

104TH CONGRESS
1ST SESSION

S. 219

AN ACT

To ensure economy and efficiency of Federal Government operations by establishing a moratorium on regulatory rulemaking actions, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **TITLE I—REGULATORY**
2 **TRANSITION**

3 **SEC. 101. SHORT TITLE.**

4 This title may be cited as the “Regulatory Transition
5 Act of 1995”.

6 **SEC. 102. FINDING.**

7 The Congress finds that effective steps for improving
8 the efficiency and proper management of Government op-
9 erations will be promoted if a moratorium on the effective-
10 ness of certain significant final rules is imposed in order
11 to provide Congress an opportunity for review.

12 **SEC. 103. MORATORIUM ON REGULATIONS; CONGRES-**
13 **SIONAL REVIEW.**

14 (a) REPORTING AND REVIEW OF REGULATIONS.—

15 (1) REPORTING TO CONGRESS AND THE COMP-
16 TROLLER GENERAL.—

17 (A) Before a rule can take effect as a final
18 rule, the Federal agency promulgating such rule
19 shall submit to each House of the Congress and
20 to the Comptroller General a report contain-
21 ing—

22 (i) a copy of the rule;

23 (ii) a concise general statement relat-
24 ing to the rule; and

1 (iii) the proposed effective date of the
2 rule.

3 (B) The Federal agency promulgating the
4 rule shall make available to each House of Con-
5 gress and the Comptroller General, upon re-
6 quest—

7 (i) a complete copy of the cost-benefit
8 analysis of the rule, if any;

9 (ii) the agency's actions relevant to
10 section 603, section 604, section 605, sec-
11 tion 607, and section 609 of Public Law
12 96-354;

13 (iii) the agency's actions relevant to
14 title II, section 202, section 203, section
15 204, and section 205 of Public Law 104-
16 4; and

17 (iv) any other relevant information or
18 requirements under any other Act and any
19 relevant Executive Orders, such as Execu-
20 tive Order 12866.

21 (C) Upon receipt, each House shall provide
22 copies to the Chairman and Ranking Member of
23 each committee with jurisdiction.

24 (2) REPORTING BY THE COMPTROLLER GEN-
25 ERAL.—

1 (A) The Comptroller General shall provide
2 a report on each significant rule to the commit-
3 tees of jurisdiction to each House of the Con-
4 gress by the end of 12 calendar days after the
5 submission or publication date as provided in
6 section 104(b)(2). The report of the Comptrol-
7 ler General shall include an assessment of the
8 agency's compliance with procedural steps re-
9 quired by subparagraph (B) (i) through (iv).

10 (B) Federal agencies shall cooperate with
11 the Comptroller General by providing informa-
12 tion relevant to the Comptroller General's re-
13 port under paragraph (2)(A) of this section.

14 (3) EFFECTIVE DATE OF SIGNIFICANT
15 RULES.—A significant rule relating to a report sub-
16 mitted under paragraph (1) shall take effect as a
17 final rule, the latest of—

18 (A) the later of the date occurring 45 days
19 after the date on which—

20 (i) the Congress receives the report
21 submitted under paragraph (1); or

22 (ii) the rule is published in the Fed-
23 eral Register;

24 (B) if the Congress passes a joint resolu-
25 tion of disapproval described under section 104

1 relating to the rule, and the President signs a
2 veto of such resolution, the earlier date—

3 (i) on which either House of Congress
4 votes and fails to override the veto of the
5 President; or

6 (ii) occurring 30 session days after
7 the date on which the Congress received
8 the veto and objections of the President; or

9 (C) the date the rule would have otherwise
10 taken effect, if not for this section (unless a
11 joint resolution of disapproval under section
12 104 is enacted).

13 (4) EFFECTIVE DATE FOR OTHER RULES.—Ex-
14 cept for a significant rule, a rule shall take effect as
15 otherwise provided by law after submission to Con-
16 gress under paragraph (1).

