

H.R. 1254: Mr. TAYLOR of Mississippi.
 H.R. 1278: Mr. WYNN.
 H.R. 1329: Mr. JOHNSTON of Florida.
 H.R. 1352: Mr. COOLEY, Ms. FURSE, Mr. DINGELL, and Mr. TIAHRT.
 H.R. 1362: Mr. FUNDERBURK, Mr. BURTON of Indiana, Mr. TIAHRT, Mr. EMERSON, and Mr. GOODLATTE.
 H.R. 1527: Mr. CRAPO.
 H.R. 1535: Mr. STUPAK.
 H.R. 1594: Mr. FAWELL and Mr. GOODLING.
 H.R. 1610: Mr. YOUNG of Alaska.
 H.R. 1637: Mr. CAMP.
 H.R. 1692: Mr. SCHIFF.
 H.R. 1693: Mr. POSHARD, Mr. SCHIFF, and Mr. LUTHER.
 H.R. 1694: Mr. POSHARD and Mr. SCHIFF.
 H.R. 1695: Mr. POSHARD and Mr. SCHIFF.
 H.R. 1701: Mr. STUPAK.
 H.R. 1707: Ms. SLAUGHTER, Mr. REYNOLDS, and Mr. SERRANO.
 H.R. 1715: Mr. CONDIT, Mr. CUNNINGHAM, Mr. FOLEY, Mr. HEFNER, Mr. MATSUI, Mrs. MEYERS of Kansas, Mr. MONTGOMERY, Mr. PETERSON of Florida, Mr. SISISKY, and Mr. SPRATT.
 H.R. 1735: Mr. GOODLATTE and Mr. FARR.
 H.R. 1744: Mr. KIM, Mr. CHRISTENSEN, and Mr. BARRETT of Wisconsin.
 H.R. 1749: Mr. HOKE, Mr. COYNE, Ms. RIVERS, Mr. SALMON, Mr. STOCKMAN, Ms. VELAZQUEZ, Mr. DELLUMS, and Mrs. SCHROEDER.
 H.R. 1801: Mr. MCCOLLUM.
 H.R. 1856: Mr. HOYER, Mr. BERMAN, Mr. HASTINGS of Florida, Mr. CHRISTENSEN, and Mr. LIGHTFOOT.
 H.R. 1876: Ms. MCKINNEY, Ms. LOFGREN, and Mr. OBERSTAR.
 H.R. 1892: Mr. BAKER of Louisiana.
 H.R. 1903: Mr. OWENS.
 H.R. 1912: Mr. OBERSTAR, Mr. DELLUMS, Mr. TORRES, Mr. SERRANO, Mr. CARDIN, Mr. HILLIARD, Mr. FATTAH, and Mr. BROWN of Ohio.
 H.R. 1915: Mr. SHAW and Mr. PICKETT.
 H.R. 1932: Mr. SMITH of New Jersey, Mr. HEFLEY, Mr. UNDERWOOD, Mr. EMERSON, Mr. RAHALL, Mr. INGLIS of South Carolina, Mr. HASTINGS of Washington, Mr. POSHARD, Mr. BURTON of Indiana, Mr. KNOLLENBERG, Mr. BUNN of Oregon, and Mr. DELAY.
 H.R. 2008: Mr. SERRANO, Mrs. JOHNSON of Connecticut, Mr. FOX, and Mr. ANDREWS.
 H.R. 2011: Ms. MCKINNEY, Mr. WAXMAN, Mr. FROST, Mr. POMEROY, and Mr. HALL of Texas.
 H.R. 2017: Mr. WYNN.
 H.J. Res. 70: Mr. KILDEE and Mr. ENGEL.
 H.J. Res. 97: Mr. HILLIARD, Mr. LIPINSKI, Mr. TAYLOR of Mississippi, and Mr. LUTHER.
 H. Con. Res. 31: Ms. HARMAN.
 H. Con. Res. 42: Ms. HARMAN, Ms. MCKINNEY, Ms. MOLINARI, Mr. GALLEGLEY, Mr. DEFazio, and Mr. OBEY.
 H. Con. Res. 47: Mr. ACKERMAN, Mrs. KENNELLY, Mr. DURBIN, and Mr. FAZIO of California.
 H. Con. Res. 79: Mr. MARKEY, Mr. KILDEE, and Mr. LUTHER.
 H. Res. 30: Mr. SPRATT, Mr. YOUNG of Alaska, Mr. LONGLEY, Mr. BEREUTER, Ms. RIVERS, Ms. LOFGREN, and Mr. CLINGER.
 H. Res. 37: Mr. CRAMER.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 1976

OFFERED BY: MR. ALLARD

AMENDMENT No. 30: Page 2, line 11, strike "\$10,227,000, of which \$7,500,000" and insert "\$9,204,300, of which \$6,750,000".
 Page 3, line 3, strike "\$3,748,000" and insert "\$3,373,200".

