

that much of the Senate operation depends on her knowledge and skill in making certain that the procedural hurdles do not become roadblocks.

I believe the entire Senate, not just the Democratic caucus, owes Senator BYRD a large debt of gratitude for the fact that it was his excellent judgment that first brought Abby to the floor staff in 1979 and the caucus 8 years later.

I am extremely sorry that it falls to my lot to have to announce Abby's retirement.

It is well known that the great American author, William Faulkner, served as the postmaster in Oxford, MS. What is not as well known is why he decided to quit the job after many years of service, particularly at a time and in a place where good, stable jobs were hard to come by.

Asked why, Faulkner replied: "I couldn't stand for one minute longer being at the beck and call of anyone just because he has three cents in his pocket."

I would not want to think Abby Saffold made the decision to retire because, after 16 years, she could not stand for another minute being at the beck and call of anyone just because they had been elected to the U.S. Senate.

But it is a fact Abby has served Senators—and been at their beck and call—for a long time. I believe I state the sentiments of Senators on the Republican side as well as Members of the Democratic caucus when I say that Abby has been unfailingly cheerful and helpful to Senators regardless of party.

Abby Saffold's departure is a sad day for everyone in the Senate, most particularly for Senators, who have come to rely on Abby's advice, seek her counsel, and listen to her jokes. Somehow, because Abby served the Senate so well and for so long, we had come to think she would always be here for us.

Although many of the men and women with whom she worked elected, and unelected alike, may be better known to the American people than Abby, not many will be more well-loved by those who know her. Few will have a record of service and integrity to match hers.

I have been an admirer of Abby's since my first days in the Senate. She has been a good and tireless friend to me and other Members of the Senate. It is with great regret that I say goodbye to Abby Saffold today.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. DOLE. Mr. President, there's a story told about an incident that occurred here on the floor several years ago, when Howard Baker was Senate majority leader.

Senator Baker was leading a floor debate, while Republican and Democrat Senators worked out a timetable in back of the Chamber.

Finally, Senator Baker could proceed no further until negotiations were finished.

He looked to the back of the room, sized up who was involved in the negotiations, and who was key to their successful conclusion, and said for the record, "We're just here waiting for Abby."

He was, of course, referring to Abby Saffold, who has served as Secretary for the Democrat side of the aisle for more than 8 years, and who served as manager of the Democrat floor staff for the 8 years prior to that.

As has been indicated by my good friend, Senator DASCHLE, Abby is retiring this Friday afternoon, after nearly three decades of service on Capitol Hill—a career that saw her rise from serving as a caseworker to a Congressman to becoming the first woman in the history of the Senate to occupy the post of Secretary for the majority.

I know I speak for all Members of the Senate in saying that she will be greatly missed.

We spend a great deal of time here on the Senate floor. And frequently, negotiations and discussions can get a bit tense. Abby has been involved in hundreds of those negotiations and discussions.

Even though Abby's duties here on the floor require her to look after the interests of the Democrats, there has never—there has never been a moment where I questioned her professionalism, fairness, or honesty.

And through all the discussions and debates, Abby has always exhibited a great deal of courtesy, and an unfailing good humor. In short, as my good friend, George Mitchell, once said, "Abby helps to make our long days on the Senate floor more tolerable."

I share the view expressed by my colleague, Senator DASCHLE, and I know that all Senators join with me in wishing Abby good luck, and in thanking her for her service to the Senate and to America.

Thank you.

[Applause, Senators rising.]

Mr. LAUTENBERG. Mr. President, I join with my colleagues in paying tribute to Abby Saffold on her retirement from the Senate. Knowing Abby, I can only imagine that when she leaves us, she is planning a full life of travel and continued learning and challenge. Anyone familiar with her energy, sharp intelligence, political commitment and love of the Senate knows she will continue to follow our activities with close attention. I know all of us are going to miss her advice, incredible attention to our needs, her knowledge of the Senate and her ability to help make this institution work.

On the eve of her retirement from the Senate I want to wish Abby the very best and hope that her next 25 years will be as satisfying as those she spent in the Senate, and filled with challenge, satisfaction, love, and contentment. She has made an enormous contribution to this institution and the many Senators who have occupied these desks since she began here many years ago, sitting in the staff gallery

following the Senate floor for her Senator. It is a pleasure to simply say, in return, "Thank you, Abby."

The PRESIDING OFFICER. Without objection, the resolution is agreed to.

Without objection, the preamble is agreed to.

