

The Library of Congress/Fisk University Coahoma County (MS) Project—recordings by Alan Lomax and John Work of the entire spectrum of African American music in the Mississippi Delta, 1941-42 (includes the two following items).

Muddy Waters (McKinley Morganfield)—the original Delta field recordings by Alan Lomax in 1941-42 (?), when Muddy Waters was a young man and before he went north to Chicago, electrified, and helped start the modern Rhythm and Blues style.

Eddie "Son" House—Mississippi Delta field recordings of the legendary blues singer by Alan Lomax, 1941?

"Bonaparte's Retreat" played on fiddle by Bill Stepp of Salyersville, KY, 1937, recorded by Alan Lomax—the source of the famous "Hoedown" music by Aaron Copeland's Rodeo.

Willard Rhodes/Bureau of Indian Affairs Collection, the most comprehensive effort to document American Indian music in the post-WW2 period.

American Dialect Society Collection—early documentation of American speech and dialect.

Alan Lomax Michigan collection (1938?)—includes both urban blues and various unusual ethnic traditions (Here's an example of a disc collection that, because of the particular composition of the acetate discs, is flaking and falling apart as we speak).

### III. WIRE RECORDINGS (CA. 1947-65)

#### IV. TAPE ERA (1947-PRESENT)

Paul Bowles Moroccan Collection—60 to 70 7" tapes recorded by noted author/composer Paul Bowles with the assistance of the Library of Congress, surveying the music of Morocco.

Mr. HOYER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the gentlewoman from Missouri (Ms. MCCARTHY), for her leadership and support of this effort. She has been very much involved in bringing the bill to this point, and I certainly appreciate her support on the floor.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. NEY. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SUNUNU). The question is on the motion offered by the gentleman from Ohio (Mr. NEY) that the House suspend the rules and pass the bill, H.R. 4846, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

### GENERAL LEAVE

Mr. NEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4846.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

### TRUTH IN REGULATING ACT OF 2000

Mr. RYAN of Wisconsin. Mr. Speaker, I move to suspend the rules and pass

the bill (H.R. 4924) to establish a 3-year pilot project for the General Accounting Office to report to Congress on economically significant rules of Federal agencies, and for other purposes.

The Clerk read as follows:

#### H.R. 4924

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Truth in Regulating Act of 2000".

#### SEC. 2. PURPOSES.

The purposes of this Act are to—

(1) increase the transparency of important regulatory decisions;

(2) promote effective congressional oversight to ensure that agency rules fulfill statutory requirements in an efficient, effective, and fair manner; and

(3) increase the accountability of Congress and the agencies to the people they serve.

#### SEC. 3. DEFINITIONS.

In this Act, the term—

(1) "agency" has the meaning given such term under section 3502(1) of title 44, United States Code, except that such term shall not include an independent regulatory agency, as that term is defined in section 3502(5) of such title;

(2) "economically significant rule" means any proposed or final rule, including an interim or direct final rule, that may have an annual effect on the economy of \$100,000,000 or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities, or for which an agency has prepared an initial or final regulatory flexibility analysis pursuant to section 603 or 604 of title 5, United States Code; and

(3) "independent evaluation" means a substantive evaluation of the agency's data, methodology, and assumptions used in developing the economically significant rule, including—

(A) an explanation of how any strengths or weaknesses in those data, methodology, and assumptions support or detract from conclusions reached by the agency; and

(B) the implications, if any, of those strengths or weaknesses for the rulemaking.

#### SEC. 4. PILOT PROJECT FOR REPORT ON RULES.

(a) IN GENERAL.—

(1) REQUEST FOR REVIEW.—When an agency publishes an economically significant rule, a chairman or ranking member of a committee of jurisdiction of either House of Congress may request the Comptroller General of the United States to review the rule.

(2) REPORT.—The Comptroller General shall submit a report on each economically significant rule selected under paragraph (1) to the committees of jurisdiction in each House of Congress not later than 180 calendar days after a committee request is received, or in the case of a committee request for review of a notice of proposed rulemaking or an interim final rulemaking, by the end of the period for submission of comment regarding the rulemaking, if practicable. The report shall include an independent evaluation of the economically significant rule by the Comptroller General.

