

With this information available, we can help ensure sound regulatory decisionmaking, and improved public awareness.

H.R. 1022 will also require analysis of costs and benefits for major-rulemaking on human health, safety and the environment.

Major rules are defined as regulations that are likely to result in an annual increase of \$25 million or more in costs to State, local and tribal governments, or the regulated community.

This is very important, Mr. Chairman, because in an era where we are necessarily focused on downsizing government and reducing federal outlays, it is essential that our available resources are allocated carefully and efficiently.

We can no longer afford, if indeed we ever could, to simply throw money at a perceived problem.

The examples of false alarms and wasted tax dollars are many, and we cannot maintain sound public health standards by setting policy based on the "crisis du jour."

In San Diego we have 2 examples of regulations that are costly, and unnecessary and prohibitively burdensome.

The first is the federally mandated secondary sewage standard.

This is a requirement that will cost ratepayers billions and provide little benefit to the public or the environment.

We also have an electronic light rail project that has been held up by various agencies' permitting processes for years.

This is an environmentally beneficial project—one that promotes mass transit and clean air—and yet it has been tangled in a bureaucratic battle with various agencies such as the U.S. Fish and Wildlife Service and Army Corps of Engineers since 1992.

It is truly an example of an environmentally sound public project held hostage by Federal agencies which are supposed to facilitate projects like this.

As the New York Times recently stated, ". . . environmental policy too often has evolved largely in reaction to popular panics, not in response to sound scientific analysis of which environmental hazards present the greatest risks.

Critics, naysayers, and "Chicken Littles" claim that we are "rolling back 30 years of environmental protection." Please.

What we are doing is assuring Americans the greatest degree of regulatory enforcement possible, based on sound science, with the limited resources we have available.

It is unfair and ineffective to do anything short of this.

Mr. Chairman, we have an opportunity here to respond to the American people's call for change, and to restore a measure of sanity and common sense to the Federal oversight which affects so many of them.

I urge my colleagues to deliver on these positive changes, and join me in support of H.R. 1022.

Mr. MINETA. Mr. Chairman, I rise in strong opposition to the bill H.R. 1022, the Risk Assessment and Cost-Benefit Act of 1995.

First, let me make clear that I favor having good information about risks so that we can fashion sensible regulations to protect human health and safety and the environment while cutting down on unnecessary bureaucracy. I am also in favor of sound cost-benefit analysis to improve economic efficiency.

But I opposed H.R. 1022 because it does neither. On the contrary, it merely creates more bureaucracy, generate redtape, and reduces efficiency while providing no additional health, safety, or environmental benefits. In short, it is the exact opposite of streamlining government.

The bill mandates a uniform set of regulatory procedures for Federal agencies without flexibility. While the model used to develop the risk assessment principles and guidelines included in the bill may fit some cancer risks, it is entirely inappropriate for regulating highway safety.

Yet the Department of Transportation is required to follow the same rigid and inappropriate procedure to evaluate risks as at EPA. That simply doesn't make sense to me.

What I see is that the bill is sacrificing the Federal Government's ability to protect human health and safety or the environment for the sake of maintaining regulatory uniformity. It will produce bad regulations, and will create an inflexible process that produces nothing but extra paperwork.

Make no mistake, this bill does not benefit the average American; it benefits only corporate interests. It impedes public health and safety or environmental protection while making it easier than ever for businesses to make a quick buck at public expense.

How else can you explain why industry representatives who have an interest in the outcome of a risk assessment are allowed to serve on a peer review panel simply by disclosing that interest? It is preposterous to suggest that such people do not have an unacceptable conflict of interest.

And the bill is a sweet deal for lawyers. By opening up the process of risk assessment to judicial review, opponents of necessary health and environmental protection can tie up the regulatory process virtually forever. No working people, no children, no pregnant women, and no elderly will benefit from endless litigation. But the bill is a "full employment act" for lawyers.

This bill is also a back-door way to repeal important environmental legislation enacted in the last quarter century through its super mandate provision. If there are specific statutes or portions of statute that we want to repeal, fine, let's debate them openly and decide their fate. We should not use some procedural sleight of hand to supersede their authority.

Finally, the bill would subject individual permits to the extensive procedural obstacles specified in it. It would grind the clean water permit program, for example, to a screeching halt. The law would require permits, but it could take forever to issue one.

The bottom line is: the bill does not have the people's or the environment's interests at heart, only those of the lawyers and big business.

I urge you to vote no on this bill.

Mr. WALKER. Mr. Chairman, I move the Committee do now rise.

The CHAIRMAN. The question is on the motion offered by the gentleman from Pennsylvania [Mr. WALKER].

The motion was agreed to.

Accordingly the committee rose; and the Speaker pro tempore, Mr. MCHUGH, having assumed the chair, Mr. HASTINGS of Washington, Chairman of the Committee of the Whole House on the State of the Union, reported that that

Committee, having had under consideration the bill (H.R. 1022) to provide regulatory reform and to focus national economic resources on the greatest risks to human health, safety, and the environment through scientifically objective and unbiased risk assessments and through the consideration of costs and benefits in major rules, and for other purposes had come to no resolution thereon.

