day's notice before we take up the resolution of inquiry on the Mexican peso crisis, and we do intend to take that up late tomorrow afternoon or tomorrow evening. I wanted to notify the body of that at this time.

CLARIFICATION OF WAIVER WITH RESPECT TO RESOLUTION OF INQUIRY ON THE MEXICAN PESO CRISIS

(By unanimous consent, Mr. FRANK of Massachusetts was allowed to proceed for 1 minute.)

Mr. FRANK of Massachusetts. Let me address the majority leader. It was my understanding that in order to do that, it would require a waiver of the 3-day layover rule. Is the majority leader asking for that permission?

Mr. ARMEY. Mr. Speaker, will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from Texas.

Mr. ARMEY. I thank the gentleman for yielding.

GRANTING OF PERMISSION ON REQUEST TO WAIVE THE THREE-DAY LAYOVER RULE

Mr. ARMEY. Mr. Speaker, I ask unanimous consent to waive the 3-day layover rule with the point that the minority has agreed to that.

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

Mr. FRANK of Massachusetts. Mr. Speaker, reserving the right to object, I have never thought that waiving the 3-day rule was a big deal, like my friends on the other side. I am glad to welcome them to the position that occasionally waiving that rule is a perfectly reasonable thing to do. I think the gentleman for doing it explicitly. I does seem a bad idea to me to waive it implicitly.

But since this is also cleared with the minority and since this precedent of waiving a 3-day rule when it is inconvenient is not such a bad one, Mr. Speaker, I withdraw my reservation of objection.

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

Mr. BURTON of Indiana. Mr. Speaker, reserving the right to object, I would like to ask the majority leader a question. This resolution of inquiry does not preclude any other legislative action pertaining to the Mexican bailout program?

Mr. ARMEY. If the gentleman would yield, no, it does not.

Mr. BURTON of Indiana. I thank the gentleman, and I withdraw my reservation of objection.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 926, REGULATORY REFORM AND RELIEF ACT

Mr. MCINNIS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 100 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 100

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 926) to promote regulatory flexibility and enhance public participation in Federal agency rulemaking, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed ninety minutes, with sixty minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary and thirty minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Small Business. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill. The committee amendment in the nature of a substitute shall be considered by title rather than by section. Each title shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. KNOLLENBERG). The gentleman from Colorado [Mr. MCINNIS] is recognized for 1 hour.

Mr. MCINNIS. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Ohio [Mr. HALL], pending which I yield myself such time as I may consume.

During consideration of this resolution, all time is yielded for the purpose of debate only.

(Mr. MCINNIS asked and was given permission to insert extraneous material into the RECORD.)

Mr. MCINNIS. Mr. Speaker, House Resolution 100 is a very simple resolution. It is an open rule providing for 90 minutes of general debate. Sixty minutes shall be equally divided between the chairman and the ranking minority member of the Committee on the Judiciary. Additionally, 30 minutes is to be equally divided and controlled by the chairman and ranking minority member of the Committee on Small Business. After general debate, the bill shall be considered for amendment under the 5-minute rule. Finally, this resolution provides one motion to recommit, with or without instructions. This open rule was reported out of the Committee on Rules by voice vote.

This open rule demonstrates that the new majority intends to honor its commitment to have a more fair and open legislative process. The resolution provides the House with an opportunity to review the bill, debate it, and yes, if necessary, to amend the legislation. To date, 83 percent of the rules reported out of the Committee on Rules have been open, or modified open, rules. This is a dramatic contrast between the 44 percent of open, or modified open, rules reported out of the committee during the 103d Congress.

The legislation is designed to improve the Federal regulatory system by: First, strengthening the Regulatory Flexibility Act of 1980, second, amending the Administrative Procedure Act to require the preparation of regulatory impact analyses whenever a major rule is promulgated by a Federal agency, and third, directing the President to prescribe regulations for the executive branch aimed at protecting citizens from abuse and retaliation in their dealing with the regulatory system.

One particular provision of this legislation is very important. By deleting the prohibition against judicial review contained in section 611 of the Regulatory Flexibility Act, we will prevent Federal agencies from merely including boilerplate provisions certifying that a proposed regulation will not have a significant impact upon a substantial number of small entities. Even the National Performance Review, which was chaired by Vice President GORE, made the deletion of the ban against judicial review its primary recommendation with respect to the Small Business Administration. I am pleased to see this provision included in the legislation. I urge my colleagues to support the rule, and the underlying legislation.