(3) INDEPENDENT EVALUATION.—The independent evaluation of the economically significant rule by the Comptroller General under paragraph (2) shall include—

(A) an evaluation of an agency's analysis of the potential benefits of the rule, including any beneficial effects that cannot be quantified in monetary terms and the identi-

fication of the persons or entities likely to receive the benefits;

(B) an evaluation of an agency's analysis of the potential costs of the rule, including any adverse effects that cannot be quantified in monetary terms and the identification of the persons or entities likely to bear the costs;

(C) an evaluation of an agency's analysis of alternative approaches set forth in the notice of proposed rulemaking and in the rulemaking record, as well as of any regulatory impact analysis, federalism assessment, or other analysis or assessment prepared by the agency or required for the economically significant rule; and

(D) a summary of the results of the evaluation of the Comptroller General and the implications of those results.

(4) PROCEDURES FOR PRIORITIES OF REQUESTS.—The Comptroller General shall have discretion to develop procedures for determining the priority and number of requests for review under paragraph (1) for which a report will be submitted under paragraph (2).

(b) AUTHORITY OF COMPTROLLER GENERAL.—Each agency shall promptly cooperate with the Comptroller General in carrying out this Act. Nothing in this Act is intended to expand or limit the authority of the General Accounting Office.

#### SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the General Accounting Office to carry out this Act \$5,200,000 for each of fiscal years 2001 through 2003.

#### SEC. 6. EFFECTIVE DATE AND DURATION OF PILOT PROJECT.

(a) EFFECTIVE DATE.—This Act shall take effect 90 days after the date of enactment of this Act.

(b) DURATION OF PILOT PROJECT.—The pilot project under this Act shall continue for a period of 3 years, if in each fiscal year, or portion thereof included in that period, a specific annual appropriation not less than \$5,200,000 or the pro-rated equivalent thereof shall have been made for the pilot project.

(c) REPORT.—Before the conclusion of the 3-year period, the Comptroller General shall submit to Congress a report reviewing the effectiveness of the pilot project and recommending whether or not Congress should permanently authorize the pilot project.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. RYAN) and the gentleman from Ohio (Mr. KUCINICH) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. RYAN).

#### GENERAL LEAVE

Mr. RYAN of Wisconsin. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4924.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself 15 minutes.

(Mr. RYAN of Wisconsin asked and was given permission to revise and extend his remarks.)

Mr. RYAN of Wisconsin. Mr. Speaker, I move that the House suspend the rules and pass the Truth in Regulating Act of 2000. It is a bipartisan, good government bill. It establishes a regulatory analysis function within the

General Accounting Office. This function is intended to enhance congressional responsibility for regulatory decisions developed under the laws Congress enacts.

It is a product of the leadership over the past few years by the chairman of the Subcommittee on Regulatory Reform and Paperwork Reduction of the Committee on Small Business, the gentlewoman from New York (Mrs. KELLY), who will be joining us here in a minute.

The most basic reason for supporting this bill is constitutional. Just as Congress needs a Congressional Budget Office to check and balance the executive branch in the budget process, so it needs an analytic capability to check and balance the executive branch in the regulatory process. The GAO, or the General Accounting Office, is the logical location, since it already has some regulatory review responsibilities under the Congressional Review Act, otherwise known as the CRA.

Article I, section 1 of the U.S. Constitution vests all legislative powers in the U.S. Congress. While Congress may not delegate its legislative functions, it routinely authorizes the executive branch agencies to issue rules and implement laws passed by Congress. Congress has become increasingly concerned, however, about its responsibility to oversee agency rule making, especially due to the extensive costs and impacts of Federal Rules.

During the 105th Congress, the Committee on Government Reform Subcommittee on National Economic Growth, Natural Resources and Regulatory Affairs, chaired by the gentleman from Indiana (Mr. MCINTOSH), on which I serve as vice chairman, held a hearing on the gentlewoman from New York's (Mrs. KELLY) earlier regulatory analysis bill, H.R. 1704, which sought to establish a new freestanding Congressional agency. The subcommittee then marked up and reported her bill, H.R. 1704, and called for the establishment of a new legislative branch Congressional Office of Regulatory Analysis. We often refer to this as CORA, most people refer to this as CORA legislation, to analyze all major results and report to Congress on the potential costs, benefits, and alternative approaches that could achieve the same regulatory goals at lower costs.