VOTE ON HOUSE RESOLUTION 96, PROVIDING FOR THE CONSIDERATION OF H.R. 1022, RISK ASSESSMENT AND COST-BENEFIT ACT OF 1995

The SPEAKER pro tempore. The pending business is the question de novo of the vote on House Resolution 96.

The Clerk read the title of the resolution.

For text of House Resolution 96, see prior pages of the RECORD of this date.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. DINGELL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

This will be a 17-minute vote.

The vote was taken by electronic device, and there were—yeas 253, nays 165, not voting 16, as follows:

[Roll No. 175]

YEAS—253

Allard	Chambliss	Flanagan
Archer	Chenoweth	Foley
Armey	Christensen	Forbes
Bachus	Chrysler	Fowler
Baker (CA)	Clinger	Fox
Baker (LA)	Coble	Franks (CT)
Ballenger	Coburn	Franks (NJ)
Barcia	Collins (GA)	Frelinghuysen
Barr	Combest	Frisa
Barrett (NE)	Condit	Funderburk
Bartlett	Cooley	Ganske
Barton	Cox	Gekas
Bass	Cramer	Geren
Bateman	Crane	Gilchrest
Bereuter	Crapo	Gillmor
Bevill	Cremeans	Gilman
Bilbray	Cubin	Goodlatte
Bilirakis	Cunningham	Goodling
Bliley	Davis	Gordon
Blute	de la Garza	Goss
Boehlert	Deal	Graham
Boehner	DeLay	Greenwood
Bonilla	Diaz-Balart	Gunderson
Bono	Dickey	Gutknecht
Brewster	Doolittle	Hall (TX)
Browder	Dornan	Hancock
Brownback	Dreier	Hansen
Bryant (TN)	Duncan	Hastert
Bunn	Dunn	Hastings (WA)
Bunning	Edwards	Hayworth
Burr	Ehlers	Hefley
Burton	Ehrlich	Heineman
Buyer	Emerson	Herger
Callahan	English	Hilleary
Calvert	Ensign	Hobson
Camp	Everett	Hoekstra
Canady	Ewing	Hoke
Castle	Fawell	Horn
Chabot	Fields (TX)	Hostettler

Houghton	Molinari	Shuster
Hutchinson	Montgomery	Sisisky
Hyde	Moorhead	Skeen
Inglis	Morella	Skelton
Istook	Murtha	Smith (MI)
Johnson (CT)	Myers	Smith (NJ)
Johnson, Sam	Myrick	Smith (TX)
Jones	Nethercutt	Smith (WA)
Kasich	Neumann	Solomon
Kelly	Ney	Souder
Kim	Norwood	Spence
King	Nussle	Stearns
Kingston	Oxley	Stenholm
Klug	Packard	Stockman
Knollenberg	Parker	Stump
Kolbe	Paxon	Talent
LaHood	Peterson (MN)	Tate
Largent	Petri	Tauzin
Latham	Pickett	Taylor (MS)
LaTourette	Pombo	Taylor (NC)
Laughlin	Porter	Thomas
Lazio	Portman	Thornberry
Leach	Pryce	Tiahrt
Lewis (CA)	Quillen	Torkildsen
Lewis (KY)	Quinn	Torricelli
Lightfoot	Radanovich	Upton
Lincoln	Ramstad	Vucanovich
Linder	Regula	Waldholtz
Livingston	Riggs	Walker
LoBiondo	Roberts	Walsh
Longley	Rogers	Wamp
Lucas	Rohrabacher	Watts (OK)
Manzullo	Ros-Lehtinen	Weldon (FL)
Martini	Roth	Weldon (PA)
McCarthy	Royce	Weller
McCollum	Salmon	White
McCrery	Sanford	Whitfield
McDade	Saxton	Wicker
McHugh	Scarborough	Williams
McInnis	Schaefer	Wolf
McIntosh	Schiff	Young (AK)
McKeon	Seastrand	Young (FL)
Metcalf	Sensenbrenner	Zeliff
Meyers	Shadegg	Zimmer
Mica	Shaw	
Miller (FL)	Shays	