17 (5) FAILURE OF JOINT RESOLUTION OF DIS-
18 APPROVAL.—Notwithstanding the provisions of para-
19 graph (3), the effective date of a rule shall not be
20 delayed by operation of this title beyond the date on
21 which either House of Congress votes to reject a
22 joint resolution of disapproval under section 104.

23 (b) TERMINATION OF DISAPPROVED RULEMAKING.—
24 A rule shall not take effect (or continue) as a final rule,

1 if the Congress passes a joint resolution of disapproval de-
2 scribed under section 104.

3 (c) PRESIDENTIAL WAIVER AUTHORITY.—

4 (1) PRESIDENTIAL DETERMINATIONS.—Not-
5 withstanding any other provision of this section (ex-
6 cept subject to paragraph (3)), a rule that would not
7 take effect by reason of this title may take effect, if
8 the President makes a determination under para-
9 graph (2) and submits written notice of such deter-
10 mination to the Congress.

11 (2) GROUNDS FOR DETERMINATIONS.—Para-
12 graph (1) applies to a determination made by the
13 President by Executive order that the rule should
14 take effect because such rule is—

15 (A) necessary because of an imminent
16 threat to health or safety or other emergency;

17 (B) necessary for the enforcement of crimi-
18 nal laws; or

19 (C) necessary for national security.

20 (3) WAIVER NOT TO AFFECT CONGRESSIONAL
21 DISAPPROVALS.—An exercise by the President of the
22 authority under this subsection shall have no effect
23 on the procedures under section 104 or the effect of
24 a joint resolution of disapproval under this section.

1 (d) TREATMENT OF RULES ISSUED AT END OF CON-
2 GRESS.—

3 (1) ADDITIONAL OPPORTUNITY FOR REVIEW.—

4 In addition to the opportunity for review otherwise
5 provided under this title, in the case of any rule that
6 is published in the Federal Register (as a rule that
7 shall take effect as a final rule) during the period
8 beginning on the date occurring 60 days before the
9 date the Congress adjourns sine die through the
10 date on which the succeeding Congress first con-
11 venes, section 104 shall apply to such rule in the
12 succeeding Congress.

13 (2) TREATMENT UNDER SECTION 104.—

14 (A) In applying section 104 for purposes of
15 such additional review, a rule described under
16 paragraph (1) shall be treated as though—

17 (i) such rule were published in the
18 Federal Register (as a rule that shall take
19 effect as a final rule) on the 15th session
20 day after the succeeding Congress first
21 convenes; and

22 (ii) a report on such rule were submit-
23 ted to Congress under subsection (a)(1) on
24 such date.

1 (B) Nothing in this paragraph shall be
2 construed to affect the requirement under sub-
3 section (a)(1) that a report must be submitted
4 to Congress before a final rule can take effect.

5 (3) ACTUAL EFFECTIVE DATE NOT AF-
6 FECTED.—A rule described under paragraph (1)
7 shall take effect as a final rule as otherwise provided
8 by law (including other subsections of this section).

9 (e) TREATMENT OF RULES ISSUED BEFORE THIS
10 ACT.—

11 (1) OPPORTUNITY FOR CONGRESSIONAL RE-
12 VIEW.—The provisions of section 104 shall apply to
13 any significant rule that is published in the Federal
14 Register (as a rule that shall take effect as a final
15 rule) during the period beginning on November 20,
16 1994, through the date on which this Act takes ef-
17 fect.

18 (2) TREATMENT UNDER SECTION 104.—In ap-
19 plying section 104 for purposes of Congressional re-
20 view, a rule described under paragraph (1) shall be
21 treated as though—

22 (A) such rule were published in the Fed-
23 eral Register (as a rule that shall take effect as
24 a final rule) on the date of the enactment of
25 this Act; and

1 (B) a report on such rule were submitted
2 to Congress under subsection (a)(1) on such
3 date.