Page 3, line 15, strike "\$5,899,000" and insert "\$5,309,100".

Page 3, line 21, strike "\$4,133,000" and insert "\$3,719,700".

Page 4, line 19, strike "\$596,000" and insert "\$536,400".

Page 5, line 23, strike "\$800,000" and insert "\$720,000".

Page 7, line 19, strike "\$3,797,000" and insert "\$3,607,150".

Page 8, line 3, strike "\$8,198,000" and insert "\$7,378,200".

Page 9, line 3, strike "\$27,860,000" and insert "\$26,467,000".

Page 9, line 12, strike "\$520,000" and insert "\$468,000".

Page 9, line 17, strike "\$53,131,000" and insert "\$50,474,450".

Page 10, line 3, strike "\$81,107,000" and insert "\$77,051,650".

H.R. 1976

OFFERED BY: MR. BEREUTER

AMENDMENT No. 31: Page 40, after line 25, insert the following:

In addition, for the cost (as defined in section 502 of the Congressional Budget Act of 1974) of guaranteed loans under a demonstration program of loan guarantees for multifamily rental housing in rural areas, \$1,000,000, to be derived from the amount made available under this heading for the cost of low-income section 515 loans and to become available for obligation only upon the enactment of authorizing legislation.

H.R. 1976

OFFERED BY: MR. CARDIN

AMENDMENT No. 32: Page 71, after line 2, insert the following new section:

"SEC. 726. None of the funds made available in this Act may be used by the Food and Drug Administration to carry out the consolidation of its field laboratories, other than the renovation of the National Center for Toxicological Research."

H.R. 1976

OFFERED BY: MRS. CLAYTON

AMENDMENT No. 33: Page 40, line 10, insert "(less \$50,000,000)" before "for loans".

Page 40, line 11, insert "(less \$50,000,000)" before "shall".

Page 40, line 20, insert "(less \$85,000)" before ", of which".

Page 40, line 20, insert "(less \$85,000)" before "shall be for".

Page 45, line 10, strike "\$6,437,000" and insert "\$7,080,700".

Page 45, line 19, strike "\$500,000,000" and insert "\$550,000,000".

H.R. 1976

OFFERED BY: MRS. CLAYTON

AMENDMENT No. 34: Page 40, line 10, insert "(less \$70,000,000)" before "for loans".

Page 40, line 11, insert "(less \$70,000,000)" before "shall".

Page 40, line 14, strike "\$150,000,000" and insert "\$220,000,000".

Page 40, line 20, insert "(less \$119,000)" before ", of which".

Page 40, line 20, insert "(less \$119,000)" before "shall be for".

Page 40, line 23, strike "\$82,035,000" and insert "\$92,973,000".

H.R. 1976

OFFERED BY: MRS. CLAYTON

AMENDMENT No. 35: Page 40, line 11, insert "(less \$300,000,000)" before "shall".

Page 40, line 20, insert "(plus \$62,460,000)" before ", of which".

Page 40, line 20, insert "(less \$510,000)" before "shall be for".

H.R. 1976

OFFERED BY: MR. CONDIT

AMENDMENT No. 36: Page 3, line 3, strike "\$3,748,000" and insert "\$4,240,000".

Page 25, line 20, strike "\$805,888,000" and insert "\$805,396,000".

H.R. 1976

OFFERED BY: MR. CONDIT

AMENDMENT No. 37: Page 3, line 3, strike "\$3,748,000" and insert "\$4,240,000".

Page 31, line 19, strike "\$629,986,000" and insert "\$629,494,000".

H.R. 1976

OFFERED BY: MR. CONDIT

AMENDMENT No. 38: Page 3, line 3, strike "\$3,748,000" and insert "\$4,240,000".

Page 44, line 4, strike "\$1,000,000" and insert "\$508,000".

H.R. 1976

OFFERED BY: MR. CONDIT

AMENDMENT No. 39: Page 3, line 3, strike "\$3,748,000" and insert "\$4,240,000".

Page 3, line 21, strike "\$4,133,000" and insert "\$3,641,000".

