

By Mr. SHELBY (for himself, Mr. BOND, and Mr. LOTT):

S. 1198. A bill to amend chapter 8 of title 5, United States Code, to provide for a report by the General Accounting Office to Congress on agency regulatory actions, and for other purposes; to the Committee on Governmental Affairs.

CONGRESSIONAL ACCOUNTABILITY FOR REGULATORY INFORMATION ACT OF 1999

Mr. SHELBY. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1198

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 "Congressional Accountability for Regulatory Information Act of 1999".

SEC. 2. FINDINGS.

Congress finds that—

(1) many Federal regulations have improved the quality of life of the American public, however, uncontrolled increases in regulatory costs and lost opportunities for better regulation cannot be continued;

(2) the legislative branch has a responsibility to ensure that laws passed by Congress are properly implemented by the executive branch; and

(3) in order for the legislative branch to fulfill its responsibilities to ensure that laws passed by Congress are implemented in an efficient, effective, and fair manner, the Congress requires accurate and reliable information on which to base decisions.

SEC. 3. REPORTS ON REGULATORY ACTIONS BY THE GENERAL ACCOUNTING OFFICE.

(a) IN GENERAL.—Section 801(a)(2) of title 5, United States Code, is amended by striking subparagraph (B) and inserting the following:

"(B)(i) After an agency publishes a regulatory action, a committee of either House of Congress with legislative or oversight jurisdiction relating to the action may request the Comptroller General to review the action under clause (i).

"(ii) Of requests made under clause (i), the Comptroller General shall provide a report on each regulatory action selected under clause (iv) to the committee which requested the report (and the committee of jurisdiction in the other House of Congress) not later than 180 calendar days after the committee request is received. The report shall include an independent analysis of the regulatory action by the Comptroller General using any relevant data or analyses available to or generated by the General Accounting Office.

"(iii) The independent analysis of the regulatory action by the Comptroller General under clause (ii) shall include—

"(I) an analysis by the Comptroller General of the potential benefits of the regulatory action, including any beneficial effects that cannot be quantified in monetary terms and the identification of those likely to receive the benefits;

"(II) an analysis by the Comptroller General of the potential costs of the regulatory action, including any adverse effects that cannot be quantified in monetary terms and the identification of those likely to bear the costs;

"(III) an analysis by the Comptroller General of any alternative regulatory approaches, which have been identified, that could achieve the same goal in a more cost-effective manner or that could provide greater net benefits, and, if applicable, a brief explanation of any statutory reasons why such alternatives could not be adopted;

"(IV) an analysis of the extent to which the regulatory action would affect State or local governments; and

"(V) a summary of how the results of the Comptroller General's analysis differ, if at all, from the results of the analyses of the agency in promulgating the regulatory action.

"(iv) In consultation with the Majority and Minority Leaders of the Senate and the Speaker and Minority Leader of the House of Representatives, the Comptroller General shall develop procedures for determining the priority and number of those requests for review under clause (i) that will be reported under clause (ii).

"(C) Federal agencies shall cooperate with the Comptroller General by promptly providing the Comptroller General with such records and information as the Comptroller General determines necessary to carry out this section."

(b) DEFINITIONS.—Section 804 of title 5, United States Code, is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (5), respectively;

(2) by inserting after paragraph (1) the following:

"(2) The term 'independent analysis' means a substantive review of the agency's underlying assessments and assumptions used in developing the regulatory action and any additional analysis the Comptroller General determines to be necessary."; and

(3) by inserting after paragraph (3) (as redesignated by paragraph (1) of this subsection) the following:

"(4) The term 'regulatory action' means—

"(A) notice of proposed rule making;

"(B) final rule making, including interim final rule making; or

"(C) a rule."

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the General Accounting Office to carry out chapter 8 of title 5, United States Code, \$5,200,000 for each of fiscal years 2000 through 2003.

SEC. 5. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect 180 days after the date of enactment of this Act.

ADDITIONAL COSPONSORS

S. 335

At the request of Ms. COLLINS, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 335, a bill to amend chapter 30 of title 39, United States Code, to provide for the nonmailability of certain deceptive matter relating to games of chance, administrative procedures, orders, and civil penalties relating to such matter, and for other purposes.