4 (3) ACTUAL EFFECTIVE DATE NOT AF-
5 FECTED.—The effectiveness of a rule described
6 under paragraph (1) shall be as otherwise provided
7 by law, unless the rule is made of no force or effect
8 under section 104.

9 (f) NULLIFICATION OF RULES DISAPPROVED BY
10 CONGRESS.—Any rule that takes effect and later is made
11 of no force or effect by the enactment of a joint resolution
12 under section 104 shall be treated as though such rule
13 had never taken effect.

14 (g) NO INFERENCE TO BE DRAWN WHERE RULES
15 NOT DISAPPROVED.—If the Congress does not enact a
16 joint resolution of disapproval under section 104, no court
17 or agency may infer any intent of the Congress from any
18 action or inaction of the Congress with regard to such
19 rule, related statute, or joint resolution of disapproval.

20 **SEC. 104. CONGRESSIONAL DISAPPROVAL PROCEDURE.**

21 (a) JOINT RESOLUTION DEFINED.—For purposes of
22 this section, the term “joint resolution” means only a joint
23 resolution introduced during the period beginning on the
24 date on which the report referred to in section 103(a) is
25 received by Congress and ending 45 days thereafter, the

1 matter after the resolving clause of which is as follows:
2 “That Congress disapproves the rule submitted by the
3 ____ relating to ____, and such rule shall have no force
4 or effect.”. (The blank spaces being appropriately filled
5 in.)

6 (b) REFERRAL.—

7 (1) IN GENERAL.—A resolution described in
8 paragraph (1) shall be referred to the committees in
9 each House of Congress with jurisdiction. Such a
10 resolution may not be reported before the eighth day
11 after its submission or publication date.

12 (2) SUBMISSION DATE.—For purposes of this
13 subsection the term “submission or publication
14 date” means the later of the date on which—

15 (A) the Congress receives the report sub-
16 mitted under section 103(a)(1); or

17 (B) the rule is published in the Federal
18 Register.

19 (c) DISCHARGE.—If the committee to which is re-
20 ferred a resolution described in subsection (a) has not re-
21 ported such resolution (or an identical resolution) at the
22 end of 20 calendar days after the submission or publica-
23 tion date defined under subsection (b)(2), such committee
24 may be discharged from further consideration of such res-
25 olution in the Senate upon a petition supported in writing

1 by 30 Members of the Senate and in the House upon a
2 petition supported in writing by one-fourth of the Mem-
3 bers duly sworn and chosen or by motion of the Speaker
4 supported by the Minority Leader, and such resolution
5 shall be placed on the appropriate calendar of the House
6 involved.

7 (d) FLOOR CONSIDERATION.—

8 (1) IN GENERAL.—When the committee to
9 which a resolution is referred has reported, or when
10 a committee is discharged (under subsection (c))
11 from further consideration of, a resolution described
12 in subsection (a), it is at any time thereafter in
13 order (even though a previous motion to the same
14 effect has been disagreed to) for a motion to proceed
15 to the consideration of the resolution, and all points
16 of order against the resolution (and against consid-
17 eration of resolution) are waived. The motion is not
18 subject to amendment, or to a motion to postpone,
19 or to a motion to proceed to the consideration of
20 other business. A motion to reconsider the vote by
21 which the motion is agreed to or disagreed to shall
22 not be in order. If a motion to proceed to the consid-
23 eration of the resolution is agreed to, the resolution
24 shall remain the unfinished business of the respec-
25 tive House until disposed of.

1 (2) DEBATE.—Debate on the resolution, and on
2 all debatable motions and appeals in connection
3 therewith, shall be limited to not more than 10
4 hours, which shall be divided equally between those
5 favoring and those opposing the resolution. A motion
6 further to limit debate is in order and not debatable.
7 An amendment to, or a motion to postpone, or a mo-
8 tion to proceed to the consideration of other busi-
9 ness, or a motion to recommit the resolution is not
10 in order.

