

Sec. 624(b)(3)(B)—An agency may select a higher cost regulation when “nonquantifiable benefits to health, safety or the environment” make that choice “appropriate and in the public interest.”

Sec. 624(b)(4)—Where a risk assessment has been done, the agency must choose regulations that “significantly reduce the human health, safety and environmental risks.”

Sec. 628(b)(2)—Requirements for environmental management activities do not apply where they would “result in an actual or immediate risk to human health or welfare.”

Sec. 629(b)(1)—Where a petition for alternative compliance is sought, the petition may only be granted where an alternative achieves “at least an equivalent level of protection of health, safety, and the environment.”

Sec. 632(c)—Risk assessment requirements do not apply to a “human health, safety, or environmental inspection.”

#### S. 343 DOES NOT DELAY HEALTH, SAFETY AND ENVIRONMENTAL RULES

Sec. 622(f) and Sec. 632(c)—Cost-benefit and risk assessment requirements are not to delay implementation of a rule if “impracticable due to an emergency or health or safety threat that is likely to result in significant harm to the public or natural resources.”

Sec. 533(d)—Procedural requirements under the Administrative Procedures Act may be waived if “contrary to the public interest.”

Sec. 628(b)(2)—Requirements for major environmental management activities are not to delay environmental cleanups where they “result in an actual and immediate risk to human health or welfare.”

Sec. 801(c)—Congressional 60-day review period before rule becomes final may be waived where “necessary because of an imminent threat to health or safety or other emergency.”

#### S. 343 DOES NOT PLACE A “PRICE TAG ON HUMAN LIFE”

Sec. 621(2)—“Costs” and “benefits” are defined explicitly to include “nonquantifiable,” not just quantifiable, costs and benefits.

Sec. 622(e)(1)(E)—Cost-benefit analyses are not required to be performed “primarily on a mathematical or numerical basis.”

Sec. 624(b)(3)(B)—An agency may choose a higher cost regulation when “nonquantifiable benefits to health, safety or the environment” dictate that result.

### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business, not to extend beyond the hour of 1 p.m., with Senators permitted to speak therein for up to 5 minutes each.

Mr. THOMAS addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

### SUPPORTING REGULATORY REFORM

Mr. THOMAS. Mr. President, I rise in strong support of S. 343, the Comprehensive Regulatory Reform Act, which will be before us today and, I suspect, for the remainder of the week.

I think that this is one of the most exciting opportunities that we have had this year. This is one of the opportunities for this Congress and this Sen-

ate, this Government, to take a look at some of the things that have been going on for 30 years, 40 years, without much examination, which have simply grown and have continued to become more expensive and larger, without a real examination of whether or not what is being done is the most effective way to do it, or whether or not it could be done in a less costly way. I think it is an exciting opportunity.

I have just returned, as have most of our associates, from a week in my home State of Wyoming. We did a series of town meetings and met with the rangeland users and met with the sugar beet growers and the chamber of commerce and the Rotary. As has been the case for some time, the issue most often mentioned is overregulation and the cost of overregulation. So I am excited about the opportunity to do something about that.

I suspect that we will run into the same kinds of discussions that we have when we talk about doing something about welfare reform—that somehow those of us who want some change in what we have been doing are less compassionate than those who want the status quo; that somehow those of us who want to take a look at and change the way regulation is imposed are less caring about the environment and about clean water and clean air than those who support the status quo. That is simply not true.

I suspect that we will hear from the opposition on this bill that somehow this bill will remove all of the regulatory requirements that exist. Not so. We will hear that somehow the regulations that are in place to protect us for various kinds of water and air problems will be eliminated or superseded. That is simply not so.

Many people can imagine what the last election was about. But I think we have talked about it a great deal. There were at least three things that I think were most important to the people of Wyoming. One was that the Federal Government is too big, that it costs too much, and that we are overregulating. I think those are genuine responses that people feel very strongly about.

So, Mr. President, here is our opportunity to do something about that. Clearly, the regulatory system is broken. What is being proposed does not do away with regulations. It simply says there is a better way to do it.