This agency was intended to aid Congress in analyzing Federal regulations. The committee report stated that "Congress needs the expertise that CORA would provide to carry out its duty under the Congressional Review Act. Currently Congress does not have the information it needs to carefully evaluate regulations. The only analysis that it has to rely on are those provided by the agencies which actually promulgate the rules. There is no official third party analysis of new regulations."

Unfortunately, CORA supporters in the 105th Congress could not overcome

the resistance of the defenders of the regulatory status quo. Opponents argued against creating a new congressional agency on the basis of fiscal conservatism, but by this logic, Congress ought to abolish the CBO as an even more heroic demonstration of fiscal conservatism. But, of course, most of us recognize that dismantling the CBO would be penny wise and pound foolish.

In the 106th Congress, the chairman of the Committee on Government Reform Subcommittee on National Economic Growth, Natural Resources and Regulatory Affairs, the gentleman from Indiana (Mr. MCINTOSH) and the Committee on Small Business chairman of the Subcommittee on Regulatory Reform and Paperwork Reduction, the gentlewoman from New York (Mrs. KELLY), sought to accommodate the prejudice against the free-standing agency and introduced bills H.R. 3521 and H.R. 3669 respectively to establish a CORA function within the General Accounting Office, which is where we are now, which is an existing legislative branch agency that has this kind of expertise. The gentleman from Indiana (Mr. MCINTOSH) and the gentlewoman from New York (Mrs. KELLY) introduced their bills in January and February of this year.

On May 10, the Senate passed its own regulatory analysis legislation, S. 1198, the Truth in Regulating Act of 2000, by unanimous consent. Like the bills of the gentleman from Indiana (Mr. MCINTOSH) and the gentlewoman from New York (Mrs. KELLY), the Senate legislation would also establish a regulatory analysis function within the GAO.

During the 106th Congress, the Committee on Government Reform did not hold a hearing specifically on this bill, but the Subcommittee on National Economic Growth, Natural Resources and Regulatory Affairs did hold a June 14th hearing entitled, Does Congress delegate too much power to agencies and what should be done about it?

Witnesses discussed the need for a CORA function that would assist Congress in assuming more responsibility for agency rules now which impose over \$700 billion in off-budget costs to the American people through regulations.

On June 26, the gentlewoman from New York (Mrs. KELLY) and the gentleman from Indiana (Mr. MCINTOSH) introduced H.R. 4744, which made several needed improvements to the Senate-passed bill along the lines suggested by witnesses at the June 14 hearing. For example, whereas S. 1198 merely permits GAO to assist Congress in submitting timely comments on proposed regulations during the public comment period, H.R. 4744 would require GAO to provide such assistance. This was a critical improvement, because it is only by commenting on proposed rules during the public comment period that Congress has any real opportunity to influence the cost, the scope, and the content of regulation.

In addition, unlike the Senate bill, this bill would require GAO to review not only the agency's data, but also the public's data, to assure a more balanced evaluation, analyze not only the rules, costing more than \$100 million, but also the rules with a significant impact on small businesses, and examine whether or not alternatives not considered by the agencies might achieve the same goal in a more cost-effective manner or with a greater net benefit.

On June 29, the Committee on Government Reform favorably reported out H.R. 4744, with a very thorough discussion of issues in its accompanying report.

H.R. 4924 introduced just yesterday, includes two, or more accurately, one and a half of H.R. 4744's improvements to S. 1198. A, the inclusion within the scope of GAO's purview of agency rules with a significant impact on small businesses; and, B, a directive to the GAO to submit its independent evaluation of proposed rules within the public comment period, albeit only when doing so is practicable.

House Report 106-772 explains the basis for these improvements. Nonetheless, I am deeply disappointed that we could not persuade the honorable gentleman from California that timely comments on proposed rules are better than untimely or late comments, but understand that in politics, half a loaf, or in this case, a fraction of a loaf, may still be better than none.

