

(b) MEMBERSHIP: The committee chairman shall select members of the subcommittees, after consulting with the ranking minority member.

RULE 7. STATUTORY RESPONSIBILITIES AND OTHER MATTERS

(a) ENVIRONMENTAL IMPACT STATEMENTS: No project or legislation proposed by any executive branch agency may be approved or otherwise acted upon unless the committee has received a final environmental impact statement relative to it, in accordance with section 102(2)(C) of the National Environmental Policy Act, and the written comments of the Administrator of the Environmental Protection Agency, in accordance with section 309 of the Clean Air Act. This rule is not intended to broaden, narrow, or otherwise modify the class of projects or legislative proposals for which environmental impact statements are required under section 102(2)(C).

(b) PROJECT APPROVALS

(1) Whenever the committee authorizes a project under Public Law 89-298, the Rivers and Harbors Act of 1965; Public Law 83-566, the Watershed Protection and Flood Prevention Act; or Public Law 86-249, the Public Buildings Act of 1959, as amended; the chairman shall submit for printing in the Congressional Record, and the committee shall publish periodically as a committee print, a report that describes the project and the reasons for its approval, together with any dissenting or individual views.

(2) Proponents of a committee resolution shall submit appropriate evidence in favor of the resolution.

(c) BUILDING PROSPECTUSES

(1) When the General Services Administration submits a prospectus, pursuant to section 7(a) of the Public Buildings Act of 1959, as amended, for construction (including construction of buildings for lease by the government), alteration and repair, or acquisition, the committee shall act with respect to the prospectus during the same session in which the prospectus is submitted. A prospectus rejected by majority vote of the committee or not reported to the Senate during the session in which it was submitted shall be returned to the GSA and must then be resubmitted in order to be considered by the committee during the next session of the Congress.

(2) A report of a building project survey submitted by the General Services Administration to the committee under section 11(b) of the Public Buildings Act of 1959, as amended, may not be considered by the committee as being a prospectus subject to approval by committee resolution in accordance with section 7(a) of that Act. A project described in the report may be considered for committee action only if it is submitted as a prospectus in accordance with section 7(a) and is subject to the provisions of paragraph (1) of this rule.

(d) NAMING PUBLIC FACILITIES: The committee may not name a building, structure or facility for any living person, except former Presidents or former Vice Presidents of the United States, former Members of Congress over 70 years of age, or former Justices of the United States Supreme Court over 70 years of age.

RULE 8. AMENDING THE RULES

The rules may be added to, modified, amended, or suspended by vote of a majority of committee members at a business meeting if a quorum is present.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. BENNETT). The time for morning business has expired.

UNFUNDED MANDATE REFORM ACT

The PRESIDING OFFICER. The clerk will report the pending business. The legislative clerk read as follows:

A bill (S. 1) to curb the practice of imposing unfunded Federal mandates on States and local governments; to strengthen the partnership between the Federal Government and State, local and tribal governments; to end the imposition, in the absence of full consideration by Congress, of Federal mandates on State, local, and tribal governments without adequate funding, in a manner that may displace other essential governmental priorities; and to ensure that the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Committee amendment No. 11, beginning on page 25, line 11, pertaining to committee jurisdiction.

The PRESIDING OFFICER. We now return to the pending question, which is the committee amendment on page 25, line 11.

Who seeks recognition?

Mr. KEMPTHORNE addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. KEMPTHORNE. Mr. President, for the past week, the U.S. Senate has renewed debate on the issue of unfunded Federal mandates. Senate bill 1, which curbs unfunded Federal mandates, is a fundamental change in the way we do business in the Congress and it is a fundamental change in our relationship with State and local governments.

As I mentioned when I introduced S.1, Congress has gotten away from the fundamentals as envisioned by our Founding Fathers. We shouldn't be here to dictate to the States. We are to be here on behalf of our States—representing and protecting the interests of each sovereign State.

Mr. President, each of the States, and more than 87,000 other municipalities are anxiously and carefully following this debate on unfunded mandates and more importantly, the 10th amendment, as it unfolds here on the floor of the Senate.

But they're not just watching the debate; they are following our lead. In my home State of Idaho, the State legislature is ready to address the issue of unfunded State mandates. Our new Governor, Phil Batt, pledged to stem the flow of unfunded mandates from the State onto Idaho's cities and counties.

Legislation has now been introduced to do just that, and this afternoon, Mr. President, the Idaho State Senate's

Local Government and Taxation Committee will hold its first hearing on Senate bill 1003, Idaho's Community Regulatory Relief Act introduced by State Senator Rod Beck.

Governor Batt and Senator Beck should be applauded for recognizing that we not only must improve the partnership between Federal and State governments, but also between State and local governments.

Mr. President, I would also add that this morning, the Idaho State Senate passed a joint memorial—Senate Joint Memorial No. 102—similar to resolutions and memorials passed by several other States which calls on the Federal Government to observe the 10th amendment to the Constitution and to end mandates that are beyond the scope of its constitutionally delegated powers. Our distinguished majority leader, Senator DOLE, has pledged to help this body remember the 10th amendment, and each week the Senate is in session he will insert the 10th amendment into the CONGRESSIONAL RECORD.

Again, Mr. President, our efforts here in Congress to own up to our responsibilities and to stop shifting our burdens onto States and local government are not going unnoticed. I'm proud to be a part of this great movement to restore trust in this institution, to enhance our partnership with States and local governments, and to see the States establishing similar partnerships with cities and counties.

Mr. President, I ask unanimous consent that following my suggestion that there is an absence of a quorum, I will retain the floor so that we can proceed.

Mrs. BOXER. Mr. President, parliamentary inquiry.

The PRESIDING OFFICER. Is the Senator suggesting the absence of a quorum?

Mr. KEMPTHORNE. Mr. President, yes.

The PRESIDING OFFICER. The clerk will call the roll.

Mrs. BOXER. Mr. President, may I make a parliamentary inquiry before the quorum?

The PRESIDING OFFICER. Does the Senator from Idaho withhold his suggestion of the absence of a quorum so that the Senator from California may make a parliamentary inquiry?

Mr. KEMPTHORNE. Yes, I would withhold.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I would just like to know exactly where we are because I was intending to offer a second-degree amendment to one of the committee amendments. I wanted to make sure that would still be in order at this point.

The PRESIDING OFFICER. The Senator from Idaho has the floor. Amendments to the committee amendment are in order.

The Senator from Idaho.

Mr. KEMPTHORNE. Mr. President, I thank the Chair.