H.R. 1976

OFFERED BY: MR. MCINTOSH

AMENDMENT No. 40: At page 71 of the bill, after line 2, insert after the last section the following new section:

SEC. 726. None of the funds made available in this Act may be used to prevent the dissemination of reprints of articles when it is made known to the Federal official having authority to obligate or expend such funds that the articles have been published in peer-reviewed scientific publications or other generally recognized scientific materials, including articles discussing cost-effectiveness claims.

H.R. 1976

OFFERED BY: MR. MCINTOSH

AMENDMENT No. 41: At page 71 of the bill, after line 2, insert after the last section the following new section:

SEC. 726. None of the funds made available in this Act shall be used to increase, from the fiscal year 1995 level, the level of Full time Equivalency Positions (whether through new hires or by transferring full time equivalents from other offices) in any of the following Food & Drug Administration offices: Office of the Commissioner, Office of Policy, Office of External Affairs (Immediate Office, as well as Office of Health Affairs, Office of Legislative Affairs, Office of Consumer Affairs, and Office of Public Affairs), and the Office of Management & Systems (Immediate Office, as well as Office of Planning and Evaluation and Office of Management).

H.R. 1976

OFFERED BY: MR. MILLER OF CALIFORNIA

AMENDMENT No. 42: Page 13, line 24, strike "\$31,485,000" and insert in lieu thereof "\$15,050,000".

Page 14, line 20, strike "\$389,372,000" and insert "\$372,937,000".

Page 53, line 17, strike "\$3,729,807,000" and insert in lieu thereof "\$3,746,242,000".

H.R. 1976

OFFERED BY: MR. SANFORD

AMENDMENT No. 43: Page 5, line 17, strike "\$25,587,000" and insert "\$9,000,000".

H.R. 1976

OFFERED BY: MR. SANFORD

AMENDMENT No. 44: Page 5, line 18, after the semi-colon, insert the following new language: "provided that no funds may be expended for the Department's Strategic Space Plan;"

H.R. 1976

OFFERED BY: MR. SANFORD

AMENDMENT No. 45: Page 26, strike lines 7 through 10.

H.R. 1976

OFFERED BY: MR. WATT OF NORTH CAROLINA

AMENDMENT No. 46: Page 40, line 16, before the period insert the following:

“: *Provided*, That, notwithstanding section 520 of the Housing Act of 1949, the Secretary of Agriculture may make loans under section 502 of such Act for properties in the Pine View West Subdivision, located in Gibsonville, North Carolina, in the same manner as provided under such section for properties in rural areas”.

H.R. 1977

OFFERED BY: MR. SANDERS

AMENDMENT No. 73: Page 55, line 5, strike “\$384,504,000” and insert “\$334,504,000”.

Page 56, line 3, strike “\$552,871,000” and insert “\$602,871,000”.

Page 56, line 10, strike “\$133,946,000” and insert “\$183,946,000”.

Page 56, line 17, strike “\$107,446,000” and insert “\$157,446,000”.

H.R. 2002

OFFERED BY: MR. DELAY

AMENDMENT No. 1: Page 15, line 8, strike \$1,600,000,000” and insert “\$1,700,000,000”.

Page 26, line 4, insert before the final period the following:

: *Provided further*, That each dollar amount otherwise specified under this heading is hereby reduced by \$100,000,000, and such reductions shall be made by the Secretary of Transportation solely from the amounts apportioned to urbanized areas with populations of more than 1,000,000

H.R. 2002

OFFERED BY: MR. RICHARDSON

AMENDMENT No. 2. Page 12, line 7, strike “\$4,600,000,000” and insert “\$4,591,250,000”.

H.R. 2020

OFFERED BY: MR. CRAPO

AMENDMENT No. 1. At the end add the following new title:

TITLE VI—DEFICIT REDUCTION LOCK-BOX

DEFICIT REDUCTION TRUST FUND

DEFICIT REDUCTION LOCK-BOX PROVISIONS OF APPROPRIATION MEASURES

SEC. 701. (a) DEFICIT REDUCTION LOCK-BOX PROVISIONS.—Title III of the Congressional Budget Act of 1974 is amended by adding at the end the following new section:

“DEFICIT REDUCTION LOCK-BOX PROVISIONS OF APPROPRIATION BILLS

“SEC. 314. (a) Any appropriation bill that is being marked up by the Committee on Appropriations (or a subcommittee thereof) of either House shall contain a line item entitled ‘Deficit Reduction Lock-box’.