S. 343

At the request of Mr. BOND, the name of the Senator from Minnesota (Mr. GRAMS) was added as a cosponsor of S. 343, a bill to amend the Internal Revenue Code of 1986 to allow a deduction for 100 percent of the health insurance costs of self-employed individuals.

S. 424

At the request of Mr. COVERDELL, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 424, a bill to preserve and protect the free choice of individuals and employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 446

At the request of Mrs. BOXER, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 446, a bill to provide for the permanent protection of the resources of the United States in the year 2000 and beyond.

S. 512

At the request of Mr. GORTON, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor of S. 512, a bill to amend the Public Health Service Act to provide for the expansion, intensification, and coordination of the activities of the Department of Health and Human Services with respect to research on autism.

S. 514

At the request of Mr. COCHRAN, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 514, a bill to improve the National Writing Project.

S. 566

At the request of Mr. LUGAR, the names of the Senator from Idaho (Mr. CRAIG) and the Senator from Montana (Mr. BURNS) were added as cosponsors of S. 566, a bill to amend the Agricultural Trade Act of 1978 to exempt agricultural commodities, livestock, and value-added products from unilateral economic sanctions, to prepare for future bilateral and multilateral trade negotiations affecting United States agriculture, and for other purposes.

S. 676

At the request of Mr. CAMPBELL, the names of the Senator from Texas (Mrs. HUTCHISON) and the Senator from Minnesota (Mr. WELLSTONE) were added as cosponsors of S. 676, a bill to locate and secure the return of Zachary Baumel, a citizen of the United States, and other Israeli soldiers missing in action.

S. 680

At the request of Mr. HATCH, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 680, a bill to amend the Internal Revenue Code of 1986 to permanently extend the research credit, and for other purposes.

S. 737

At the request of Mr. CHAFEE, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 737, a bill to amend title XIX of the Social Security Act to provide States with options for providing family planning services and supplies to women eligible for medical assistance under the medicaid program.

S. 820

At the request of Mr. MACK, his name was added as a cosponsor of S. 820, a bill to amend the Internal Revenue Code of 1986 to repeal the 4.3-cent motor fuel excise taxes on railroads and inland waterway transportation which remain in the general fund of the Treasury.

S. 914

At the request of Mr. SMITH, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 914, a bill to amend the Federal Water Pollution Control Act to require that discharges from combined storm and sanitary sewers conform to the Combined Sewer Overflow Control Policy of the Environmental Protection Agency, and for other purposes.

S. 918

At the request of Mr. KERRY, the names of the Senator from Utah (Mr. HATCH) and the Senator from Hawaii (Mr. INOUE) were added as cosponsors of S. 918, a bill to authorize the Small Business Administration to provide financial and business development assistance to military reservists' small business, and for other purposes.

S. 1034

At the request of Mr. AKAKA, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 1034, a bill to amend title XVIII of the Social Security Act to increase the amount of payment under the medicare program for pap smear laboratory tests.

S. 1070

At the request of Mr. BOND, the name of the Senator from Washington (Mr. GORTON) was added as a cosponsor of S. 1070, a bill to require the Secretary of Labor to wait for completion of a National Academy of Sciences study before promulgating a standard, regulation or guideline on ergonomics.

S. 1074

At the request of Mr. TORRICELLI, the names of the Senator from Arkansas (Mrs. LINCOLN) and the Senator from Nevada (Mr. BRYAN) were added as cosponsors of S. 1074, a bill to amend the Social Security Act to waive the 24-month waiting period for medicare coverage of individuals with amyotrophic lateral sclerosis (ALS), and to provide medicare coverage of drugs and biologicals used for the treatment of ALS or for the alleviation of symptoms relating to ALS.

S. 1130

At the request of Mr. MCCAIN, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. 1130, a bill to amend title 49, United States Code, with respect to liability of motor vehicle rental or leasing companies for the negligent operation of rented or leased motor vehicles.

SENATE JOINT RESOLUTION 27

At the request of Mr. SMITH, the names of the Senator from North Caro-

lina (Mr. HELMS) and the Senator from Wisconsin (Mr. FEINGOLD) were added as cosponsors of Senate Joint Resolution 27, A joint resolution disapproving the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of the People's Republic of China.