As our leader just indicated, overregulation is a hidden tax that is passed on to consumers. It is not absorbed by businesses. It is not a business issue, even though much of it affects business. The costs are passed on to you and to me. Furthermore, the regulations are not confined to business. It goes much beyond that, into small towns, cities, the universities, and other areas.

Unfortunately, regulations have been applied generally. In our Wyoming Legislature, I am proud that we have a situation where the statute is passed

by the legislature, the agency that is affected drafts and creates the regulation, and it comes back to the legislature for some overview to see, No. 1, if it is within the spirit of the statute; No. 2, to see if it is indeed cost beneficial, that what it is set to accomplish is worth the cost of accomplishment.

We do not even have here an analysis of what the cost will be. The cost of regulation, as the leader indicated, is more than personal tax revenues. Some estimate it between \$650 billion and \$800 billion. Now, this bill will not eliminate all of that cost, of course, because there is a need for regulation, and there is a cost with regulation. The point is that we are looking for a way to apply that regulation in as efficient and effective a manner as can be and do something that has not been done for a long time, and that in the application of the regulation, to use some common sense in terms of what it costs with respect to what the benefits are, and to take a look at risk-benefits ratios to see if what will be accomplished is worth the cost and the effort of the application.

Furthermore, it gives us an opportunity to go back to some regulations that have existed and look at them. Let me give an example. In Buffalo, WY, there are 3,500 people. The EPA said we need to enforce the Safe Drinking Water Act. Fine. They are willing to do that. They are willing to put in a filtering system that costs \$3 million for a town of 3,500 and made a good-faith effort to comply.

One year later, EPA responded and said they would send a compliance schedule. Buffalo never received the schedule.

Then when Buffalo proceeded as they had set forth in their schedule, EPA claimed that Buffalo never let them know what was going on.

After that was worked out, EPA accepted, in writing, the town of Buffalo's plan. The following year, EPA again claimed the city did not let them know what was going on and referred the case to the Department of Justice for prosecution.

When asked what happened, EPA said, “We changed our mind.” The bottom line, the city of Buffalo wanted to comply with the Federal mandate, but the Federal overregulation and bureaucracy prevented that.

The University of Wyoming. We had several contacts from the University of Wyoming asking for a list of issues they were most concerned about. Do you know what was at the top of the list? Overregulation. Not grants, not money—overregulation. This is the university. This is not a business. This is the university, where a good amount of their resources were there to educate young people.

We have the same problem in health regulations, in the disposal of health care waste, which goes far beyond the clean air. It will cause some of the small hospitals in Wyoming to be closed.

Overregulation is particularly difficult for the rural areas of the West, where in our case more than half of the State belongs to the Federal Government. The things we do in our way of life, in our economy, our job creation, is always regulated more than most anywhere else in the country. We are very, very, concerned.

Let me give one example. There are leases, of course, for livestock grazing on Bureau of Land Management lands and on lands of the Forest Service. The leases are renewed regularly. This year, it was decided there had to be a NEPA study—that is supposed to be confined to areas of national concern—for every renewal of a grazing lease. The irrigators have to spend \$100,000 this year to do a NEPA review on their conservation land. The cost of this is paid by you and by me.

Regulatory reform needs to have principles. This bill has them. It has cost-benefit analysis. I think that is a proper and reasonable thing. You and I do that. We make decisions for ourself and our family. We have a cost-benefit analysis, even though it may be informal. A risk assessment—it could be that the last few percentage points are too expensive to be reasonable and common sense. We need a look-back provision so we can go back and take a look at the regulations that now exist. There needs to be a sunset provision so that burdensome laws and burdensome regulations can be dropped or renewed. There needs to be a judicial review. S. 343 incorporates these principles.

I think we have a great opportunity to make better use of the resources that we have, Mr. President, to provide greater protection for human health and safety in the environment at a lower cost and to hold regulators accountable for their decisions. What is wrong with that? I think that is a good idea, to hold the Congress accountable for the kinds of regulations, to limit the size of Government, so that we can create jobs that help consumers improve competitiveness overseas.

We should take advantage of this opportunity. This week will be the time to do it, to be realistic, to apply common sense, to reduce the cost and the burden of regulation. I am delighted that we will have a chance this year, this week, Mr. President, to do that.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DORGAN. I ask unanimous consent to proceed for 15 minutes as if in morning business.