“(b) Whenever the Committee on Appropriations of either House reports an appropriation bill, that bill shall contain a line item entitled ‘Deficit Reduction Account’ comprised of the following:

“(1) Only in the case of any general appropriations for Treasury and Postal Service (or resolution making continuing appropriations (if applicable)), an amount equal to the amounts by which the discretionary sending limit for new budget authority and outlays set forth in the most recent OMB sequestration preview report pursuant to section 601(a)(2) exceed the section 602(a) allocation for the fiscal year covered by that bill.

“(2) Only in the case of any general appropriation bill (or resolution making continuing appropriations (if applicable)), an amount not to exceed the amount by which the appropriate section 602(b) allocation of new budget authority exceeds the amount of new budget authority provided by that bill (as reported by that committee), but not less than the sum of reductions in budget authority resulting from adoption of amendments in the committee which were designated for deficit reduction.

“(3) Only in the case of any bill making supplemental appropriations following en-

actment of all general appropriations bills for the same fiscal year, an amount not to exceed the amount by which the section 602(a) allocation of new budget authority exceeds the sum of all new budget authority provided by appropriations bills enacted for that fiscal year plus that supplemental appropriation bill (as reported by that committee).

“(c) It shall not be in order for the Committee on Rules of the House of Representatives to report a resolution that restricts the offering of amendments to any appropriation bill adjusting the level of budget authority contained in a Deficit Reduction Account.

“(d) Whenever a Member of either House of Congress offers an amendment (whether in subcommittee, committee, or on the floor) to an appropriation bill to reduce spending, that reduction shall be placed in the deficit reduction lock-box unless that Member indicates that it is to be utilized for another program, project, or activity covered by that bill. If the amendment is agreed to and the reduction was placed in the deficit reduction lock-box, then the line item entitled ‘Deficit Reduction Lock-box’ shall be increased by the amount of that reduction. Any amendment pursuant to this subsection shall be in order even if amendment portions of the bill are not read for amendment with respect to the Deficit Reduction Lock-box.

“(e) It shall not be in order in the House of Representatives or the Senate to consider a conference report or amendment of the Senate that modifies any Deficit Reduction Lock-box provisions that is beyond the scope of that provision as so committed to the conference committee.

“(f) It shall not be in order to offer an amendment increasing the Deficit Reduction Lock-box Account unless the amendment increases rescissions or reduces appropriations by an equivalent or larger amount, except that it shall be in order to offer an amendment increasing the amount in the Deficit Reduction Lock-box by the amount that the appropriate 602(b) allocation of new budget authority exceeds the amount of new budget authority provided by that bill.

“(g) It shall not be in order for the Committee on Rules of the House of Representatives to report a resolution which waives subsection (c).”.

(b) CONFORMING AMENDMENT.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting after the item relating to section 313 the following new item:

“Sec. 314. Deficit reduction lock-box provisions of appropriation measures.”.

CHANGES IN SUBALLOCATIONS

SEC. 702. (a) DOWNWARD ADJUSTMENTS.—The discretionary spending limit for new budget authority for any fiscal year set forth in section 601(a)(2) of the Congressional Budget Act of 1974, as adjusted in strict conformance with section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985, shall be reduced by the amount of budget authority transferred to the Deficit Reduction Lock-box for that fiscal year under section 314 of the Budget Control and Impoundment Act of 1974. The adjusted discretionary spending limit for outlays for that fiscal year and each outyear as set forth in such section 601(a)(2) shall be reduced as a result of the reduction of such budget authority, as calculated by the Director of the Office of Management and Budget based upon such programmatic and other assumptions set forth in the joint explanatory statement of managers accompanying the conference report on that bill. All such reductions shall occur within ten days of enactment of any appropriations bill.

(b) DEFINITION.—As used in this section, the term “appropriation bill” means any general or special appropriation bill, and any bill or joint resolution making supplemental, deficiency, or continuing appropriations.

(c) RESCISSION.—Funds in the Deficit Reduction Lockbox shall be rescinded upon reductions in discretionary limits pursuant to subsection (a).

SEC. 703. (a) SECTION 302(e) AMENDMENT.—Section 302(e) of the Congressional Budget Act of 1974 is amended to read as follows:

“(e) CHANGES IN SUBALLOCATIONS.—(1) After a committee reports suballocations under subsection (b), that committee may report a resolution to its House changing its suballocations, which resolution shall not take effect unless adopted by that House.