NAYS—165

Abercrombie	Gejdenson	Moakley
Ackerman	Gephardt	Mollohan
Baesler	Green	Moran
Baldacci	Gutierrez	Nadler
Barrett (WI)	Hall (OH)	Neal
Beilenson	Hamilton	Oberstar
Bentsen	Harman	Oberstar
Berman	Hastings (FL)	Olver
Bishop	Hayes	Ortiz
Bonior	Hefner	Orton
Borski	Hilliard	Owens
Boucher	Hinchev	Pallone
Brown (CA)	Holden	Pastor
Brown (FL)	Hoyer	Payne (NJ)
Brown (OH)	Jackson-Lee	Payne (VA)
Bryant (TX)	Jacobs	Pelosi
Cardin	Jefferson	Peterson (FL)
Clay	Johnson (SD)	Pomeroy
Clayton	Johnson, E. B.	Poshard
Clement	Johnston	Rangel
Clyburn	Kanjorski	Reed
Coleman	Kaptur	Reynolds
Collins (IL)	Kennedy (MA)	Richardson
Collins (MI)	Kennedy (RI)	Rivers
Conyers	Kennelly	Roemer
Costello	Kildee	Rose
Coyne	Kleczka	Roybal-Allard
Danner	Klink	Sabo
DeFazio	LaFalce	Sanders
DeLauro	Lantos	Sawyer
Dellums	Levin	Schroeder
Deutsch	Lewis (GA)	Schumer
Dicks	Lofgren	Scott
Dingell	Lowey	Serrano
Dixon	Luther	Skaggs
Doggett	Maloney	Slaughter
Dooley	Manton	Spratt
Doyle	Markey	Stark
Durbin	Martinez	Stokes
Engel	Mascara	Studds
Eshoo	Matsui	Stupak
Evans	McDermott	Tanner
Farr	McHale	Tejeda
Fattah	McNulty	Thompson
Fazio	Meehan	Thornton
Fields (LA)	Meek	Thurman
Filner	Menendez	Torres
Foglietta	Miller (CA)	Towns
Frank (MA)	Mineta	Trafficant
Frost	Minge	Tucker
Furse	Mink	Velazquez

Vento	Waters	Woolsey
Visclosky	Watt (NC)	Wyden
Volkmer	Waxman	Wynn
Ward	Wise	Yates

NOT VOTING—16

Andrews	Gibbons	Rahall
Becerra	Gonzalez	Roukema
Chapman	Hunter	Rush
Flake	Lipinski	Wilson
Ford	McKinney	
Gallegly	Mfume	

□ 1814

Messrs. GENE GREEN of Texas, BALDACCI, and MATSUI changed their vote from "yea" to "nay."

Mr. FLANAGAN changed his vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 926, REGULATORY RELIEF AND REFORM ACT

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 104-52) on the resolution (H. Res. 100) providing for the consideration of the bill (H.R. 926) to promote regulatory flexibility and enhance public participation in Federal agency rulemaking and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION REQUESTING THE PRESIDENT TO SUBMIT INFORMATION CONCERNING ACTIONS TAKEN THROUGH THE EXCHANGE STABILIZATION FUND TO STRENGTHEN THE MEXICAN PESO AND STABILIZE THE ECONOMY OF MEXICO

Mr. LEACH, from the Committee on Banking and Financial Services, submitted a privileged report (Rept. No. 104-53) on the resolution (H. Res. 80) requesting the President to submit information to the House of Representatives concerning actions taken through the exchange stabilization fund to strengthen the Mexican peso and stabilize the Mexican economy, which was referred to the Union Calendar and ordered to be printed.

RISK ASSESSMENT AND COST-BENEFIT ACT OF 1995

The SPEAKER pro tempore (Mr. MCHUGH). Pursuant to House Resolution 96 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1022.

□ 1817

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R.

1022) to provide regulatory reform and to focus national economic resources on the greatest risks to human health, safety and the environment through scientifically objective and unbiased risk assessments and through the consideration of costs and benefits in major rules, and for other purposes, with Mr. HASTINGS of Washington in the chair.

The CHAIRMAN. When the Committee of the Whole rose earlier today, all time for general debate had expired.

Pursuant to the rule, the bill is considered as having been read for amendment under the 5-minute rule.

The text of H.R. 1022 is as follows:

H.R. 1022

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Risk Assessment and Cost-Benefit Act of 1995".

SEC. 2. FINDINGS.

The Congress finds that:

(1) Environmental, health, and safety regulations have led to dramatic improvements in the environment and have significantly reduced human health risk; however, the Federal regulations that have led to these improvements have been more costly and less effective than they could have been; too often, regulatory priorities have not been based upon a realistic consideration of risk, risk reduction opportunities, and costs.

(2) The public and private resources available to address health, safety, and environmental concerns are not unlimited; those resources need to be allocated to address the greatest needs in the most cost-effective manner and so that the incremental costs of regulatory alternatives are reasonably related to the incremental benefits.

(3) To provide more cost-effective and cost-reasonable protection to human health and the environment, regulatory priorities should be based upon realistic consideration of risk; the priority setting process must include scientifically sound, objective, and unbiased risk assessments, comparative risk analysis, and risk management choices that are grounded in cost-benefit principles.

(4) Risk assessment has proven to be a useful decision making tool; however, improvements are needed in both the quality of assessments and the characterization and communication of findings; scientific and other data must be better collected, organized, and evaluated; most importantly, the critical information resulting from a risk assessment must be effectively communicated in an objective and unbiased manner to decision makers, and from decision makers to the public.

(5) The public stake holders must be fully involved in the risk-decision making process. They have the right-to-know about the risks addressed by regulation, the amount of risk to be reduced, the quality of the science used to support decisions, and the cost of implementing and complying with regulations. This knowledge will allow for public scrutiny and promote quality, integrity, and responsiveness of agency decisions.

(6) Although risk assessment is one important method to improve regulatory decision-making, other approaches to secure prompt relief from the burden of unnecessary and overly complex regulations will also be necessary.

SEC. 3. COVERAGE OF ACT.

This Act does not apply to any of the following: