

from Michigan, suggests the absence of a quorum.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RETIREMENT OF CHICK REYNOLDS

Mr. BYRD. Mr. President, Chick Reynolds, chief reporter of the Official Reporters of Debates, will retire from the Senate effective July 7, 1995.

Mr. Reynolds' career in stenotype reporting began in 1949, when he was employed by the Department of Defense. In 1950, he went to work for the Alderson Reporting Co. in Washington, DC, where he stayed until 1971, at which time he opened his own stenographic reporting firm. In 1974, he was appointed an official reporter with the Senate Official Reporters of Debates and became chief reporter in 1988.

During his working career as a stenotype reporter, Chick was considered one of the fastest and most accurate writers in the country.

His assignments covered every aspect of his profession, some of which put him in the center of the headlines of the day. He reported Federal agency hearings and various committees in both the House and the Senate. He reported the Joseph McCarthy and Jimmy Hoffa hearings on Capitol Hill. He was assigned to cover the White House during the Kennedy, Johnson, and Nixon administrations. During his assignment with the Kennedy administration, he reported President Kennedy's famous Berlin speech and was also in the Presidential motorcade on that tragic day in Dallas, TX, when President Kennedy was assassinated.

Mr. Reynolds has served the Senate and the Nation with distinction and loyalty for the past 21 years.

I know all Senators will join me in thanking Chick for his long and dedicated service, and extending our prayerful wishes to him and his wife, Lucille, in the coming days.

Mr. President, I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. NICKLES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### REGULATORY TRANSITION ACT

The Senate continued with the consideration of the bill.

Mr. BAUCUS. Mr. President, this is the first chapter of one of the most significant debates that will occur during the 104th Congress: the debate about regulatory reform.

If we take the right approach to regulatory reform, we can provide more protection for public health. At the same time, we can cut costs and cut red tape.

But if we take the wrong approach, we may jeopardize public health. And we may create more redtape, litigation, and delay.

So the stakes are high. Fortunately, it looks like we are getting off to a good start.

Last week, I was not so sure. We faced a short term moratorium that would have blocked some urgently needed rules. We also faced a long-term reform bill that would repeal some of the laws that protect our air, our water, and our neighborhoods.

In both cases, we seem to be coming to our senses. The moratorium is about to be replaced with the Nickles-Reid amendment. And the Government Affairs Committee declined to adopt radical versions of long-term regulatory reform. Instead, it reported a solid, bipartisan bill.

#### CONCERNS ABOUT THE MORATORIUM

Today we are considering the bill to impose a short-term moratorium. Let me briefly explain why such a flat, broad-based moratorium is a bad idea.

In a nutshell, it does not distinguish good rules from bad.

All too many rules fall into the second category: stupid, unnecessary rules that impose high costs and just plain make people angry.

For example, OSHA recently proposed new rules that would require loggers to wear steel-toed boots.

Seems to make sense. Unless you are working in western Montana in winter, on a steep slope and frozen ground. In that case, steel-toed boots may be slippery and unsafe. Especially if you are carrying a live chain saw.

For that reason, western Montana loggers thought that the rules made no sense at all. So we convinced OSHA to back off, talk to Montana loggers, and reconsider. But there are other rules that do make sense. That protect public health. That protect the environment. And that are urgently needed.

Yesterday, Senator GLENN gave some very compelling examples: E. coli; airline safety; radioactive waste; and others.

Let me mention one such rule, which is of particular concern to the Environment and Public Works Committee. It is the rule, or cluster of rules, for cryptosporidium. Cryptosporidium is a deadly pathogen. It occurs in drinking water. As we all know, it was responsible for the deaths of hundreds of people, and the illness of hundreds of thousands more, in Milwaukee.

EPA has been working with public water suppliers to develop an information collection rule. This rule will provide EPA, States, and public water suppliers with critical information about the occurrence of cryptosporidium and other pathogens. It also will provide information about the effectiveness of various treatment methods. It will be

the cornerstone of our efforts to prevent further poisoning.

However, if the moratorium is enacted, the information collection rule cannot be issued. If that happens, water suppliers will not be able to monitor for cryptosporidium during spring runoff, when it is thought to be more prevalent. That will prevent us from gathering data for at least another year. And that, in turn, will further delay the development of an effective treatment method. As a result, we will run the risk that another outbreak will occur, and that hundreds more people will die.

#### THE NICKLES-REID AMENDMENT

Fortunately, the moratorium is being withdrawn, at least for now. Instead, we are considering the Nickles-Reid amendment.

To my mind, this amendment is much closer to the mark. It requires that Government agencies submit their new rules to Congress. And it sets up a fast-track process for reviewing those rules. That way, Congress can distinguish good rules from bad. If an agency goes haywire, like OSHA did with its logging rule, Congress can reject the rule. But if an agency is doing a good job, the rule will go into effect, and public health will not be jeopardized.

Of course, the amendment is not perfect. In particular, I hope that we can improve some of the fast-track procedures. But, on balance, the Nickles-Reid amendment improves the process for reviewing agency rules.

#### CONCLUSION

Mr. President, I also believe that the Nickles-Reid amendment does something more. It sets the right tone for the upcoming debate about regulatory reform. We must get past the slogans, and get down to the hard work of making Government rules more effective and understandable.

I look forward to continuing to work with the members of the Government Affairs Committee and with all Senators to accomplish this important objective.

Mr. NICKLES. Mr. President, I might mention to our colleagues that we have made significant progress in the last couple of hours in negotiations on a few amendments. I appreciate the cooperation of Senator REID, and also Senator LEVIN, Senator GLENN, and Senator DOMENICI, who have had some amendments, and we are working those out. Hopefully, we will be able to agree to some of those.

I might mention to my colleagues, I discussed this with the majority leader, and he very much would like to pass this bill tonight. It is our expectation to finish this bill tonight, partly because we need to go to the supplemental appropriations or the rescissions bill that was reported out of the Appropriations Committee last Friday. That may take some time.

So the majority leader has let it be known that he plans to go to that bill tomorrow. So we need to finish this bill.

I want to thank my colleagues who have been cooperative in working with us in trying to come to a resolution of some of the items in dispute on this package. I am optimistic that we will be successful.

I am ready to consider an amendment by the Senator from Michigan, and I yield the floor.

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, first let me thank the Senator from Oklahoma for his work on this substitute. It is a very important substitute. It embodies a principle which is a very important principle, and that is that the Congress should be responsible and accountable for these major regulations that are imposed on people. We should not just simply pass laws and then go on to the next law without keeping a very sharp focus on what the agencies do through the regulatory process.

So what we used to call legislative veto—something I supported even before I came to the Senate and have continued to do so—we now are going to call legislative review because it is slightly different from the veto mechanism which was adopted about a decade ago.

This legislative review process of the Senator from Nevada and the Senator from Oklahoma is a very, very significant improvement, I believe, on what the current process is of regulatory review. Of course, it is a major change in approach from the moratorium which is before us.

Before I offer my amendment, I want to commend my friend from Oklahoma and the Senator from Nevada for the work that they have done on this legislative review substitute.

AMENDMENT NO. 412 TO AMENDMENT NO. 410

Mr. LEVIN. Mr. President, I now send to the desk an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for himself and Mr. GLENN, proposes an amendment numbered 412 to amendment No. 410.

Mr. LEVIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 9, line 2, strike everything after "discharged" through the period of line 6 and insert the following: "from further consideration of such resolution in the Senate upon a petition supported in writing by 30 Members of the Senate or by motion of the Majority Leader supported by the Minority Leader, and in the House upon a petition supported in writing by one-fourth of the Members duly sworn and chosen or by motion of the Speaker supported by the Minority Leader, and such resolution shall be placed on the appropriate calendar of the House involved."

Mr. LEVIN. Mr. President, this amendment is sent to the desk on be-

half of Senator GLENN and myself. It is something which we have worked out with the floor managers. I thank them for their efforts.

This amendment modifies the procedure for discharging a joint resolution of disapproval from committee. By amending the substitute this way, this will conform much more closely to the legislative review provision which was passed in the Governmental Affairs Committee last week by a vote of 15-0 on the regulatory reform bill.

This amendment would continue to allow for a committee to vote by majority to discharge a joint resolution of disapproval of a regulation. That would continue as it is in the substitute. The majority of a committee could discharge a resolution of disapproval of a regulation.

What this would add is that where a petition is filed by 30 Members of the Senate, or by the consent of the majority and minority leaders, that we also then would have the discharge of a resolution of disapproval of a regulation. The intent is to protect rights of a significant minority of the Senate to obtain the discharge of a resolution of disapproval.

Since the discharge triggers these expedited procedures, it is important that it be a balanced and a fair process and that a significant minority of Senators have the opportunity to accomplish that.

This amendment, we think, does accomplish that. I want to thank my cosponsor, as well as the managers, for their willingness to work this out.

Mr. GLENN. Mr. President, I fully support the amendment by the Senator from Michigan. I think it does several things. It protects the rights of the minority. It provides a dual method of getting rules and regulations considered. It can be initiated not only by the majority and minority leaders, but also by a petition of 30 Members.

And this does something else. It means that we will not just have frivolous actions brought up. If you have to get 30 Members of the Senate of the United States to agree on anything on a petition, it is going to be something significant; it is not going to be a frivolous matter. You are not going to be able to get a couple of friends and be able to call a rule up, or get a buddy-buddy vote out of somebody and call a rule up on that basis.

When you have to get 30 Members to do it, it has to be something substantive, and I agree with that. That is why I am very glad to support the proposal by the Senator from Michigan.

I yield the floor.

Mr. NICKLES addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I wish to thank my friends and colleagues from Michigan and Ohio, as well as Senator REID and Senator BOND. All four Senators have been involved in this issue in trying to make sure that we protect minority rights, and that is

what this amendment does. I think it is an improvement.

We have no objection on this side, and I urge its adoption.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendment.

The amendment (No. 412) was agreed to.

Mr. GLENN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOMENICI addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I come to the floor to compliment Senators NICKLES and REID on their amendment. Very shortly, hopefully, I will have an amendment that I will talk about. But let me just speak to the substitute amendment that was offered by the Senator from Oklahoma, Senator NICKLES, and the Senator from Nevada, Senator REID.

First, there is no question that there is plenty, plenty of blame to go around for the unreasonable, irrational regulatory maze that exists in this country. There is plenty of blame to go around, because Congress passes laws that require regulations.

Bureaucrats decide that they have to write regulations, and many times we tell them they must. The courts of this land are very prone to get involved in the adequacy of regulations. And so between the agencies of Government and those who write regulations, and courts who interpret them, it is really obvious to millions of Americans that we have a very unworkable regulatory system.

Many of the ultimate regulations, as implemented, in particular against small business people, are sufficiently unreasonable and unworkable that they are causing millions of Americans—men and women—to be very angry at their country. As a matter of fact, one of the single most reasons for Americans being angry at their country is regulations that do not make sense, or are unintelligible or cost too much for what the entity regulates knows they are being asked to do. And there is no easy way to fix it. As a matter of fact, I have spent well on a year trying to figure out some generic ways to address this maze of regulatory, burdensome regulations causing great anxiety among men and women, in particular, small business people. I am sure as we move through our next step beyond that bill to try to get regulatory reform, there will be some more good ideas.

(Ms. SNOWE assumed the Chair)

Mr. DOMENICI. But for now, an approach that will say new regulations, before they become effective, must go to the committees of jurisdiction on the Hill for their perusal to see whether or not the committees that pass the

laws think that the regulations passed by the regulators are beyond the law and unreasonable and unworkable and will have a chance to look at them. And, yes, under this 45-day moratorium, prior to the final adoption, Congress occasionally can pick one of those and do it in an expedited manner, deny its efficacy, and say it is not going to be carried out.

So in a very real sense, we have set upon the committees of the Congress—that is, Senate and House and the staff that works for us—a very difficult job, because now we are saying in a couple of years we will have looked at the new regulations in this process, and if we let them get by, shame on us. If we have this overview process thrust upon us by this amendment and we let the regulations get by, and 2 years after they are in place, we go to a hearing in Maine, New Mexico, Idaho, or Ohio—or we might even have a hearing in Oklahoma, but that would be very difficult—the people would say, “Look at this regulation; it does not have any common sense and it is too expensive. There is no cost benefit ratio that is meaningful.” Shame on us, because this bill, which I hope becomes law, is going to say: Congress, you had a shot at it because these significant regulations which we estimate based on past performance may be 900 a year, and we are going to have a chance to look at them.

Madam President, shortly, an amendment is going to be offered that I have authored. It has been worked on by both sides to try to make sure that we all understand it. But it came to me that there is a governmental entity that works for us called the GAO. And they have been, in the past, asked by committees, asked by individual Members of Congress, to go check on something, go audit something, go review something. And I will admit that, in the past, they were subject to some very, very proper criticism. I do believe they got very cozy with certain Members. I do believe many of their reports were not clear peer review because they were doing them for a certain purpose. But I believe, nonetheless, that they have a great quality of expertise and a desire to be helpful to the Congress.

So, essentially, what I suggested to my friends, Senator NICKLES, Senator REID, and others from the Government Operations Committee, including the ranking member, Senator GLENN, I suggested that we ought to use the GAO in this process, so that as our committees have to do these reviews, we will have the benefit of a pool of resources to go check on the agencies and to advise us as to whether or not they have done their job regarding the significant regulations they are going to be issuing.

I, frankly, believe the GAO is perfectly fit for this job. We still have a very significant GAO. Some will say it is going to be cut. Some here want to cut it in half. I guess some would want to do away with it. But I do not believe

any of those things are going to happen. It may get a good reduction in amount, but it is going to be here because it does some very positive things. When we had the S&L crisis, it was important that they did a lot of auditing. We would have to go out and hire independents to do that, and would they be at Congress' beck and call and have real professionalism? I do not know.

We are going to offer an amendment that is going to essentially say that the General Accounting Office gets into this new process of review, by being our arm in looking carefully at what the regulators have put together to make sure that they have complied with the legal requirements. And, yes, upon request, they can look at the cost-benefit ratio. Essentially, they are going to be there before we ever get these regulations to the committee; they are going to be seeing whether the agencies did it right. I think that is invaluable. I think we will, 3 or 4 years from now, thank the Lord that we put them in this process, because it is so tough to review these regulations, especially the significant ones, that I am not sure the committees and our staffs would get it done, or they would constantly, most probably, be in a catch-up state because it is so tough.

You have to do it timely if you are going to kill any of these because they are ineffective, because after 45 days, you cannot do anything to them; they are final. That is our own law that we are about to adopt here. To make that period any longer probably prejudices the regulatory process. So I think we will have to live with that. I compliment those who put it together, and I urge the Senate to adopt an amendment which puts the GAO in this with their resources to advise and help the committees as we attempt to review the process of reviewing the significant regulations affecting our lifestyles, businesses, and many individual Americans that are regulated by our Government.

I thank the Chair and I yield the floor.

Mr. GLENN. Madam President, I appreciate very much the comments of my colleague from New Mexico. I know he has considered this very carefully. As to his initial comments about the bill and the need for it, the need for regulatory reform, I could not agree more. I think we are long overdue in addressing this issue. We have dealt with regulatory reform in the Governmental Affairs Committee. In fact, we have voted out a bill.

Let me compliment my chairman, Senator BILL ROTH, on this. We have voted a bill out that does all of the things that the distinguished Senator from New Mexico just enumerated. The regulatory reform bill that we voted out requires risk assessments and cost-benefit analyses. Cost-benefit analysis now, under current law, is done by Executive order. But under the regulatory reform bill, we would lock that in and say that all major regulations have to

have a risk assessment and cost-benefit analysis done. And then in that legislation we voted out, also, we required that there be a review of those regulations not less than once every 10 years. In other words, there is a sunset provision in there that says that no matter how good the regulations are, they should be looked at for adequacy and for improvement and for sunseting at least once every 10 years.

Now, in that legislation we also have a 45-day legislative veto, which is about the same as what we have here. That legislative veto would apply to all significant rules.

Once it is modified, the committee could call it up the same as this legislation now. We also provided that when a final rule is written, we would allow judicial review.

That is not the legislation that is before Congress today. That is the regulatory reform bill we voted out, and I think that is the one we should be considering because it includes not only the 45-day legislative veto that we are talking about here today as a substitute for S. 219, but it would add the whole package of regulatory reform—risk assessment, cost-benefit analysis—not just by Executive order of the President, as it is now, but require it in law.

We would also require a review of all major rules on a 10-year basis; we would have a 45-day legislative veto similar to the one we have here; and we would provide for judicial review on the final rule. That is a complete package and one I hope we have up very shortly.

Now, specifically, as to the comments of the Senator from New Mexico on the GAO, I agree on the excellence of GAO's capability and the excellent work that they do. They are an ideal group to look at these matters.

My only concern is whether we might be overloading GAO. When we are talking about requiring GAO to do a complete analytical analysis of everything that comes up, that is one thing. If we are requiring them to make sure that the procedures required by law have been met by each agency and department in putting their risk assessment or cost-benefit together, if it is a procedural analysis to make sure everything is done, that is quite a different thing.

GAO is ideally situated to do the second of those, to make sure that all the boxes have been checked, to make sure that all the procedures have been followed. If we are to ask GAO to do their own complete risk assessment and cost-benefit analysis, completely separate from any that the agencies have done, that is something else entirely, of course.

I point out that just the significant rules number some 800 or 900 a year; some years, probably 1,000. With the average number of work days a year here being somewhere between 250 and 270, that means that GAO would have to crank out about three to four of

these analyses every single working day. That is an enormous job.

To require GAO to do these new tasks when there have been proposals in the budget to cut GAO by 25 percent does not make much sense. But I agree that this is a good thing for GAO to be looking at. They are ideally situated to do it.

In the other bill, the regulatory reform bill that we have voted out of committee, there are provisions for peer review for cost-benefit analyses and risk assessments. We did that because we thought the job was going to be sufficiently large that we would not be able to just ask GAO or someone else to do all that analytical and assessment work. Yet, we wanted somebody to say that the agencies and departments were doing a reasonable job. So we set up a peer review process.

I am sure when that legislation comes to the floor, we will be debating that provision to see its adequacy compared to just having GAO do it. So there are two different procedures here that we are looking at.

On the regulatory reform bill that I hope we consider within the next month or so, we provided for peer review as a way of doing the same thing that the Senator from New Mexico is talking about doing with GAO.

I certainly do not object to the GAO proposal so long as we understand, when the Senator proposes it, that it will be on the basis of making sure that the processes have all been gone through that are requested. That would be what GAO would be certifying. GAO would not be required to do their own complete, independent, cost analysis, cost-benefit ratio and risk assessment, as a completely independent action, which would tie up several times the number of people we have in GAO.

I think that is what the Senator from New Mexico intended that it be—a review to make sure that all the proper procedures have been gone through.

I know he has not formally submitted the amendment yet, but I made those comments on it anyway, in advance. I wanted to point out the details of the regulatory reform bill that I hope we have on the floor within the next 30 or 45 days.

It would require risk assessment/cost-benefit not just by Executive order, but in law. No future President could just take that off, out of effect, by just taking out the Executive order. These would be required by law, risk assessments and cost-benefit analyses.

Each one of those regulations would be reviewed on not less than a 10-year basis or it would sunset. We have the same 45-day legislative veto that would be in this legislation here now. All significant rules would come back to the committee and they would be asked to see whether they want to be notified for judicial review on each rule.

That is a complete regulatory reform package. We did a lot of work for which Senator ROTH deserves a lot of credit. We stuck with this complete reform

package and molded it. It was a bipartisan effort. We voted it out, on a unanimous basis, of the Governmental Affairs Committee, 15 to 0.

I think it is a very powerful, tough bill. I hope we consider it, because what we are considering today is just part of that bill. It is a separate 45-day legislative veto.

I look forward to having that bill out on the floor.

I yield the floor.

Mr. DOMENICI. Madam President, I thank the Senator for his kind remarks.

AMENDMENT NO. 413 TO AMENDMENT NO. 410  
(Purpose: To provide reports to Congress from the Comptroller General)

Mr. DOMENICI. Madam President, I send an amendment to the desk on behalf of myself and Senator NICKLES, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows: The Senator from New Mexico [Mr. DOMENICI] for himself and Mr. NICKLES, proposes an amendment numbered 413 to amendment No. 410.

Mr. DOMENICI. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 2, strike lines 6 through 20, and insert in lieu thereof and renumber accordingly:

“(1) REPORTING TO CONGRESS AND THE COMPTROLLER GENERAL.—

(A) Before a rule can take effect as a final rule, the Federal agency promulgating such rule submit to each House of the Congress and to the Comptroller General a report containing—

(i) a copy of the rule;

(ii) a concise general statement relating to the rule; and

(iii) the proposed effective date of the rule.

(B) The Federal agency promulgating the rule shall make available to each House of Congress and the Comptroller General, upon request:

(i) a complete copy of the cost-benefit analysis of the rule, if any;

(ii) the agency's actions relevant to section 603, section 604 section 605 section 607, and section 609 of P.L. 96-354;

(iii) the agency's actions relevant to title II, section 202, section 203, section 204, and section 205 of P.L. 104-4; and

(iv) any other relevant information or requirements under any other Act and any relevant Executive Orders, such as Executive Order 12866.

(C) Upon receipt, each House shall provide copies to the chairman and Ranking Member of each committee with jurisdiction.

(2) REPORTING BY THE COMPTROLLER GENERAL.—

(A) The Comptroller General shall provide a report on each significant rule to the committees of jurisdiction to each House of the Congress by the end of 12 calendar days after the submission or publication date as provided in section 4(b)(2). The report of the Comptroller General shall include an assessment of the agency's compliance with procedural steps required with subsection (A)(iv) through (vii).

(B) Federal agencies shall cooperate with the Comptroller General by providing infor-

mation relevant to the Comptroller General's report under subsection (2)(A) of this section.”

On page 14, at the beginning of line 5, insert, “section 3(a)(1)–(2) and”, and on line 5 strike “3(a)(2)” and insert in lieu thereof “3(a)(3)”.

Mr. DOMENICI. Madam President, this is the amendment that I allude to in my brief remarks about the 45-day holdover or moratorium while Congress is given an opportunity to review regulations and processes.

We have changed it in two or three ways since I first submitted a draft of this amendment. I think it is very workable now. Essentially, we are now talking, as I understand it, about the significant—significant—regulations. My friend from Oklahoma says that that is about 900 a year.

We have made the Federal agencies promulgating the rule responsible to make available to each House of Congress and the Comptroller General, upon request, information that is necessary so we can see if they have done a good job. That means the GAO will not have to be involved in any one of those, nor will they have to give every cost-benefit analysis, but rather the ones they request.

I believe we will be very pleased we adopted this in a few years, when we find out what a resource GAO will be, and how much more effective they will make our committees and our committee staff, both here and in the House.

I do not think I have to say any more. I hope the amendment is adopted soon.

I yield the floor.

Mr. NICKLES. Madam President, I wish to congratulate and compliment my friend and colleague from New Mexico, Senator DOMENICI, for his amendment.

I think it is an amendment which improves this bill. It basically says the Federal agency, when they promulgate the rule, shall make it available to each House of Congress. That was in our bill.

But he also says it needs to be made available to the Comptroller General. This is for them to analyze it, for them to make sure that the cost-benefit analysis has been made, that they are complying with the unfunded mandates legislation.

I just compliment the Senator. I think this improves it. I think this enables Congress to be able to rely on GAO and the Comptroller General to make sure that some of these regulations are not excessive in cost. So, this is a compliment to the bill.

I also want to thank my friend and colleague, Senator REID, for his help on this, as well as Senator LEVIN and Senator GLENN, as we were negotiating on this amendment and actually combining this amendment with an amendment that Senator LEVIN and also Senator BOND were working on.

So, we have had several Senators trying to make some improvements in this section. I think this has made our

legislation better, so I urge my colleagues on both sides to agree to the amendment.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Madam President, I extend my appreciation to the senior Senator from New Mexico for improving this substitute. I say that because I look at this legislation a little differently than some in this Chamber. I know there are some who are saying we are going to have a bill later on that is going to be a lot better. Having served here and in the other body for a while, I recognize we have to do the best we can with what we have at a given time. The better we make this bill, the better it is going to be for the American people in case something better does not come along later.

So I appreciate very much the work of the Senator from New Mexico. He and I go back 6 or 8 years working on the General Accounting Office. I think this is a responsibility they should have. They are equipped to do a good job on this assignment they will be given. I think it is a good amendment and I hope it is adopted very quickly.

Mr. DOMENICI. I thank the Senators from Nevada and Ohio. I do believe this will help the bill. Senator NICKLES and I are pleased to be helpful. I think in a few years the process you were recommending will be working very well and we will know a lot more about bad regulations before they get placed in effect and then find out later they are hurting our people.

Thank you very much.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. GLENN. Madam President, I wanted to clarify a couple of matters here. We have in the reporting by the Comptroller General, as I understand it—we say he will—

... provide a report on each significant rule to the committees of jurisdiction to each House of Congress by the end of 12 calendar days after the submission or publication date as provided in section 4(b)(2). The report of the Comptroller General shall include an assessment of the agency's compliance with procedural steps required with subsection (A)(iv) through (vii).

I think those words were added. I presume they were. I just wanted to check and make sure that is the wording that was in the legislation?