H.R. 4924 is, in my judgment, inferior to H.R. 4744, which is itself a watered down version of the complete reform needed that the gentlewoman from New York (Mrs. KELLY) worked on in returning's constitutional responsibility for regulatory oversight, but this bill is a step in the right direction and it will give reformers something to build on in the next Congress.

H.R. 4924 is truly a very modest bipartisan proposal. It does not require or expect GAO to conduct any new regulatory impact analyses, any new cost benefit analyses or other impacted analyses. However, GAO's independent evaluation should lead the agencies to prepare any missing cost-benefit analyses, small business impacts, federalism impacts, or any other missing analysis.

For example, after the McIntosh subcommittee insisted that the Department of Labor prepare a missing RIA for its Baby UI proposal, they finally prepared one. Unfortunately, H.R. 4924 excludes from GAO's purview major rules promulgated by the independent regulatory agencies, such as the Federal Communications Commission, the Federal Trade Commission and the Securities and Exchange Commission, which regulate major sectors of the U.S. economy.

Since the analysis accompanying rules issued by the independent regulatory agencies are often incomplete or inadequate, this omission is unfortunate, and it makes the bill less useful

than its Senate counterpart or H.R. 4744.

Here is basically how the bill works. The chairman or ranking member of a committee of jurisdiction may request that GAO submit an independent evaluation to the committee on a major proposed rule during the public comment period or on a final rule within 180 days. The GAO's analysts shall include an evaluation of the potential benefits of the rule, the costs, alternative approaches to the rule making and various impact analyses.

Congress currently has two opportunities to review agency regulatory action. Under the Administrative Procedures Act, Congress can comment on agency-proposed and interim rules during the public comment period. The APA says that public sector and private sector officials have the same comment period. Late Congressional comments cannot be accepted, any more than late private comments. That is why it is important that the GAO finishes its analysis within the public comment period, and to do so just like any other entity that does so correctly under today's law and under today's APA procedures.

Agencies can ignore comments filed by Congress after the end of the public comment period, as the Department of Labor did with the Baby UI rule. Therefore, since GAO cannot be given more time than any members of the public to comment, they should clearly be able to complete their review of agency regulatory proposals during the public comment period. Under the CRA, Congress can disapprove an agency final rule after it has promulgated, but before it is effective. That is a very important point, Mr. Speaker.

□ 1500

Unfortunately, Congress has not been able to fully carry out its responsibility under the CRA because it has neither all of the information it needs to carefully evaluate agency regulatory proposals, nor sufficient staff to carry out its function. In fact, since the March 1996 enactment of the CRA, at that time, we have had no completed congressional resolutions of disapproval. To assume oversight responsibility for Federal regulations, Congress needs to be armed with an independent evaluation.

What is needed is an analysis of legislative history to see if there is a non-delegation problem, such as the FDA administration's proposed rule on tobacco product regulation; the Baby UI rule which provides paid family leave to small business employees even though Congress in the Family Medical Leave Act said no to paid family and medical leave for coverage of small business employees as well.

Sometimes the quickest way to find out that an agency has ignored a congressional intent or failed to consider less costly regulatory alternatives is to examine nonagency data and analysis. It is for that reason, under H.R. 4744,

the GAO would be required to consult the public's data in the course of evaluating agency rules.

Although H.R. 4924 does not require the GAO to review public data, neither does it forbid or preclude GAO from doing so. I bring this up because some hope that H.R. 4924 implicitly contains a gag order forbidding the GAO to consult any analysis or data except for those supplied by the agency to be reviewed. This reading of H.R. 4924 would defeat the whole purpose of the bill, which is to enable Congress to comment knowingly and knowledgeably about agency rules from the standpoint of a truly independent evaluation of those rules.

Instructed by GAO's independent evaluations, Congress will be better equipped to review final agency rules under the CRA. More importantly, Congress will be better equipped to submit timely and knowledgeable comments on proposed rules during the public comment period. I say this notwithstanding the words, where practicable, which some CORA foes hope will ensure that the GAO analysis of proposed rules are untimely and therefore relatively worthless. I am confident that despite the "where practicable" language, GAO will want to please rather than annoy its customers and employers and will not fail to help Members of Congress submit timely comments on regulatory proposals.

