

PROVIDING FOR THE CONSIDERATION OF H.R. 4194, DEPARTMENTS OF
VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND
INDEPENDENT AGENCIES APPROPRIATIONS BILL, 1999

JULY 15, 1998.—Referred to the House Calendar and ordered to be printed

Mr. LINDER, from the Committee on Rules,
submitted the following

REPORT

[To accompany H. Res. 501]

The Committee on Rules, having had under consideration House Resolution 501, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

BRIEF SUMMARY OF PROVISIONS OF RESOLUTION

The resolution provides for the consideration of H.R. 4194, the “Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Bill, 1999” under an open rule. The rule provides one hour of general debate divided equally between the chairman and ranking minority member of the Committee on Appropriations.

The rule waives section 306 (prohibiting consideration of legislation within the Budget Committee’s jurisdiction, unless reported by the Budget Committee) of the Congressional Budget Act against consideration of the bill. Additionally, the rule provides that the amendment printed in this report shall be considered as adopted.

The rule waives clause 2 of rule XXI (prohibiting unauthorized and legislative provisions in an appropriations bill) and clause 6 of rule XXI (prohibiting reappropriations in an appropriations bill) against provisions in the bill as amended, except as otherwise specified in the rule.

The rule makes in order the amendment printed in the Congressional Record and numbered 12, which may be offered only by Representative Leach or a designee, shall be considered as read, shall be debatable for 40 minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendment numbered 12 are waived.

The Chair is authorized to accord priority in recognition to Members who have preprinted their amendments in the Congressional Record.

The rule allows for the Chairman of the Committee of the Whole to postpone votes during consideration of the bill, and to reduce votes to five minutes on a postponed question if the vote follows a fifteen minute vote.

Finally, the rule provides for one motion to recommit, with or without instructions.

COMMITTEE VOTES

Pursuant to clause 2(1)(2)(B) of House Rule XI the results of each rollcall vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee Rollcall No. 99

Date: July 15, 1998.

Measure: H.R. 4194, the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Bill, 1999.

Motion by: Mr. Moakley.

Summary of motion: Strike the provision making in order an amendment by Representative Leach.

Results: Defeated 3–9.

Vote by Members: Dreier—Nay; Goss—Nay; Linder—Nay; Pryce—Nay; Diaz-Balart—Nay; McInnis—Nay; Hastings—Nay; Myrick—Nay; Moakley—Yea; Frost—Yea; Hall—Yea; Solomon—Nay.

Rules Committee on Rollcall No. 100

Date: July 15, 1998.

Measure: H.R. 4194, the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Bill, 1999.

Motion by: Mr. Moakley.

Summary of motion: Waive points of order against Sec. 424 which concerns F.H.A. loan limits.

Results: Defeated 5–7.

Vote by Members: Dreier—Nay; Goss—Nay; Linder—Nay; Pryce—Yea; Diaz-Balart—Nay; McInnis—Yea; Hastings—Nay; Myrick—Nay; Moakley—Yea; Frost—Yea; Hall—Yea; Solomon—Nay.

Amendment considered as adopted:

Page 54, strike the sentence beginning in line 25.

Page 69, line 8, strike “three-year pilot project” and insert “pilot project, to be completed within 15 months from the date of enactment of this Act,”.

Page 69, strike the sentence beginning in line 10 and insert “The U.S. Fire Administration shall transmit the results of its pilot project to the Consumer Product Safety Commission and to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.”.

Page 91, add after line 6 the following:

SEC. 425. (a) The Consumer Product Safety Commission shall contract with the National Institute on Environmental Health Sciences (NIEHS) to conduct a thorough study of the toxicity of all the flame retardant chemicals identified by the Commission as likely candidates for addition to residential upholstered furniture for the purpose of meeting regulations proposed by the Commission for flame-resistance of residential upholstered furniture. Where NIEHS has existing adequate information regarding the chemicals identified by the Commission, such information can be transmitted to the Commission in lieu of an additional study on those chemicals.

(b) The Commission shall establish a Chronic Hazard Advisory Panel, according to the provisions of section 28 of the Consumer Product Safety Act (15 U.S.C. 2077), convened for the purpose of advising the Commission on the potential health effects and hazards, including carcinogenicity, neurotoxicity, mutagenicity, and other chronic and acute effects on consumers exposed to fabrics intended to be used in residential upholstered furniture which would be chemically treated to meet the Commission's proposed flame-resistant standards. In lieu of the requirements of section 31(b)(2)(B) of such Act (15 U.S.C. 2080(b)(2)(B)), the Panel may meet for up to one year.

(c) The Chronic Hazard Advisory Panel convened by the Commission under subsection (b) for purposes of advising the Commission concerning the chronic hazards of flame-retardant chemicals in residential upholstered furniture shall complete its work and furnish its report to the Commission not later than one year after the date of the establishment of the Panel, except that if the Panel finds that it is unable to complete its work adequately within the one year after its establishment, it shall—

(1) advise the Commission that it will be unable to complete its work within one year;

(2) furnish the Commission with an interim report at the expiration of such year discussing its findings to date; and

(3) provide the Commission with an estimated date on which it will complete its work and submit a final report to the Commission.

(d) The Commission shall furnish the interim report, and the estimated date on which the Panel will complete its final report, to the House Committee on Commerce, the Senate Committee on Commerce, Science, and Transportation, the House Committee on Appropriations and Senate Committee on Appropriations. The Commission shall furnish the final report to the House Committee on Commerce, the Senate Committee on Commerce, Science, and Transportation, the House Committee on Appropriations and Senate Committee on Appropriations.

(e) No additional funds shall be expended by the Commission on developing flammability standards for residential upholstered furniture until 3 months after the Commission has furnished either the interim report or the final report of the Panel to the House Committee on Commerce, the Senate Committee on Commerce, Science, and Transportation, the House Committee on Appropriations and Senate Committee on Appropriations.

(f) The Commission, before promulgating any final rule setting flammability standards for residential upholstered furniture shall report to the House Committee on Commerce, the Senate Committee on Commerce, Science, and Transportation, the House Committee on Appropriations and Senate Committee on Appropriations on the report of the Panel, and the anticipated costs of the flammability standards regulation, including costs resulting from—

(1) public exposure to flame-retardant chemicals in residential upholstered furniture;

(2) exposure of workers to flame-retardant chemicals in the manufacture, distribution and sale of textiles and residential upholstered furniture;

(3) the generating, tracking, and disposing of flame-retardant chemicals and hazardous wastes generated from the handling of flame-retardant chemicals used on textiles and residential upholstered furniture; and

(4) limited availability in particular geographic regions of competing flame-resistant chemicals approved for use for residential upholstered furniture.

(g) In addition to amounts appropriated elsewhere in this Act, there is appropriated to the Consumer Product Safety Commission \$5,000,000,000 to carry out this section.