

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 5
OFFERED BY MR. WALBERG OF MICHIGAN**

At the end of part C of title I of the Elementary and Secondary Education Act of 1965, as proposed to be amended by section 151 of the amendment, add the following:

1 **“SEC. 1405. WITHHOLDING OF FUNDS PENDING ENACT-**
2 **MENT OF STATE LAW LIMITING REGULATORY**
3 **BURDEN.**

4 “Notwithstanding any other provision of this title,
5 the Secretary annually shall withhold 1 percent of the
6 amount that otherwise would be provided to a State under
7 this title until the Secretary determines that the State has
8 enacted a law or binding resolution that—

9 “(1) formally states that a regulation or licens-
10 ing requirement imposed by the State on any occu-
11 pation or profession should be imposed only when
12 there is a necessity, proven with substantial evi-
13 dence, to protect the public safety or health; and

14 “(2) creates a system for reviewing any pro-
15 posed regulation or licensing requirement on an oc-

1 cupation or profession prior to it taking effect for
2 the purpose of—

3 “(A) establishing the need for the proposed
4 regulation or requirement; and

5 “(B) ensuring that it achieves its objec-
6 tives while, to the greatest extent possible,
7 maximizing employment opportunities and eco-
8 nomic growth and minimizing burdens on indi-
9 viduals and entities subject to its provisions.”.