Thus, even though a far cry from the original idea of an independent CORA agency, and although inferior to the Kelly-McIntosh bill reported by the Committee on Government Reform, H.R. 4924 will increase the transparency of important regulatory decisions. It will promote the effective congressional oversight and increase the accountability of Congress. The best government is a government accountable for the people. For America to have an accountable regulatory system, the people's elected representatives must participate in and take responsibility for the rules promulgated under the laws Congress passes.

H.R. 4924 is a meaningful step toward Congress meeting its oversight and its regulatory oversight capabilities.

Mr. Speaker, I reserve the balance of my time.

Mr. KUCINICH. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Speaker, I thank the gentleman from Ohio (Mr. KUCINICH) for yielding to me.

Mr. Speaker, I rise in support of H.R. 4924, the Truth in Regulating Act. H.R. 4924 is similar to S. 1198, which passed by unanimous consent in the Senate and which was introduced in the House by the gentleman from California (Mr. CONDIT).

H.R. 4924 is a significant improvement over H.R. 4744, which narrowly passed in the Committee on Government Reform on a party line vote. It imposed costly obligations on the Gen-

eral Accounting Office and bogged down the rule-making process.

I would like to commend the sponsors of this bill, the gentlewoman from New York (Mrs. KELLY), the gentleman from California (Mr. CONDIT), the gentleman from Indiana (Mr. MCINTOSH), and the gentleman from Texas (Mr. TURNER), as well as the gentleman from Indiana (Mr. BURTON), for working with us in order to achieve this compromise.

By working together, we can now see a 100 percent bipartisan bill on the floor and have legislation that will actually be enacted into law.

This bill is sounder than the committee-passed bill. Unlike that bill, this one only requires the GAO to evaluate an agency's analysis of rules. It does not require the GAO to do its own cost-benefit or cost-effectiveness analysis on rules.

In addition, unlike H.R. 4744, this bill does not require the GAO to evaluate a rule by the end of the comment period if this is not practicable. Therefore, if necessary, to ensure a high quality review, the GAO could use 180 days to complete its evaluation of a rule and finish after the time for commenting has expired.

This bill is not a major piece of legislation, but in one way it is precedent setting. For the first time in at least 5 years, the Committee on Government Reform has developed a consensus on regulatory reform legislation. I hope any future regulatory reform initiatives are approached with this same bipartisan spirit, and I urge my colleagues to support this legislation.

Mr. KUCINICH. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. CONDIT).

Mr. CONDIT. Mr. Speaker, I rise in support of H.R. 4924, the Truth in Regulating Act of 2000. I would like to thank the gentleman from Indiana (Mr. BURTON); the ranking member, the gentleman from California (Mr. WAXMAN); the gentlewoman from New York (Mrs. KELLY); and the gentleman from Indiana (Mr. MCINTOSH) for forging this compromise and all their hard work on this issue.

I am confident that this proposal is similar enough to S. 1198, the Truth in Regulating Act, which recently passed the Senate by unanimous consent to ensure a quick conference. This is a straightforward proposal to provide Members of Congress with an analytical, independent evaluation of the cost proposal of major rules. I urge all of my colleagues to support this bipartisan piece of legislation.

Mr. KUCINICH. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. TURNER).

Mr. TURNER. Mr. Speaker, I rise in strong support of H.R. 4924, the Truth in Regulating Act of 2000. Transparency in government is essential to our democracy. Many times our Federal agencies in their zeal to carry out their mission create regulations that

can be overly burdensome to the public. As a Congress, we have a responsibility to ensure that agency rules fulfill statutory requirements in an open, efficient, effective and, most importantly, in a fair manner.

Agencies must be accountable to the people they serve. This legislation creates a 3-year pilot project in which at the request of the committee of jurisdiction the General Accounting Office would review proposed and final rules which have a significant impact on the public.