Mr. Speaker, I insert into the RECORD the following:

THE AMENDMENT PROCESS UNDER SPECIAL RULES REPORTED BY THE RULES COMMITTEE,[1] 103D CONGRESS V. 104TH CONGRESS

[As of Feb. 27, 1995]

Rule type	103d Congress		104th Congress	
	Number of rules	Percent of total	Number of rules	Percent of total
Open/modified-open [2]	46	44	15	83
Modified closed [3]	49	47	3	17
Closed [4]	9	9	0	0

THE AMENDMENT PROCESS UNDER SPECIAL RULES REPORTED BY THE RULES COMMITTEE,[1] 103D CONGRESS V. 104TH CONGRESS—Continued

[As of Feb. 27, 1995]

Rule type	103d Congress		104th Congress	
	Number of rules	Percent of total	Number of rules	Percent of total
Totals ...	104	100	18	100

[1] This table applies only to rules which provide for the original consideration of bills, joint resolutions or budget resolutions and which provide for an amendment process. It does not apply to special rules which only waive points of order against appropriations bills which are already privileged and are considered under an open amendment process under House rules.

[2] An open rule is one under which any Member may offer a germane amendment under the five-minute rule. A modified open rule is one under which any Member may offer a germane amendment under the five-minute rule subject only to an overall time limit on the amendment process and/or a requirement that the amendment be preprinted in the Congressional Record.

[3] A modified closed rule is one under which the Rules Committee limits the amendments that may be offered only to those amendments designated in the special rule or the Rules Committee report to accompany it, or which preclude amendments to a particular portion of a bill, even though the rest of the bill may be completely open to amendment.

[4] A closed rule is one under which no amendments may be offered (other than amendments recommended by the committee in reporting the bill).

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS

[As of Feb. 27, 1995]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 38 (1/18/95)	O	H.R. 5	Unfunded mandate reform	A: 350–71 (1/19/95)
H. Res. 44 (1/24/95)	MC	H. Con Res. 17	Social Security	A: 255–172 (1/25/95)
		H.J. Res. 1	Balanced budget amendment	
H. Res. 51 (1/31/95)	O	H.R. 101	Land transfer, Taos Pueblo Indians	A: voice vote (2/1/95)
H. Res. 52 (1/31/95)	O	H.R. 400	Land exchange, Arctic National Park and Preserve	A: voice vote (2/1/95)
H. Res. 53 (1/31/95)	O	H.R. 440	Land conveyance, Butte County, CA	A: voice vote (2/1/95)
H. Res. 55 (2/1/95)	O	H.R. 2	Line item veto	A: voice vote (2/2/95)
H. Res. 60 (2/6/95)	O	H.R. 665	Victim restitution	A: voice vote (2/7/95)
H. Res. 61 (2/6/95)	O	H.R. 666	Exclusionary rule reform	A: voice vote (2/7/95)
H. Res. 63 (2/8/95)	MO	H.R. 667	Violent criminal incarceration	A: voice vote (2/9/95)
H. Res. 69 (2/9/95)	O	H.R. 668	Criminal alien deportation	A: voice vote (2/10/95)
H. Res. 79 (2/10/95)	MO	H.R. 728	Law enforcement block grants	A: voice vote (2/10/95)
H. Res. 83 (2/13/95)	MO	H.R. 7	National security revitalization	PQ: 229–100; A: 227–127 (2/15/95)
H. Res. 88 (2/16/95)	MC	H.R. 831	Health insurance deductibility	PQ: 230–191 A: 229–188 (2/21/95)
H. Res. 91 (2/21/95)	0	H.R. 830	Paperwork Reduction Act	A: v.v. (2/2/95)
H. Res. 92 (2/21/95)	MC	H.R. 889	Defense supplemental	A: 282–144 (2/22/95)
H. Res. 93 (2/22/95)	MO	H.R. 450	Regulatory Transition Act	A: 252–175 (2/23/95)
H. Res. 96 (2/24/95)	MO	H.R. 1022	Risk assessment	A: 253–165 (2/27/95)
H. Res. 100 (2/27/95)	O	H.R. 926	Regulatory Reform and Relief Act	

Codes: O-open rule; MO-modified open rule; MC-modified closed rule; C-closed rule; A-adoption vote; PQ-previous question vote. Source: Notices of Action Taken, Committee on Rules, 104th Congress, as of Feb. 27, 1995.

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

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume.

(Mr. HALL of Ohio asked and was given permission to revise and extend his remarks.)