11 (3) FINAL PASSAGE.—Immediately following
12 the conclusion of the debate on a resolution de-
13 scribed in subsection (a), and a single quorum call
14 at the conclusion of the debate if requested in ac-
15 cordance with the rules of the appropriate House,
16 the vote on final passage of the resolution shall
17 occur.

18 (4) APPEALS.—Appeals from the decisions of
19 the Chair relating to the application of the rules of
20 the Senate or the House of Representatives, as the
21 case may be, to the procedure relating to a resolu-
22 tion described in subsection (a) shall be decided
23 without debate.

24 (e) TREATMENT IF OTHER HOUSE HAS ACTED.—If,
25 before the passage by one House of a resolution of that

1 House described in subsection (a), that House receives
2 from the other House a resolution described in subsection
3 (a), then the following procedures shall apply:

4 (1) NONREFERRAL.—The resolution of the
5 other House shall not be referred to a committee.

6 (2) FINAL PASSAGE.—With respect to a resolu-
7 tion described in subsection (a) of the House receiv-
8 ing the resolution—

9 (A) the procedure in that House shall be
10 the same as if no resolution had been received
11 from the other House; but

12 (B) the vote on final passage shall be on
13 the resolution of the other House.

14 (f) CONSTITUTIONAL AUTHORITY.—This section is
15 enacted by Congress—

16 (1) as an exercise of the rulemaking power of
17 the Senate and House of Representatives, respec-
18 tively, and as such it is deemed a part of the rules
19 of each House, respectively, but applicable only with
20 respect to the procedure to be followed in that
21 House in the case of a resolution described in sub-
22 section (a), and it supersedes other rules only to the
23 extent that it is inconsistent with such rules; and

24 (2) with full recognition of the constitutional
25 right of either House to change the rules (so far as

1 relating to the procedure of that House) at any time,
2 in the same manner, and to the same extent as in
3 the case of any other rule of that House.

4 **SEC. 105. SPECIAL RULE ON STATUTORY, REGULATORY**
5 **AND JUDICIAL DEADLINES.**

6 (a) **IN GENERAL.**—In the case of any deadline for,
7 relating to, or involving any rule which does not take effect
8 (or the effectiveness of which is terminated) because of
9 the enactment of a joint resolution under section 104, that
10 deadline is extended until the date 12 months after the
11 date of the joint resolution. Nothing in this subsection
12 shall be construed to affect a deadline merely by reason
13 of the postponement of a rule’s effective date under sec-
14 tion 103(a).

15 (b) **DEADLINE DEFINED.**—The term “deadline”
16 means any date certain for fulfilling any obligation or ex-
17 ercising any authority established by or under any Federal
18 statute or regulation, or by or under any court order im-
19 plementing any Federal statute or regulation.

20 **SEC. 106. DEFINITIONS.**

21 For purposes of this title—

22 (1) **FEDERAL AGENCY.**—The term “Federal
23 agency” means any “agency” as that term is defined
24 in section 551(1) of title 5, United States Code (re-
25 lating to administrative procedure).

1 (2) SIGNIFICANT RULE.—The term “significant
2 rule”—

3 (A) means any final rule that the Adminis-
4 trator of the Office of Information and Regu-
5 latory Affairs within the Office of Management
6 and Budget finds—

7 (i) has an annual effect on the econ-
8 omy of \$100,000,000 or more or adversely
9 affects in a material way the economy, a
10 sector of the economy, productivity, com-
11 petition, jobs, the environment, public
12 health or safety, or State, local, or tribal
13 governments or communities;

14 (ii) creates a serious inconsistency or
15 otherwise interferes with an action taken
16 or planned by another agency;

17 (iii) materially alters the budgetary
18 impact of entitlement, grants, user fees, or
19 loan programs or the rights and obliga-
20 tions of recipients thereof; or

21 (iv) raises novel legal or policy issues
22 arising out of legal mandates, the Presi-
23 dent’s priorities, or the principles set forth
24 in Executive Order 12866.