Within 180 days, the GAO would independently evaluate the agency's analyses of costs, benefits, alternatives, regulatory impact, and any other analysis prepared by the agency.

I want to commend the gentlewoman from New York (Mrs. KELLY); the gentleman from California (Mr. CONDIT); the gentleman from Indiana (Mr. BURTON); the gentleman from Indiana (Mr. MCINTOSH); the ranking member, the gentleman from California (Mr. WAXMAN); and the gentleman from Ohio (Mr. KUCINICH) for their leadership and willingness to work to craft a compromise on this bill.

I am particularly pleased that the language was included which clarifies that this bill only requires the GAO to audit the analyses which were prepared by the agency pursuant to statutory authority as opposed to requiring the GAO to do its own cost-benefit analysis.

I would hope that all parties to this compromise agree that it would be impractical and an overwhelming burden to the GAO to perform another separate, independent analysis.

Mr. Speaker, this is a good government bill; and I urge its passage by the House.

Mr. KUCINICH. Mr. Speaker, I reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 5 minutes to the gentlewoman from New York (Mrs. KELLY).

Mrs. KELLY. Mr. Speaker, the Truth in Regulating Act represents the culmination of nearly 4 years of hard work and is an effort that will provide Congress with a new resource for reviewing new government regulations before they take effect.

This is not the bill I had hoped for, but I accept it as a good place to begin. I first introduced this legislation during the 105th Congress with the goal of giving Congress the tools it needs to oversee the steady stream of new and often costly regulations coming from the Federal Government.

Government regulations have an impact on every American, Mr. Speaker. In most cases, regulations speak to a noble purpose and can often be viewed as a measure of the value that we place in protecting such things as human health, workplace safety, or the environment. Yet too often government oversteps its bounds in an attempt to achieve these goals, and we all pay the price as a consequence.

The price of regulations poses a particularly heavy burden on small busi-

nesses and manufacturers, those entities which make up the very thing that drives our economy forward. Estimates vary on the annual cost of government regulations. The Office of Management and Budget estimates \$3 billion a year while other estimates run as high as \$700 billion every year.

Congress has a special entity, the Congressional Budget Office, or CBO, to help it grapple with our enormous Federal budget, and there is growing sentiment that a similar office is needed within the legislative branch to review and analyze the numerous government regulations that are developed and issued every year.

Mr. Speaker, the gentleman from Wisconsin (Mr. RYAN) highlighted the difference between the Senate version, S. 1198 and H.R. 4924. Let me highlight one of the most important components of this compromise legislation, the inclusion of small business.

As the vice chairman of the Committee on Small Business and chairwoman of the Subcommittee on Regulatory Reform and Paperwork Reduction, I know that small business owners are very familiar with the burdens that Federal regulations place on them.

Some studies have shown that for small employers the cost of complying with Federal regulations is more than double what it costs their larger counterparts. Small businesses need help in addressing this burden. A new mechanism to help Congress to control the regulatory burden on small employers, H.R. 4924 provides such a mechanism.

This legislation authorizes GAO to study not only economically significant rules but also rules that agencies identify as a significant impact on small businesses. I think it is essential that Congress have the tools to perform proper oversight of the Federal regulatory process as it affects small firms in this country.

The bottom line, the Truth in Regulating Act, is about better information. The purpose of this office is to ensure that Congress exercises its legislative powers in the most informed manner possible.

Ultimately, this will lead to better and more finely tuned legislation, as well as more effective agency regulations.

This legislation would provide Congress with reliable, nonpartisan information and improve Congress' ability to understand burdens that are placed on small businesses and the economy by excessive regulations.

I urge my colleagues to support H.R. 4924, because only through active oversight can Congress ensure that the laws that it passes are properly implemented. This is a responsibility that Congress must take seriously, because as countless small business owners can attest, not doing so can have dramatic implications.

Mr. Speaker, I would like to thank the gentleman from Indiana (Mr. MCINTOSH) for his work on this legisla-

tion. I would like to thank the gentleman from California (Mr. CONDIT) and the gentleman from Texas (Mr. TURNER) for their support, and I would like to thank the gentleman from Michigan (Mr. BARCIA) for his ongoing support for this important legislation.

