after such deter-
2 mination is communicated by such independent audi-
3 tor directly to the Committee on Education and
4 Labor of the House of Representatives, the Com-
5 mittee on Health, Education, Labor, and Pensions
6 of the Senate, and the Committees on Appropria-
7 tions of the House of Representatives and Senate.

