

God bless you.

A TRIBUTE TO SHIMON EREM

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. SHERMAN. Mr. Speaker, it is an honor to rise today to recognize Shimon Erem as the recipient of the Lawrence J. Weinberg Distinguished Service Award. This award recognizes Shimon for his outstanding grassroots political service which has helped to strengthen relations between the United States and Israel.

Shimon Erem has been a tireless leader of our community and our Nation recognizing the necessity of open dialog, particularly over difficult issues which jeopardize freedom and peace. He has personally arranged meetings among the leaders of France, Norway, Poland, Israel, and the United States, as well as conferences between Christian and Jewish pastors to better Judo-Christian relations.

In addition to his national leadership Shimon has served our local community by participating in California statewide politics, while personally forging relationships between State officials and party activists. Shimon is a true champion of democracy locally in California and throughout the world.

Shimon understands the basis of democracy and the need for strong leadership. He has headed several organizations including B'nai B'rith, the World Alliance of Christians and Jews, Center for Strategic Studies in Los Angeles, and countless others. The Los Angeles community and I thank Shimon for his exceptional service and dedication to the preservation of democracy throughout the world.

Alexis de Tocqueville once said that:

A people among whom individuals lost the power of achieving great things single-handed would soon relapse into barbarism.

Tocqueville meant that democracy would not survive without people like Shimon sacrificing time and energy for the benefit of this Nation. I honor Shimon Erem for his work toward peace and congratulate him as the recipient of the Lawrence J. Weinberg Distinguished Service Award.

THE INTRODUCTION OF THE CONGRESSIONAL OFFICE OF REGULATORY ANALYSIS CREATION ACT

HON. SUE W. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mrs. KELLY. Mr. Speaker, I am introducing legislation that will greatly assist this body in obtaining information that it can use to fulfill its responsibilities under the Congressional Review Act. My legislation would create a Congressional Office of Regulatory Analysis, or CORA, whose sole purpose would be to provide Congress substantive information on the potential impact of new regulations on our Nation's small business.

In March 1996, the Small Business Regulatory Enforcement Fairness Act [SBREFA]

was enacted. Contained within this legislation is an often overlooked, but nevertheless significant, provision that gives Congress the authority to prevent new Federal regulations from taking effect. This new regulatory disapproval authority is designed to allow Congress to become a more active participant in the regulatory process.

Members of Congress have often protested that Federal agencies routinely promulgate regulations that exceed their legal authority. Given these complaints, and the fact that the regulatory burden has become unbearably large, one would expect that Congress would be vigorously employing its powers under the Congressional Review Act. However, in practice, the exact opposite is true. As of May 21, 1997, roughly 14 months after the Congressional Review Act became effective, 4,574 nonmajor final rules have been submitted to GAO and Congress, and 72 major rules, on which GAO is required to submit a statement to Congress, have been issued. Yet, not a single resolution of disapproval has been passed. The House of Representatives has failed even to consider one such resolution.

In my opinion, this is not how the Congressional Review Act was designed to operate. Congress must use its authority to exercise stronger oversight of the regulatory state. Before I describe the responsibilities of CORA, however, I would like to make one point very clear: this initiative is not based on the assumption that all regulations are bad. Some regulations have been instrumental in protecting our environment and ensuring the safety of millions of American workers. These efforts should not be weakened, and it is not the intent of this legislation to do so.

Having said that, let me explain more fully what CORA is designed to do. Under my bill, a new legislative support office, called the Congressional Office of Regulatory Analysis, would be created. Why is such an office needed? As discussed above, the Congressional Review Act is simply not being implemented. The executive branch continues to churn out new regulations at a staggering pace. In most cases, the only information that Members of Congress have available to them regarding a regulation is that which is provided by the promulgating agency. As we all know, Federal agencies are required to complete a number of reports and analyses on rules that they are promulgating. A problem exists, however, because agencies often ignore these requirements, or fail to thoroughly comply with them. Aside from what an agency may provide, there is no other source of information that Congress can rely upon. CORA's sole purpose would be to analyze new agency regulations to help Congress determine whether the use of its disapproval authority under the Congressional Review Act would be warranted.

How would the Office operate? Under current law, virtually all new regulations are required to be filed with Comptroller General of the General Accounting Office and each House of Congress. The Comptroller General has unique responsibilities if these regulations are determined to be major. A major rule, whose determination is made by the Administrator of the Office of Information and Regulatory Affairs, is defined as a rule that will likely have an annual effect on the economy of \$100 million or more. In these instances, GAO is required to submit a report to the committees of jurisdiction by the end of 15 calendar

days containing an assessment of the agency's compliance with the procedural steps required by various statutes and executive orders relating to the regulatory process. The usefulness of these reports, however, is minimal because they simply assess procedural steps taken by an agency, and do not at all address the substance of the regulation. As a result, they do little to assist Members of Congress determine the merits of the rule itself.

This would change under my legislation. Initially, the functions now designated to the General Accounting Office would be transferred to CORA. In addition to the report on an agency's compliance with procedural steps, CORA would also perform its own regulatory impact analysis of major rules. Such an analysis would provide a second opinion on the agency's actions and provide Members with a substantive assessment of the impact the regulation is likely to have. This information could then be used to facilitate use of the Congressional Review Act.

In addition, CORA could also conduct regulatory impact analyses of nonmajor rules. Currently, there is no type of review of these regulations by GAO or anyone else. CORA would undertake these analyses at the request of a committee or individual Member, based on a priority system established within the legislation and the discretion of the Director of the Office. Under such a system, CORA could analyze important nonmajor rules using limited budgetary resources.

Under the Unfunded Mandates Reform Act, the Congressional Budget Office also has certain regulatory analysis functions. CBO is required to estimate the costs of regulations that may be needed to implement a particular piece of legislation. Upon request, CBO is also required to compare its estimate with that of the agency promulgating the rule. Because CORA would be the repository of regulatory information for Congress, it would be appropriate for CORA to assume this function.

Mr. Speaker, Congress needs accurate, reliable, nonpartisan information that it can use to assess new regulations. A source for such information does not currently exist. My legislation would create a small, inexpensive, and focused office within the legislative branch that could provide such information. It would consolidate and centralize such a function, and greatly facilitate effective implementation of the Congressional Review Act. With the annual cost to our economy of Federal regulations estimated at roughly \$700 billion and growing, how can we afford not to have such an office?

Thank you, Mr. Speaker.

HONORING LINDA VISTA SCHOOL

HON. JAY KIM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1997

Mr. KIM. Mr. Speaker, I am honored to rise today and salute Principal Schara and the teachers and students of Linda Vista Elementary School in Yorba Linda, CA for having been awarded the Blue Ribbon School Award by the U.S. Secretary of Education. I am proud to represent such a fine institution in Congress.

Blue Ribbon awards honor 263 secondary, middle and junior high schools around the