“(2) A resolution reported to the House of Representatives under paragraph (1) shall be placed on the Union Calendar and be privileged for consideration in the Committee of the Whole after the report on the resolution has been available to Members for at least three calendar days (excluding Saturdays, Sundays and legal holidays). After general debate which shall not exceed one hour to be equally divided and controlled by the chairman and ranking minority member of the committee reporting the resolution, the resolution shall be considered for amendment under the five-minute rule. No amendment shall be in order in the House or in the Committee of the Whole except amendments in the nature of a substitute containing changes in suballocations under subsection (b) which do not breach any allocation made under subsection (a). Priority in recognition for offering the first such amendment shall be accorded to the chairman of the Committee on the Budget or a designee. No amendments to such amendments shall be in order except substitute amendments. Following the consideration of the resolution for amendment, the Committee shall rise and report the resolution to the House together with any amendment that may have been adopted. The previous question shall be considered as ordered on the resolution to final adoption without intervening motion. It shall not be in order to consider a motion to reconsider the vote by which the resolution is agreed to or disagreed to.”.

(b) SECTION 602(b)(1) AMENDMENT.—The last sentence of section 602(b)(1) of the Congressional Budget Act of 1974 is amended by striking “or revised”.

CBO TRACKING

SEC. 704. Section 202 of the Congressional Budget Act of 1974 is amended by adding at the end the following new subsection:

“(i) SCOREKEEPING.—To facilitate compliance by the Committee on Appropriations with section 314, the Office shall score all general appropriation measures (including conference reports) as passed by the House of Representatives, as passed by the Senate and as enacted into law. The scorecard shall include amounts contained in the Deficit Reduction Lock-Box. The chairman of the Committee on Appropriations of the House of Representatives or the Senate, as the case may be, shall have such scorecard published in the Congressional Record.”.

H.R. 2020

OFFERED BY: MR. DUNCAN

AMENDMENT No. 2: Page 31, strike lines 7 through 10.

Page 30, line 13, insert “(less \$65,764,000)” after each of the two dollar amounts.

Page 39, line 17, insert “(less \$65,764,000)” after the dollar amount.

H.R. 2020

OFFERED BY: MR. HOYER

AMENDMENT NO. 3: On page 22, line 2 (Under The White House Office), delete \$39,459,000 and insert \$40,193,000.

On page 14, line 10 (Under IRS Information Systems), delete \$1,575,216,000 and insert \$1,574,482,000.

H.R. 2020

OFFERED BY: MR. HOYER

AMENDMENT NO. 4: On page 23 following line 10 insert the following:

"COUNCIL OF ECONOMIC ADVISORS
SALARIES AND EXPENSES

For necessary expenses of the Council in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021), \$3,439,000.

On page 13, line 3 (Under IRS Processing, Assistance and Management), delete \$1,682,742,000 and insert \$1,681,060,000.

On page 14, line 10 (Under IRS Information Systems), delete \$1,575,216,000 and insert \$1,573,459,000 and amend the report accordingly.

H.R. 2020

OFFERED BY: MR. HOYER

AMENDMENT NO. 5: On page 28 line 5 delete \$26,521,000 and insert \$27,721,000.

On page 14, line 10 (IRS Information Systems), delete \$1,575,216,000 and insert \$1,574,016,000.

H.R. 2020

OFFERED BY: MR. HOYER

AMENDMENT NO. 6: Strike everything from "Sec. 524" on page 63 line 22 through "term." on line 5 page 64.

H.R. 2020

OFFERED BY: MR. HOYER

AMENDMENT NO. 7: On page 84, following "above." on line 17, insert:

Provided further, That the Commission shall be under the operation of the Advisory Commission on Intergovernmental Relations: *Provided further*, For necessary expenses for the Advisory Commission on Intergovernmental Relations, \$1,000,000, and additional amounts collected from the sale of publications shall be credited to and used for the purposes of this appropriation.

On page 12, line 10 delete \$180,065,000 and insert \$178,975,000 and

On page 12, line 17 delete \$170,000,000 and insert \$168,910,000.

For expenses necessary to carry out the provisions of the Advisory Commission on Intergovernmental Relations Act of 1959, as amended (42 U.S.C. 4271-79); \$1,000,000, and additional amounts collected from the sale of publications shall be credited to and used for the purposes of this appropriation.

On page 12, line 9 delete \$180,065,000 and insert \$178,975,000 and

On page 12, line 16 delete \$170,000,000 and insert \$168,910,000.