SENATE JOINT RESOLUTION 28

At the request of Mr. SMITH, the name of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of Senate Joint Resolution 28, a joint resolution disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to Vietnam.

SENATE CONCURRENT RESOLUTION 9

At the request of Ms. SNOWE, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of Senate Concurrent Resolution 9, a concurrent resolution calling for a United States effort to end restrictions on the freedoms and human rights of the enslaved people in the occupied area of Cyprus.

SENATE CONCURRENT RESOLUTION 22

At the request of Mr. DODD, the name of the Senator from Tennessee (Mr. FRIST) was added as a cosponsor of Senate Concurrent Resolution 22, a concurrent resolution expressing the sense of the Congress with respect to promoting coverage of individuals under long-term care insurance.

SENATE RESOLUTION 59

At the request of Mr. LAUTENBERG, the names of the Senator from Virginia (Mr. ROBB), the Senator from Nebraska (Mr. HAGEL), the Senator from Alaska (Mr. STEVENS), and the Senator from Minnesota (Mr. GRAMS) were added as cosponsors of Senate Resolution 59, a resolution designating both July 2, 1999, and July 2, 2000, as "National Literacy Day."

SENATE RESOLUTION 81

At the request of Mr. CRAPO, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of Senate Resolution 81, a resolution designating the year of 1999 as "The Year of Safe Drinking Water" and commemorating the 25th anniversary of the enactment of the Safe Drinking Water Act.

SENATE RESOLUTION 92

At the request of Mrs. BOXER, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of Senate Resolution 92, a resolution expressing the sense of the Senate that funding for prostate cancer research should be increased substantially.

SENATE RESOLUTION 96

At the request of Mrs. MURRAY, her name was added as a cosponsor of Senate Resolution 96, a resolution expressing the sense of the Senate regarding a peaceful process of self-determination in East Timor, and for other purposes.

SENATE RESOLUTION 113—TO AMEND THE STANDING RULES OF THE SENATE TO REQUIRE THAT THE PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES BE RECITED AT THE COMMENCEMENT OF THE DAILY SESSION OF THE SENATE

Mr. SMITH of New Hampshire (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, and Mr. HELMS) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 113

Whereas the Flag of the United States of America is our Nation's most revered and preeminent symbol;

Whereas the Flag of the United States of America is recognized and respected throughout the world as a symbol of democracy, freedom, and human rights;

Whereas, in the words of the Chief Justice of the United States, the Flag of the United States of America "in times of national crisis, inspires and motivates the average citizen to make personal sacrifices in order to achieve societal goals of overriding importance . . . and serves as a reminder of the paramount importance of pursuing the ideals that characterize our society";

Whereas the House of Representatives of the United States has opened each of its daily sessions with the Pledge of Allegiance to the Flag of the United States of America since 1988; and

Whereas opening each of the daily sessions of the Senate of the United States with the Pledge of Allegiance to the Flag of the United States would demonstrate reverence for the Flag and serve as a daily reminder to all Senators of the ideals that it represents: Now, therefore, be it

Resolved, That paragraph 1(a) of rule IV of the Standing Rules of the Senate is amended by inserting after "prayer by the Chaplain" the following: "and after the Presiding Officer leads the Senate in reciting the Pledge of Allegiance to the Flag of the United States".

Mr. SMITH of New Hampshire, Mr. President, the resolution that I am submitting today provides that immediately following the prayer such as we just heard this morning by Chaplain Ogilvie, at the beginning of each daily session of the Senate, the Presiding Officer of the Senate would lead the Senate in the Pledge of Allegiance to the flag of the United States.

I am pleased and honored that the chairman of the Rules Committee, Senator MCCONNELL, as well as Senator FEINSTEIN, Senator HELMS, an Senator LOTT, have joined me as original cosponsors of this resolution.

The flag of the United States is our most revered and preeminent symbol, and the flag is recognized and respected throughout the world as a symbol of democracy, freedom, and human rights. As you know, the House of Representatives has such a flag salute in the morning at the beginning of each day. I think it is appropriate that the Senate follow suit. It is probably long overdue.

The Chief Justice of the United States, William Rehnquist, has written