Finally, I would like to thank the gentleman from Indiana (Mr. BURTON) and certainly my colleague, the gentleman from Wisconsin (Mr. RYAN), for moving this legislation swiftly to the floor today and for the leadership of the gentleman from Indiana (Mr. BURTON) on this issue.

I strongly urge my colleagues to support me in this important effort.

Mr. KUCINICH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to speak in support of H.R. 4924, the Truth in Regulating Act of 2000. I want to thank the gentleman from California (Mr. CONDIT) for introducing H.R. 4763 on which this bill is based. I also want to thank the gentleman from Indiana (Mr. BURTON) of the Committee on Government Reform; the ranking member of our committee, the gentleman from California (Mr. WAXMAN); the gentleman from Indiana (Mr. MCINTOSH) of the Subcommittee on National Economic Growth, Natural Resources and Regulatory Affairs; the gentleman from California (Mr. CONDIT); and the gentlewoman from New York (Mrs. KELLY), who have taken a leading role on this issue, and also my good friend, the gentleman from Wisconsin (Mr. RYAN), for working together so that we can craft a bipartisan compromise that we can all support.

I think also it should be mentioned that staff has played a very important role in helping to put this together, and we want to express our appreciation to the staff as well.

Mr. Speaker, I strongly support the stated purposes of this bill: first, to increase transparency of important regulatory decisions; second, to promote congressional oversight to ensure that agencies fulfill their statutory requirements in an efficient, effective and fair manner; and, third, to increase the accountability of Congress. Therefore, I am especially pleased that we were able to craft a compromise that will likely become law because it addresses the serious concerns raised during consideration of earlier versions of the bill.

□ 1515

H.R. 4924, is substantially the same as the substitute amendment I offered, along with the gentleman from California (Mr. WAXMAN) when the Committee on Government Reform considered H.R. 4744. That substitute was H.R. 4763, a bill introduced by the gentleman from California (Mr. CONDIT). It was the same language that was passed by unanimous consent in the Senate on May 9, 2000, without opposition from the Government Accounting Office, public interest groups, or industry representatives.

H.R. 4924 creates a 3-year pilot project in which, at the request of a committee of jurisdiction, the GAO would analyze economically significant proposed and final rules. GAO would evaluate the agency's analyses of cost benefits, alternatives, regulatory impact, federalism impact, and any other analysis prepared by the agency or required to be prepared by the agency. All of this analysis would be completed within 180 days of the committee's request.

Mr. Speaker, H.R. 4929 is the same as the Senate version of this bill, except: First, it clarifies that the bill only requires the GAO to analyze agency analyses that were required by separate statute or executive order. It does not require any new agency or GAO analysis.

Second, it exempts independent boards and commissions which are exempt under similar requirements in the Unfunded Mandated Reform Act and Executive Order 12866.

Third, it applies to committee requests for the review of a minor rule if that rule has significant impact on a substantial number of small entities.

And fourth, it requires GAO to complete its analyses of proposed and interim rules within the comment period, if practicable.

In all other respects, it is the same as S. 1198, which passed the Senate with unanimous consent.

When we considered an earlier version of the bill, GAO expressed serious concerns about the scope of the analyses, the timing provided for the conducting of the reviews, and the certainty of funding. Also, public interest groups expressed concerns and opposed passage. The bill we are considering today addresses those concerns.

Mr. Speaker, the most important change that has been made is that under this bill, GAO would retain its traditional role as auditor and evaluate only the agency's work. It would not be required to conduct its own independent analyses. In addition, the bill clarifies that it would not require the agency to conduct any analyses. It only reviews analyses that are required by separate statute or executive order.

Another personality change is that H.R. 4924 requires GAO to complete analyses within the comment period only when the shortened review period is practicable. Although it is useful to have the GAO report before the comment period is closed, we did not want to force the GAO into doing shoddy work. We wanted to make sure the GAO had time to do a complete review before implementing GAO safeguards for accuracy.