H.R. 2020

OFFERED BY: MR. HOYER

AMENDMENT NO. 8: On page 84, following line 17, insert:

SEC. 628. (a) None of the funds appropriated by this or any other Act may be expended by any Federal agency to procure any product or service that is subject to the provisions of Public Law 89-306 and that will be available under the procurement by the Administrator of General Services known as "FTS2000" unless—

(1) such product or service is procured by the Administrator of General Services as part of the procurement known as "FTS2000"; or

(2) that agency establishes to the satisfaction of the Administrator of General Services that—

(A) the agency's requirements for such procurement are unique and cannot be satisfied by property and service procured by the Administrator of General Services as part of the procurement known as "FTS2000"; and

(B) the agency procurement, pursuant to such delegation, would be cost-effective and would not adversely affect the cost-effectiveness of the FTS2000 procurement.

(b) After July 31, 1995, subsection (a) shall apply only if the Administrator of General Services has reported that the FTS2000 procurement is producing prices that allow the Government to satisfy its requirements for such procurement in the most cost-effective manner.

H.R. 2020

OFFERED BY: MR. MCINTOSH

AMENDMENT NO. 9: At the end of the bill add the following new title:

TITLE —REGULATORY TRANSITION

SHORT TITLE

SEC. 01. This title may be cited as the "Regulatory Transition Act of 1995".

FINDING

SEC. 02. The Congress finds that effective steps for improving the efficiency and proper management of Government operations, including enactment of a new law or laws to require (1) that the Federal rulemaking process include cost/benefit analysis, including analysis of costs resulting from the loss of property rights, and (2) for those Federal regulations that are subject to risk analysis and risk assessment that those regulations undergo standardized risk analysis and risk assessment using the best scientific and economic procedures, will be promoted if a moratorium on new rulemaking actions is imposed and an inventory of such action is conducted.

MORATORIUM ON REGULATIONS

SEC. 03. (a) MORATORIUM.—Until the end of the moratorium period, a Federal agency may not take any regulatory rulemaking action, unless an exception is provided under section 05. Beginning 30 days after the date of the enactment of this Act, the effectiveness of any regulatory rulemaking action taken or made effective during the moratorium period but before the date of the enactment shall be suspended until the end of the moratorium period, unless an exception is provided under section 05.

(b) INVENTORY OF RULEMAKINGS.—Not later than 30 days after the date of the enactment of this Act, the President shall conduct an inventory and publish in the Federal Register a list of all regulatory rulemaking actions covered by subsection (a) taken or made effective during the moratorium period but before the date of the enactment.

SPECIAL RULE ON STATUTORY, REGULATORY,
AND JUDICIAL DEADLINES

SEC. 04. (a) IN GENERAL.—Any deadline for, relating to, or involving any action dependent upon, any regulatory rulemaking actions authorized or required to be taken before the end of the moratorium period is extended for 5 months or until the end of the moratorium period, whichever is later.

(b) DEADLINE DEFINED.—The term "deadline" means any date certain for fulfilling any obligation or exercising any authority established by or under any Federal statute or regulation, or by or under any court order implementing any Federal statute or regulation.

(c) IDENTIFICATION OF POSTPONED DEADLINES.—Not later than 30 days after the date of the enactment of this Act, the President shall identify and publish in the Federal Register a list of deadlines covered by subsection (a).

EMERGENCY EXCEPTIONS; EXCLUSIONS

SEC. 05. (a) EMERGENCY EXCEPTION.—Section 03(a) or 04(a), or both, shall not apply to a regulatory rulemaking action if—

(1) the head of a Federal agency otherwise authorized to take the action submits a written request to the Administrator of the Office of Information and Regulatory Affairs within the Office of Management and Budget and submits a copy thereof to the appropriate committees of each House of the Congress;

(2) the Administrator of the Office of Information and Regulatory Affairs within the Office of Management and Budget finds in writing that a waiver for the action is (A) necessary because of an imminent threat to health or safety or other emergency, or (B) necessary for the enforcement of criminal laws; and

(3) the Federal agency head publishes the finding and waiver in the Federal Register.

(b) EXCLUSIONS.—The head of an agency shall publish in the Federal Register any action excluded because of a certification under section 06(3)(B).

(c) CIVIL RIGHTS EXCEPTION.—Section 03(a) or 04(a), or both, shall not apply to a regulatory rulemaking action to establish or enforce any statutory rights against discrimination on the basis of age, race, religion, gender, national origin, or handicapped or disability status except such rulemaking actions that establish, lead to, or otherwise rely on the use of a quota or preference based on age, race, religion, gender, national origin, or handicapped or disability status".