1 (B) does not include any agency action
2 that establishes, modifies, opens, closes, or con-
3 ducts a regulatory program for a commercial,
4 recreational, or subsistence activity relating to
5 hunting, fishing, or camping.

6 (3) FINAL RULE.—The term “final rule” means
7 any final rule or interim final rule. As used in this
8 paragraph, “rule” has the meaning given such term
9 by section 551 of title 5, United States Code, except
10 that such term does not include any rule of particu-
11 lar applicability including a rule that approves or
12 prescribes for the future rates, wages, prices, serv-
13 ices, or allowances therefor, corporate or financial
14 structures, reorganizations, mergers, or acquisitions
15 thereof, or accounting practices or disclosures bear-
16 ing on any of the foregoing or any rule of agency or-
17 ganization, personnel, procedure, practice or any
18 routine matter.

19 **SEC. 107. JUDICIAL REVIEW.**

20 No determination, finding, action, or omission under
21 this title shall be subject to judicial review.

22 **SEC. 108. APPLICABILITY; SEVERABILITY.**

23 (a) APPLICABILITY.—This title shall apply notwith-
24 standing any other provision of law.

1 (b) SEVERABILITY.—If any provision of this title, or
2 the application of any provision of this title to any person
3 or circumstance, is held invalid, the application of such
4 provision to other persons or circumstances, and the re-
5 mainder of this title, shall not be affected thereby.

6 **SEC. 109. EXEMPTION FOR MONETARY POLICY.**

7 Nothing in this title shall apply to rules that concern
8 monetary policy proposed or implemented by the Board
9 of Governors of the Federal Reserve System or the Fed-
10 eral Open Market Committee.

11 **SEC. 110. EFFECTIVE DATE.**

12 This title shall take effect on the date of the enact-
13 ment of this Act and shall apply to any rule that takes
14 effect as a final rule on or after such effective date.

15 **TITLE II—TERM GRAZING**
16 **PERMITS**

17 **SEC. 201. FINDINGS AND PURPOSE.**

18 (a) FINDINGS.—Congress finds that—

19 (1) the Secretary of Agriculture (referred to in
20 this title as the “Secretary”) administers the
21 191,000,000-acre National Forest System for mul-
22 tiple uses in accordance with Federal law;

23 (2) where suitable, one of the recognized mul-
24 tiple uses for National Forest System land is graz-
25 ing by livestock;

1 (3) the Secretary authorizes grazing through
2 the issuance of term grazing permits that have
3 terms of not to exceed 10 years and that include
4 terms and conditions necessary for the proper ad-
5 ministration of National Forest System land and re-
6 sources;

7 (4) as of the date of enactment of this Act, the
8 Secretary has issued approximately 9,000 term graz-
9 ing permits authorizing grazing on approximately
10 90,000,000 acres of National Forest System land;

11 (5) of the approximately 9,000 term grazing
12 permits issued by the Secretary, approximately one-
13 half have expired or will expire by the end of 1996;

14 (6) if the holder of an expiring term grazing
15 permit has complied with the terms and conditions
16 of the permit and remains eligible and qualified, that
17 individual is considered to be a preferred applicant
18 for a new term grazing permit in the event that the
19 Secretary determines that grazing remains an appro-
20 priate use of the affected National Forest System
21 land;

22 (7) in addition to the approximately 9,000 term
23 grazing permits issued by the Secretary, it is esti-
24 mated that as many as 1,600 term grazing permits
25 may be waived by permit holders to the Secretary in

1 favor of a purchaser of the permit holder's permitted
2 livestock or base property by the end of 1996;

3 (8) to issue new term grazing permits, the Sec-
4 retary must comply with the National Environ-
5 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.)
6 and other laws;

7 (9) for a large percentage of the grazing per-
8 mits that will expire or be waived to the Secretary
9 by the end of 1996, the Secretary has devised a
10 strategy that will result in compliance with the Na-
11 tional Environmental Policy Act of 1969 and other
12 applicable laws (including regulations) in a timely
13 and efficient manner and enable the Secretary to
14 issue new term grazing permits, where appropriate;

15 (10) for a small percentage of the grazing per-
16 mits that will expire or be waived to the Secretary
17 by the end of 1996, the strategy will not provide for
18 the timely issuance of new term grazing permits;
19 and

20 (11) in cases in which ranching operations in-
21 volve the use of a term grazing permit issued by the
22 Secretary, it is essential for new term grazing per-
23 mits to be issued in a timely manner for financial
24 and other reasons.