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume and I ask unanimous consent to revise and extend my remarks.

Mr. Speaker, I would like to commend my colleague from Colorado, Mr. MCINNIS, as well as my colleagues on the other side of the aisle for bringing this resolution to the Floor. H. Res. 100 is an open rule which will allow full and fair debate on the Regulatory Reform and Relief Act. As my colleague from Colorado has ably described, this rule provides 90 minutes of general debate, 60 minutes for the Committee on the Judiciary and 30 minutes for the Committee on Small Business.

Under this rule, germane amendments will be allowed under the 5-minute rule, the normal amending process in the House of Representatives. Most importantly, there is no overall time cap required by the rule which will ensure that all Members, on both sides of the aisle, will have the opportunity to offer their amendments. I am pleased that the Rule Committee was able to report this rule without opposition in a voice vote and I plan to support it.

Although I do support the rule, I am concerned about the broad nature of this legislation, and I want to explore its actual impact on the regulatory process before casting my vote on the bill itself. I am well aware of the need to make the regulatory process more sensitive to the reality of running a small business. I was a small businessman myself and can sympathize with the overwhelmingly difficult task of conforming to government requirements. Certainly reform needs to be taken and the regulatory process simplified.

However, I am troubled by the fact that this bill makes no attempt to identify specific problem areas and correct them. Rather, it utilizes a blanket approach by requiring complicated, costly and time-consuming studies on any major rule with an annual effect on the economy of $50 million. For the past 20 years, every Administration, Republican and Democratic alike, has defined a major rule with a $100 million benchmark. Lowering the threshold in this way will only create more work and paper for the bureaucracy at a time in which we are reducing government.

Another problem with this legislation is that it is very costly. EPA alone estimates it will cost taxpayers up to $1.6 million for each Regulatory Impact Analysis and risk assessment. In addition, regulations could be delayed for up to 2 years. While a delay of this length may not be harmful in some areas, it is not acceptable for rules that pertain to true health and safety—drinking water, airplane safety, disaster assistance, food protection, and many others.

Mr. Speaker, I hope the amending process will enable improvements to be made to this legislation. We need regulatory reform. But we need to slow down and do this in a deliberative way so that our reform is sensible and responds to real problems, not rhetoric.

Finally, Mr. Speaker, as I indicated before, we have an open rule on this bill which I will support. I urge my colleagues to join me in voting for it.

Mr. MCGINNIS. Mr. Speaker, I yield such time as may consume to my friend, the chairman of the Committee on Rules, the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. I thank the gentleman from Colorado for yielding me this time. The gentleman is a very valuable new member of the Committee on Rules, and we appreciate his being there.

Mr. Speaker, I rise today in support of another completely open rule from the Committee on Rules. I rise further to enthusiastically support this bill. H.R. 926 is the fourth of five bills that make up what was H.R. 9, the Job Creation Wage and Enhancement Act in the Contract With America. This bill improves that bill, which was signed into law by President Jimmy Carter on September 19, 1980.

Later this week the House will take up H.R. 925, the Private Property Protection Act, which is the last of the regulatory reform bills and which is the one that really excites me. I cannot wait to get this bill onto this floor and get it passed after all these years.

Mr. Speaker, I have said this often in the past 2 weeks, but I will say it again: Legislation like the measure before this House today is exactly why I came to Congress 16 years ago. The Federal regulatory process is just as out of control today as it was in 1978 and, as a matter of fact, perhaps it may be even worse.

Mr. Speaker, we in this Congress must change the philosophy of the Federal Government to regulate every facet of our lives. Throughout our deliberations we must be conscious of the small businessman. I will say to my friend, TONY HALL, I was a small businessman too when I came here, so-called little guy, who just happens to create 75 percent of all the new jobs in America every single year, 75 percent of the new jobs.

H.R. 926 will help free the small businessman from these kind of burdensome, job-killing regulations and direct the President to enact a citizens regulatory bill of rights, something he does not appear to want to do.

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Mr. Speaker, H.R. 926 amends the Regulatory Flexibility Act which sought to ensure that agencies fit regulations and informational requirements to the scale of the business or organization or governmental jurisdictions subject to regulation.

This is based on the idea that the size of an entity significantly affects the cost of regulatory compliance. In other words, what that means is, regulations have a greater cost on smaller business than they do on larger business.

This bill also will require Federal agencies to produce a regulatory impact analysis for regulations with an economic impact of more than $50 million, which means that the Federal Government will be more aware of the effect proposed rules will have on business.

