

106TH CONGRESS
1ST SESSION

H. R. 1864

To standardize the process for conducting public hearings for Federal agencies within the Department of the Interior.

IN THE HOUSE OF REPRESENTATIVES

MAY 19, 1999

Mr. HANSEN introduced the following bill; which was referred to the Committee on Resources

A BILL

To standardize the process for conducting public hearings for Federal agencies within the Department of the Interior.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Public Hearing Stand-
5 ardization Act of 1999”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

8 (1) Public hearings are a significant part of the
9 process used by Federal agencies to obtain public
10 input.

1 (2) Public hearings are important to the public
2 and should allow their comments to become part of
3 the official record of agency actions, provide a forum
4 for the public to ask questions of the Federal agen-
5 cies, and allow the public to receive from the Federal
6 agencies meaningful responses to questions as part
7 of the official record of agency actions.

8 (3) Federal agencies do not have a standard
9 procedure in accordance with which their public
10 hearings are conducted. As a result, Federal agen-
11 cies have total discretion in setting rules for public
12 hearings. These rules frequently do not require the
13 Federal agencies to respond to legitimate questions
14 asked by the public.

15 (4) Standardizing the procedure in accordance
16 with which Federal agencies conduct public hearings
17 is necessary to help ensure that the public under-
18 stands the public hearing process and can partici-
19 pate appropriately in that process.

20 **SEC. 3. REGULATIONS ESTABLISHING REQUIREMENTS FOR**
21 **CONDUCTING PUBLIC HEARINGS.**

22 (a) REGULATIONS REQUIRED.—The Secretary of the
23 Interior shall establish by regulation general requirements
24 for conducting public hearings on certain agency actions.

1 (b) CONTENT OF REGULATIONS.—Regulations issued
2 pursuant to subsection (a) shall be designed to help ensure
3 that the public understands and can fully participate in
4 public hearings held pursuant to such regulations and
5 shall, at a minimum, establish the following:

6 (1) Agency actions regarding which a public
7 hearing is required or appropriate.

8 (2) A process whereby the public shall be given
9 timely notice of public hearings.

10 (3) A process in accordance with which public
11 hearings shall be conducted. Such a process shall in-
12 clude an opportunity during the hearings for mem-
13 bers of the public to ask the Federal agency con-
14 ducting the hearings questions regarding the subject
15 matter of the hearings.

16 (4) A process to ensure that the public shall
17 have a reasonable expectation of meaningful and
18 timely answers to questions posed at public hearings.

19 (5) The proceedings of a public hearing shall
20 become part of the official record of the agency ac-
21 tion in regard to which the hearing is held.

22 **SEC. 4. EFFECT OF OTHER LAWS.**

23 Nothing in this Act shall be construed to limit, re-
24 place, or interfere with other opportunities for public com-
25 ment on, participation in, or influence on agency decision-

- 1 making pursuant to the National Environmental Policy
- 2 Act of 1969, the Administrative Procedure Act, or any
- 3 other law or policy which provides for such opportunities.

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