1 (b) PURPOSE.—The purpose of this title is to ensure
2 that grazing continues without interruption on National
3 Forest System land in a manner that provides long-term
4 protection of the environment and improvement of Na-
5 tional Forest System rangeland resources while also pro-
6 viding short-term certainty to holders of expiring term
7 grazing permits and purchasers of a permit holder’s per-
8 mitted livestock or base property.

9 **SEC. 202. DEFINITIONS.**

10 In this title:

11 (1) EXPIRING TERM GRAZING PERMIT.—The
12 term “expiring term grazing permit” means a term
13 grazing permit—

14 (A) that expires in 1995 or 1996; or

15 (B) that expired in 1994 and was not re-
16 placed with a new term grazing permit solely
17 because the analysis required by the National
18 Environmental Policy Act of 1969 (42 U.S.C.
19 4321 et seq.) and other applicable laws has not
20 been completed.

21 (2) FINAL AGENCY ACTION.—The term “final
22 agency action” means agency action with respect to
23 which all available administrative remedies have
24 been exhausted.

1 (3) TERM GRAZING PERMIT.—The term “term
2 grazing permit means a term grazing permit or
3 grazing agreement issued by the Secretary under
4 section 402 of the Federal Land Policy and Manage-
5 ment Act of 1976 (43 U.S.C. 1752), section 19 of
6 the Act entitled “An Act to facilitate and simplify
7 the work of the Forest Service, and for other pur-
8 poses”, approved April 24, 1950 (commonly known
9 as the “Granger-Thye Act”) (16 U.S.C. 580), or
10 other law.

11 **SEC. 203. ISSUANCE OF NEW TERM GRAZING PERMITS.**

12 (a) IN GENERAL.—Notwithstanding any other provi-
13 sion of law, regulation, policy, court order, or court sanc-
14 tioned settlement agreement, the Secretary shall issue a
15 new term grazing permit without regard to whether the
16 analysis required by the National Environmental Policy
17 Act of 1969 (42 U.S.C. 4321 et seq.) and other applicable
18 laws has been completed, or final agency action respecting
19 the analysis has been taken—

20 (1) to the holder of an expiring term grazing
21 permit; or

22 (2) to the purchaser of a term grazing permit
23 holder’s permitted livestock or base property if—

24 (A) between January 1, 1995, and Decem-
25 ber 1, 1996, the holder has waived the term

1 grazing permit to the Secretary pursuant to
2 section 222.3(c)(1)(iv) of title 36, Code of Fed-
3 eral Regulations; and

4 (B) the purchaser of the term grazing per-
5 mit holder's permitted livestock or base prop-
6 erty is eligible and qualified to hold a term
7 grazing permit.

8 (b) TERMS AND CONDITIONS.—Except as provided in
9 subsection (c)—

10 (1) a new term grazing permit under subsection
11 (a)(1) shall contain the same terms and conditions
12 as the expired term grazing permit; and

13 (2) a new term grazing permit under subsection
14 (a)(2) shall contain the same terms and conditions
15 as the waived permit.

16 (c) DURATION.—

17 (1) IN GENERAL.—A new term grazing permit
18 under subsection (a) shall expire on the earlier of—

19 (A) the date that is 3 years after the date
20 on which it is issued; or

21 (B) the date on which final agency action
22 is taken with respect to the analysis required by
23 the National Environmental Policy Act of 1969
24 (42 U.S.C. 4321 et seq.) and other applicable
25 laws.