For example, the EPA is threatening thousands of jobs in upstate New York in the district which regulates, that sets emission standards for the pulp and paper industry. The EPA regulations were created without a cost-benefit analysis. Now, the costs of the same regulations are now threatening to close paper mills in my hometown of Glens Falls, NY, killing jobs and placing many hard-working people on the unemployment roles.

Let me tell my colleagues, in upstate northern New York, where it is so cold there are few jobs up there, we cannot afford to lose one more much less thousands.

I would like to finish my statement by pointing out that there appears to be a great deal of consensus on this bill. I understand that both Republican and Democrat amendments were adopted in the committee, that the bill was favorably reported out of committee by a voice vote and that the rule was unanimously voted out of the Committee on Rules. That does not always happen. But when we have an open rule like this, it is a pleasure to bring it to the floor.

With that, I urge strong support of the rule on this much-needed bill.

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

Mr. HALL of Ohio. Mr. Speaker, I have no requests for time, and I reserve the balance of my time.

Mr. MCINNIS. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Pennsylvania [Mr. GEKAS], a member of the Committee on the Judiciary who chairs the subcommittee that reported this legislation.

Mr. GEKAS. Mr. Chairman, I thank the gentleman for yielding time to me.

The gentleman from Colorado, aided and abetted by the gentleman from Ohio and later by the gentleman from New York have very amply outlined the parameters of the legislation in the debate that is forthcoming as we begin the process again tomorrow.

What I wanted to add to their preview is what has been generally understood, that this is from the very beginning a bipartisan effort, at least to bring the issue to the floor.

In the committee, where hearings, extensive hearings were held, the testimony was such that it actually created the basis for the final language that appears in this legislation.

Members will recall that the original bill, which we changed as bit, had reference to an executive order issued by then-President Reagan. It formed the level of provisions that were found in the bill that was referred to our committee. But we, working together, were able to provide a new bill reflecting the best of the executive orders, adding some zest of our own into the process and listening very carefully to the witnesses on the whole host of issues that found themselves resolved in the final language.

This does not mean that all of the issues were resolved. The gentleman from Rhode Island [Mr. REED] and I have agreed that there is going to be disagreement. We also have agreed that jointly we are going to offer an en bloc amendment that will satisfy some of the other problems which we encountered and which we jointly decided to resolve.

After that, who knows what is going to happen, but in the final analysis, when we have completed this bill, we will have gone a long way in bringing to fruition another part of the Contract With America which just happens to coincide with the will of many of the Members on the Democratic side who never even knew about the Contract With America and who are not, of course, signatories of the Contract With America, but who have the joint feel for the necessity to do something about regulatory reform.

We will begin tomorrow. I will end by thanking now in advance, because I might be angered by the time debate is over tomorrow, but I will now thank the gentleman from Rhode Island for his cooperation and all those who will be participating.

I will save my anger for those who oppose me tomorrow.

Mr. REED. Mr. Speaker, will the gentleman yield?

Mr. GEKAS. I yield to the gentleman from Rhode Island.

Mr. REED. Mr. Speaker, I, too, want to thank the gentleman for his cooperation today, and I look forward to tomorrow and for a vigorous debate.

Mr. GEKAS. Vigorous and vitriolic, maybe.

Mr. REED. And educational.

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

Mr. MCINNIS. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. KNOLLENBERG). Under the Speaker's announced policy on January 4, 1995, and under a previous order of the House, the following Members are recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kentucky [Mr. WHITFIELD] is recognized for 5 minutes.

[Mr. WHITFIELD addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio [Ms. KAPTUR] is recognized for 5 minutes.

[Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

FACTS ON WIC AND THE SCHOOL LUNCH PROGRAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. CUNNINGHAM] is recognized for 5 minutes.

Mr. CUNNINGHAM. Mr. Speaker, I have got an article here from the Washington Times, and it says ''Democrats Lie About Lunch.'' And I would like to submit it for the RECORD, and I would like to explain what the article means.

First of all, there has been a lot of politically motivated criticism and partisan purposeful misrepresentation of the facts. And I think it has gotten to the extreme level, Mr. Speaker. What we have done is kill the big Federal bureaucracy versus putting Government control where it does the most good, and that is at the effective, closest level to the people and taking it out of Washington. And a lot of the Clinton liberals do not like that.

Facts: The school-based block grant ensures that increased funding levels for the school breakfast and lunch, that funding level is increased by 4.5 percent. CBO had originally requested or taken a look and said the average