DEFINITIONS

SEC. 06. For purposes of this title:

(1) FEDERAL AGENCY.—The term "Federal agency" means any agency as that term is defined in section 551(1) of title 5, United States Code (relating to administrative procedure).

(2) MORATORIUM PERIOD.—The term "moratorium period" means the period of time—

(A) beginning November 20, 1994; and

(B) ending on the earlier of—

(i) the first date on which there have been enacted one or more laws that—

(I) require that the Federal rulemaking process include cost/benefit analysis, including analysis of costs resulting from the loss of property rights; and

(II) for those Federal regulations that are subject to risk analysis and risk assessment, require that those regulations undergo standardized risk analysis and risk assessment using the best scientific and economic procedures; or

(ii) December 31, 1995.

except that in the case of a regulatory rulemaking action with respect to determining that a species is an endangered species or a threatened species under section 4(a)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1533(a)(1)) or designating critical habitat under section 4(a)(3) of that Act (16 U.S.C. 1533(a)(3)), the term means the period of time beginning on the date described in subparagraph (A) and ending on the earlier of the first date on which there has been enacted after the date of the enactment of this Act a law authorizing appropriations to carry out the Endangered Species Act of 1973, or December 31, 1996.

(3) REGULATORY RULEMAKING ACTION.—

(A) IN GENERAL.—The term "regulatory rulemaking action" means any rulemaking on any rule normally published in the Federal Register, including—

(i) the issuance of any substantive rule, interpretative rule, statement of agency policy, notice of inquiry, advance notice of proposed rulemaking, or notice of proposed rulemaking; and

(ii) any other action taken in the course of the process of rulemaking (except a cost benefit analysis or risk assessment, or both).

(B) EXCLUSIONS.—The term “regulatory rulemaking action” does not include—

(i) any agency action that the head of the agency and the Administrator of the Office of Information and Regulatory Affairs within the Office of Management and Budget certify in writing is limited to repealing, narrowing, or streamlining a rule, regulation, or administrative process or otherwise reducing regulatory burdens;

(ii) any agency action that the head of the agency and the Administrator of the Office of Information and Regulatory Affairs within the Office of Management and Budget certify in writing is limited to matters relating to military or foreign affairs functions, statutes implementing international trade agreements, including all agency actions required by the Uruguay Round Agreements Act, or agency management, personnel, or public property, loans, grants, benefits, or contracts;

(iii) any agency action that the head of the agency and the Administrator of the Office of Information and Regulatory Affairs within the Office of Management and Budget certify in writing is limited to a routine administrative function of the agency;

(iv) any agency action that—

(I) is taken by an agency that supervises and regulates insured depository institutions, affiliates of such institutions, credit unions, or government sponsored housing enterprises; and

(II) the head of the agency certifies would meet the standards for an exception or exclusion described in this title; or

(v) any agency action that the head of the agency certifies is limited to interpreting, implementing, or administering the internal revenue laws of the United States.

(4) RULE.—The term “rule” means the whole or a part of an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy. Such term does not include the approval or prescription, on a case-by-case or consolidated case basis, for the future of rates, wages, corporation, or financial structures or reorganizations thereof, prices, facilities, appliances, services or allowances therefor, or of valuations, costs, or accounting, or practices bearing on any of the foregoing, nor does it include any action taken in connection with the safety of aviation or any action taken in connection with the implementation of monetary policy or to ensure the safety and soundness of federally insured depository institutions, any affiliate of such an institution, credit unions, or government sponsored housing enterprises or to protect the Federal deposit insurance funds. Such term also does not include the granting an application for a license, registration, or similar authority, granting or recognizing an exemption, granting a variance or petition for relief from a regulatory requirement, or other action relieving a restriction (including any agency which establishes, modifies, or conducts a regulatory program for a recreational or subsistence activity, including but not limited to hunting, fishing, and camping, if a Federal law prohibits the rec-

reational or subsistence activity in the absence of the agency action) or taking any action necessary to permit new or improved applications of technology or allow the manufacture, distribution, sale, or use of a substance or product.

(5) RULEMAKING.—The term “rulemaking” means agency process for formulating, amending, or repealing a rule.

(6) LICENSE.—The term “license” means the whole or part of an agency permit, certificate, approval, registration, charter, membership, statutory exemption, or other form of permission.

(7) IMMINENT THREAT TO HEALTH OR SAFETY.—The term “imminent threat to health or safety” means the existence of any condition, circumstance, or practice reasonably expected to cause death, serious illness, or severe injury to humans, or substantial endangerment to private property during the moratorium period.