Mr. DOMENICI. They are in the legislation. And after discussing the issue with all four Senators and their staffs, I think those are appropriate words, because I do not think in 12 to 15 days the GAO can do a thorough substantive review, but they can do a procedural review as prescribed.

Mr. GLENN. I agree with my colleague. That clarifies it and makes sure what we are not expecting from the GAO is their own complete risk assessment and cost-benefit analysis as original work. That would overburden them on the 800 or 900 significant regulations that are issued each year and leaves it open that once one of these regulations or rules is reported back, if

a committee wishes to get into it more, then they can. Or they could possibly even ask for a complete GAO original study as we do now of different pieces of legislation. That would still be possible. But this limits it to the GAO reviewing whether the agency has complied with procedural steps required in law. I am glad to have that clarified.

With that understanding I believe we would be happy to accept this on our side.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Madam President, we have no objection to this amendment on this side and urge its adoption.

The PRESIDING OFFICER. If there be no further debate, the question is on agreeing to the amendment.

The amendment (No. 413) was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote.

Mr. GLENN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. DOLE. Madam President, I ask that I may use just a minute or two of my leader time.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### THE PRESIDENT'S BUDGET CUTS

Mr. DOLE. Madam President, President Clinton won big headlines today with his proposal to cut \$13 billion from four Government agencies over the next 5 years. I have learned recently maybe \$8 billion of that is already in the President's budget, so I am not certain what the figure really is. But we certainly welcome the President's interest in trimming Government spending. The Washington Post even suggested today that the President's interest may be related to last November's election results. Certainly we hope he is hearing the message.

The President now has a real opportunity to get on the spending-cuts bandwagon tomorrow because the Senate will consider more than \$13 billion in spending cuts and the American people will not have to wait 5 years to see the savings. These are cuts in this fiscal year. This is \$13 billion the Government will not be able to spend during the next 6 months, not the next 5 years.

The American people want more than tinkering around the edges; they want dramatic results and want better use of their tax dollars, starting now.

The American people sent a loud and clear message to Washington last November: Rein in the Federal Government, reduce the size of Government and cut spending. We are prepared to provide the leadership once again to turn that message into action. We hope the President will join us in this effort to give the American people real spending cuts.

I hope the President will take a look at the supplemental appropriation bill, send us a letter supporting those cuts, and then he will really be on record for real cuts this year, not 5 years down the road, particularly if \$8 billion of the \$13 billion he talks about is already in the President's budget.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Will the Senator yield 1 minute?

Mr. DOLE. I will be happy to yield 2 or 3 or 5 minutes to the Senator from New Mexico.

Mr. DOMENICI. Madam President, first, I want to compliment the Republican leader for his adroitness here. He quickly caught the fact that the President is making a big to-do about almost nothing today. First of all, it is my understanding that of this \$13 billion, \$8 billion of it is in the President's budget.

Everybody knows that budget does not cut anything. So what really happened is he cuts a little bit there and increases things elsewhere. So, of this big package, alleged big package of \$13 billion, \$8 billion is in the President's budget. It was already there and we knew about it. What did we say about that budget? We said that budget put up the white flag of surrender against deficits. So, certainly, this activity of cutting \$13 billion is no big victory. It is still a white flag of surrender.

I would go beyond our distinguished leader and say we are going to look forward to the President's support when we produce a budget resolution that gets us a balanced budget by the year 2002, in 7 years. That is what the American people want. They do not want an announcement that a little piece of Federal Government is being changed and everybody in America is supposed to think we are really getting the deficit under control. We are not getting the deficit under control. It will be with us at \$200 to \$250 billion a year for as far as the eye can see and our children will be burdened with it beyond anything we ever imagined. This announcement will not do very much to alleviate that burden on them or on this country.

Mr. GREGG. Will the Senator from New Mexico yield for a question?

Mr. DOMENICI. I will be pleased to yield.

Mr. GREGG. Madam President, I say to the chairman of the Budget Committee, as I understand it, my quick calculation is that the \$13 billion of cuts which the President is proposing over 5 years represents one-twentieth of 1 percent of the spending that is going to occur over that 5-year period. Whereas the bill that we are bringing forward tomorrow, under Senator DOLE's leadership and under Senator PACKWOOD's leadership, represents a real \$13 billion in cuts—ironically, the same number. It is going to occur this year, immediately. Is that correct?