1 (2) FINAL ACTION IN LESS THAN 3 YEARS.—If
2 final agency action is taken with respect to the anal-
3 ysis required by the National Environmental Policy
4 Act of 1969 (42 U.S.C. 4321 et seq.) and other ap-
5 plicable laws before the date that is 3 years after the
6 date on which a new term grazing permit is issued
7 under subsection (a), the Secretary shall—

8 (A) cancel the new term grazing permit;

9 and

10 (B) if appropriate, issue a term grazing
11 permit for a term not to exceed 10 years under
12 terms and conditions as are necessary for the
13 proper administration of National Forest Sys-
14 tem rangeland resources.

15 (d) DATE OF ISSUANCE.—

16 (1) EXPIRATION ON OR BEFORE DATE OF EN-
17 ACTMENT.—In the case of an expiring term grazing
18 permit that has expired on or before the date of en-
19 actment of this Act, the Secretary shall issue a new
20 term grazing permit under subsection (a)(1) not
21 later than 15 days after the date of enactment of
22 this Act.

23 (2) EXPIRATION AFTER DATE OF ENACT-
24 MENT.—In the case of an expiring term grazing per-
25 mit that expires after the date of enactment of this

1 Act, the Secretary shall issue a new term grazing
 2 permit under subsection (a)(1) on expiration of the
 3 expiring term grazing permit.

4 (3) WAIVED PERMITS.—In the case of a term
 5 grazing permit waived to the Secretary pursuant to
 6 section 222.3(c)(1)(iv) of title 36, Code of Federal
 7 Regulations, between January 1, 1995, and Decem-
 8 ber 31, 1996, the Secretary shall issue a new term
 9 grazing permit under subsection (a)(2) not later
 10 than 60 days after the date on which the holder
 11 waives a term grazing permit to the Secretary.

12 **SEC. 204. ADMINISTRATIVE APPEAL AND JUDICIAL REVIEW.**

13 The issuance of a new term grazing permit under sec-
 14 tion 203(a) shall not be subject to administrative appeal
 15 or judicial review.

16 **SEC. 205. REPEAL.**

17 This title is repealed effective as of January 1, 2001.

18 **TITLE III—GENERAL PROVISION**

19 **SEC. 301. SENSE OF SENATE REGARDING AMERICAN CITI-**
 20 **ZENS HELD IN IRAQ.**

21 (a) FINDINGS.—The Senate makes the following
 22 findings:

23 (1) On Saturday, March 25, 1995, an Iraqi
 24 court sentenced two Americans, William Barloon

1 and David Daliberti, to eight years imprisonment for
2 allegedly entering Iraq without permission.

3 (2) The two men were tried, convicted, and sen-
4 tenced in what was reported to be a very brief period
5 during that day with no other Americans present
6 and with their only legal counsel having been ap-
7 pointed by the Government of Iraq.

8 (3) The Department of State has stated that
9 the two Americans have committed no offense justi-
10 fying imprisonment and has demanded that they be
11 released immediately.

12 (4) This injustice worsens already strained rela-
13 tions between the United States and Iraq and makes
14 resolution of differences with Iraq more difficult.

15 (b) SENSE OF SENATE.—The Senate strongly con-
16 demns the unjustified actions taken by the Government
17 of Iraq against American citizens William Barloon and
18 David Daliberti and urges their immediate release from
19 prison and safe exit from Iraq. Further, the Senate urges
20 the President of the United States to take all appropriate

1 action to assure their prompt release and safe exit from
2 Iraq.

Passed the Senate March 29 (legislative day, March
27), 1995.

Attest:

Secretary.

S 219 ES—2

S 219 ES—3

S 219 ES—4

S 219 ES—5

104TH CONGRESS
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To ensure economy and efficiency of Federal Government operations by establishing a moratorium on regulatory rulemaking actions, and for other purposes.