LIMITATION ON CIVIL ACTIONS

SEC. 07. No private right of action may be brought against any Federal agency for a violation of this title. This prohibition shall not affect any private right of action or remedy otherwise available under any other law.

RELATIONSHIP TO OTHER LAW; SEVERABILITY

SEC. 08. (a) APPLICABILITY.—This title shall apply notwithstanding any other provision of law.

(b) SEVERABILITY.—If any provision of this title, or the application of any provision of this title to any person or circumstance, is held invalid, the application of such provision to other persons or circumstances, and the remainder of this title, shall not be affected thereby.

REGULATIONS TO AID BUSINESS COMPETITIVENESS

SEC. 09. Section 03(a) or 04(a), or both, shall not apply to any of the following regulatory rulemaking actions (or any such action relating thereto):

(1) CONDITIONAL RELEASE OF TEXTILE IMPORTS.—A final rule published on December 2, 1994 (59 Fed. Reg. 61798), to provide for the conditional release by the Customs Service of textile imports suspected of being imported in violation of United States quotas.

(2) TEXTILE IMPORTS.—Any action which the head of the relevant agency and the Administrator of the Office of Information and Regulatory Affairs certify in writing is a substantive rule, interpretive rule, statement of agency policy, or notice of proposed rulemaking to interpret, implement, or administer laws pertaining to the import of textiles and apparel including section 334 of the Uruguay Round Agreements Act (P.L. 103-465), relating to textile rules of origin.

(3) CUSTOMS MODERNIZATION.—Any action which the head of the relevant agency and the Administrator of the Office of Information and Regulatory Affairs certify in writing is a substantive rule, interpretive rule, statement of agency policy, or notice of proposed rulemaking to interpret, implement, or administer laws pertaining to the customs modernization provisions contained in title VI of the North American Free Trade Agreement Implementation Act (P.L. 103-182).

(4) ACTIONS WITH RESPECT TO CHINA REGARDING INTELLECTUAL PROPERTY PROTECTION AND MARKET ACCESS.—A regulatory rulemaking action providing notice of a determination that the People's Republic of China's failure to enforce intellectual property rights and to provide market access is unreasonable and constitutes a burden or restriction on United States commerce, and a determination that trade action is appropriate and that sanctions are appropriate, taken under section 304(a)(1)(A)(ii), section 304(a)(1)(B), and section 301(b) of the Trade Act of 1974 and with respect to which a notice of determination was published on February 7, 1995 (60 Fed. Reg. 7230).

(5) TRANSFER OF SPECTRUM.—A regulatory rulemaking action by the Federal Communications Commission to transfer 50 megahertz of spectrum below 5 GHz from government use to private use, taken under the Omnibus Budget Reconciliation Act of 1993 and with respect to which notice of proposed rulemaking was published at 59 Federal Register 59393.

(6) PERSONAL COMMUNICATIONS SERVICES LICENSES.—A regulatory rulemaking action by the Federal Communications Commission to establish criteria and procedures for issuing licenses utilizing competitive bidding procedures to provide personal communications services—

(A) taken under section 309(j) of the Communications Act and with respect to which a final rule was published on December 7, 1994 (59 Fed. Reg. 63210); or

(B) taken under sections 3(n) and 332 of the Communications Act and with respect to which a final rule was published on December 2, 1994 (59 Fed. Reg. 61828).

(7) WIDE-AREA SPECIALIZED MOBILE RADIO LICENSES.—A regulatory rulemaking action by the Federal Communications Commission to provide for competitive bidding for wide-area specialized mobile radio licenses, taken under section 309(j) of the Communications Act and with respect to which a proposed rule was published on February 14, 1995 (60 Fed. Reg. 8341).

(8) IMPROVED TRADING OPPORTUNITIES FOR REGIONAL EXCHANGES.—A regulatory rulemaking action by the Securities and Exchange Commission to provide for increased competition among the stock exchanges, taken under the Unlisted Trading Privileges Act of 1994 and with respect to which proposed rulemaking was published on February 9, 1995 (60 Fed. Reg. 7718).

DELAYING EFFECTIVE DATE OF RULES WITH RESPECT TO SMALL BUSINESSES

SEC. 10. (a) DELAY EFFECTIVENESS.—For any rule resulting from a regulatory rulemaking action that is suspended or prohibited by this title, the effective date of the rule with respect to small businesses may not occur before six months after the end of the moratorium period.

(b) SMALL BUSINESS DEFINED.—In this section, the term “small business” means any business with 100 or fewer employees.