Mr. Speaker, I support H.R. 4924 because it sheds light on the adequacy and usefulness of agencies' analyses, yet it ensures the GAO has adequate time and resources to fulfill its new responsibilities. It requires GAO to focus on the factors that Congress found to be the most relevant, and preserves GAO's traditional role as auditor.

Mr. Speaker, I want to again express my appreciation to the Members on the other side of the aisle. This shows what happens when we have a concern on both sides, when we are able to negotiate and compromise, we produce a bill I think that is good for the Congress and it is good for the American people.

Mr. Speaker, I yield back the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I simply just want to thank the gentleman from Ohio (Mr. KUCINICH), ranking member; the gentleman from California (Mr. WAXMAN), ranking member of the full committee; the gentleman from California (Mr. CONDIT); the gentlewoman from New York (Chairman KELLY); the gentleman from Indiana (Chairman MCINTOSH); and the gentleman from Indiana (Chairman BURTON) for all of their hard work on this, for coming together and putting together a good bipartisan product that we are now passing here.

Mr. Speaker, I simply want to reiterate one point, which is it is our hope and intent that GAO does conduct this new analysis within the public comment period, because then it helps us as Members of Congress respond to our congressional responsibility which is to see that we as legislators are writing the laws of this country. It is just a hope and intent.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SUNUNU). The question is on the motion offered by the gentleman from Wisconsin (Mr. RYAN) that the House suspend the rules and pass the bill, H.R. 4924.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### FISHERMEN'S PROTECTIVE ACT AMENDMENTS OF 1999

Mr. SAXTON. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 1651) to amend the Fishermen's Protective Act of 1967 to extend the period during which reimbursement may be provided to owners of United States fishing vessels for costs incurred when such a vessel is seized and detained by a foreign country, and for other purposes.

The Clerk read as follows:

Senate amendment:

Page 13, line 3, strike out **[\$60,000,000.]** and insert: **\$60,000,000 for each of fiscal years 2002 and 2003.**

#### TITLE IV—MISCELLANEOUS

##### SEC. 401. USE OF AIRCRAFT PROHIBITED.

Section 7(a) of the Atlantic Tunas Convention Act of 1975 (16 U.S.C. 971e(a)) is amended—

(1) by striking "or" after the semicolon in paragraph (1);

(2) by striking "fish." in paragraph (2) and inserting "fish; or"; and

(3) by adding at the end the following:

"(3) for any person, other than a person holding a valid Federal permit in the purse seine category—

"(A) to use an aircraft to locate or otherwise assist in fishing for, catching, or retaining Atlantic bluefin tuna; or

"(B) to catch, possess, or retain Atlantic bluefin tuna located by use of an aircraft."

##### SEC. 402. FISHERIES RESEARCH VESSEL PROCUREMENT.

Notwithstanding section 644 of title 15, United States Code, and section 19.502-2 of title 48, Code of Federal Regulations, the Secretary of Commerce shall seek to procure Fisheries Research Vessels through full and open competition from responsible United States shipbuilding companies irrespective of size.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SAXTON) and the gentleman from California (Mr. GEORGE MILLER) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SAXTON).

##### GENERAL LEAVE

Mr. SAXTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material therein on H.R. 1651.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SAXTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1651, the Fishermen's Protective Act Amendments of 1999. This bill makes a number of conservation and management improvements to several important fisheries laws.

Title I allows fishermen to be reimbursed if their vessel is illegally detained or seized by foreign countries.

Title II establishes a panel to advise the Secretaries of State and Interior on Yukon River salmon issues in Alaska. This section will provide much needed support in the conservation and management of Yukon River salmon.

Title III authorizes the Secretary of Commerce to acquire, purchase, lease, lease-purchase or charter and equip up to six fishery survey vessels. These vessels are one of the most important fishery management tools available to the Federal scientists. They allow for the collection of much-needed scientific data and to manage our Nation's fisheries.

Finally, the last title addresses the use of spotter aircraft in the New England-based Atlantic bluefin tuna fishery. This section was added in the other body which responded to concerns over use of planes which have accelerated the catch rates and closures in the general and harpoon categories.

Mr. Speaker, this is a well thought out, well drafted bill, and I urge an "aye" vote.

Mr. Speaker, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself such time as I may consume.