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

#### FEDERAL RESERVE BOARD

Mr. DORGAN. Mr. President, last week the Congress was not in session, but the Federal Reserve Board met downtown in their marble building and took a baby step in rectifying the mistake it made on seven occasions last year when they increased interest rates in order to slow down the American economy.

Last year, the Federal Reserve Board said it was combating inflation in our economy, so it desired to slow down the economy some and prevent a new wave of inflation. Now it appears the Federal Reserve Board has apparently won a fight without a foe. There was no wave of inflation across the horizon.

Last week's announcement to decrease interest rates by one-quarter of 1 percent made the stock market ecstatic. In fact, the Federal Reserve Board acted to ratchet down inflation marginally and the stock market reached record highs.

In fact, if we look at the combination of economic news in the last week or two, it is quite interesting. The Federal Reserve Board says it has won a fight with a foe that did not exist. The stock market reached record highs. And corporate profits are at record levels.

The question would be, if all of those pieces of economic news are so good for the American economy, if this is such wonderful economic news, then why are the Americans so displeased? Why are the American people not dancing in the streets about this economic news? Record profits should mean that businesses are doing well creating jobs, expanding, hiring. Record stock market levels should mean that the experts think the American economy is robust and growing.

The simple answer is the people in this country are not satisfied because this economic news masks an important fact. The American people are not satisfied with this economic news for the same reason that the Federal Reserve Board's actions last year were a mistake. The fact is, and the reason is, we are now living in a global economy.

That means that stellar economic numbers may not translate into economic opportunities here in our country. Surrounding all of the bright economic news that was trumpeted last week, there was one small but critically important fact: American wages are going down.

Yes, corporate profits are at record levels. Yes, the stock market is ringing the bell. Stock market indexes have never been higher in their history. But the fact is, American wage earners, American workers, are doing worse. Investors do better; American workers lose ground. Corporations do better, American wage earners do worse. Wealth holders succeed; working families fail.

There is no economic news that this administration, this Congress, the Federal Reserve Board, the captains of industry, or the investment moguls on

Wall Street can give the American people that will make them feel better about this economy as long as their real wages are declining. Unless and until we stop a 20-year decline in American wages, the American people will not be satisfied.

I always find it interesting that the press trumpets every month the report of how much we consumed. We measure economic health by consumption. But, of course, that is not economic health. It is what you produce that relates to whether you are healthy or not, not what you consume. But we trumpet, every month, all kinds of indices about economic performance and we see nothing—except maybe 2 column inches in the paper once every 6 months—about American wages. Yet every month, the indices show American wages are declining.

Frankly, we have a circumstance today where corporate giants, led by U.S. corporations and followed by their international competitors, are constructing an economic model for the world that worries American workers. They have decided they want to produce where it is cheap and sell back into established marketplaces. That means corporations increasingly produce in Malaysia, Indonesia, Bangladesh, Singapore, Honduras, China—around the world—where they can hire cheap labor, often kids. They can pay dirt-cheap wages, they can dump their pollution in the air and in the water, make their product, and send it back to Pittsburgh for sale.

That strategy of playing the American worker off against 1 or 2 billion others in the world who are willing to work for pennies an hour is a strategy that might well lead to record corporate profits, but it also leads to declining U.S. wages. And that is the economic problem this country has to fix.

The bottom line of economic progress in this country must be, "Are we increasing the standard of living for the American worker?" And the answer today, amidst all of the glory of the wonderful economic news trumpeted every day in recent weeks, is no. The standard living for the average American worker is not advancing. It has been declining.

Our economic strategy for the 50 years following the Second World War was, for the first 25 years, a foreign policy disguised as economic strategy to try to help everybody else. We did that and it was fine. We could afford to do it because we were the biggest and the best and the strongest and the most. And even as we did that we progressed and so did the American worker. But for the last 20 to 25 years it has been different.

Our trade policy is still largely a foreign policy. It does not work to support the interests of our country. And what we see as a result of it is that other countries are growing and advancing and our country, measured by standard