#### TRIBUTE TO CHICK REYNOLDS

Mr. DODD. Mr. President, I rise to pay tribute to Chick Reynolds, the former Chief Reporter of Debates for the Senate. As my colleagues know, Chick passed away earlier this month. He will be sorely missed by each and every one of us.

The Reporter of Debates is one of those unheralded jobs without which this institution could not run. The Reporter is the bridge between the Senator and his constituents and between this institution and history. By faithfully transcribing the proceedings of the Senate, the Recorder ensures that ordinary Americans can follow the work of their elected representatives and that historians will have an accurate record of the great debates of our time.

Chick Reynolds was considered one of the fastest and most accurate reporters in the United States. As a result, he recorded many of the most momentous political events of the latter half of the twentieth century, including the McCarthy and Jimmy Hoffa hearings and President Kennedy's famous speech in Berlin.

In 1974, Chick Reynolds was appointed an official reporter for the Senate, and he went on to become chief reporter in 1988. He served in that job with distinction, and he was scheduled to retire, in fact, next month.

I join my colleagues in extending my sympathies to Chick's wife, Lucille, on her loss.

Mr. President, I yield the floor.

Mr. BURNS. Mr. President, parliamentary inquiry: What is the order of business?

The PRESIDING OFFICER. The regular order is that the regulatory reform bill will be laid down.

Mr. BURNS. Mr. President, I ask unanimous consent that I might proceed as if in morning business for no more than 2 minutes for the purpose of introducing a bill.

Mr. GLENN. Mr. President, reserving the right to object, I will not object; may I ask, is it going to be a couple of minutes? That will be fine. I know Senator John KERRY has some remarks he would like to make. We will put the bill in and yield to him for some remarks, if that is OK. And then we will go on with remarks on the bill.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BURNS. I thank my friend from Ohio.

THE PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. BURNS. I thank the Chair.

(The remarks of Mr. BURNS pertaining to the introduction of S. 1000 are

located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

#### COMPREHENSIVE REGULATORY REFORM ACT

The PRESIDING OFFICER. The clerk will report the pending business. The assistant legislative clerk read as follows:

A bill (S. 343) to reform the regulatory process, and for other purposes.

The Senate continued with the consideration of the bill.

Mr. GLENN addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. GLENN. I thank the Chair.

Mr. President, I ask unanimous consent that Senator KERRY be permitted to make some remarks without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Massachusetts.

Mr. KERRY. Mr. President, I thank the Senator from Ohio. I just wanted to rise for a few moments to say some words about the regulatory reform bill, and where we find ourselves now. Then I will make further comments at a later time. I thank the distinguished manager for the Democrats.

Mr. President, I think it is fair to say that if you ask most people in the United States Senate, "Do you favor regulatory reform?" people are going to say, "Yes; I am in favor of regulatory reform." We all understand that in the course of the last few years, regrettably, there have been some excesses that every single American has come to understand. And unfortunately, because of the negativity and conflict orientation of the press nowadays, the negative aspects of what has happened in environmentalism sometimes supersedes people's perceptions on the positive side.

The truth is, in America, there have been remarkable gains over the course of the last 25 years in the particulates that we breathe, and in the level of our health as a consequence of better air. Today, cities can literally be viewed from airplanes, and from outside the city where, this one not be the case, a decade ago if you were in Denver or Los Angeles given the air pollution levels and smog. There are still problems, but the level is so markedly reduced from what it was that we tend to forget the benefits.

If you look all across this country, there are rivers where salmon have returned and rivers that you can swim in and fish in. This was not the situation a number of years ago. There has been just an incredible increase in the quality of life for all Americans and the opportunities that are available as a consequence of positive choices we have made for the environment.

On the other side of the ledger, there have been some terrible disasters in terms of our efforts to do better. The Superfund Program is a classic exam-

ple of one of those efforts that has not done as well as intended. However, the Superfund Program is not really a reflection of what we need to do in regulatory reform. Yet it somehow finds its way into the bill that is currently on the floor.

Likewise, with the Toxics Release Inventory, over the years since 1986, we have reduced over 40 percent the level of toxic releases into the atmosphere. And, there again, has been an enormous gain in terms of people's knowledge of what is happening in their community. That is all—just knowledge. That knowledge has empowered communities to make better choices and, in fact, many industries have voluntarily made choices based on the fact that they knew a particular community knew what was being released into the air. People have benefited. We have had an enormous reduction in the level of toxic releases. All by virtue of a community right-to-know program that is simply informative. All it does is let people know. It does not require a company to do anything. It does not take any chemical off the market. It does not prohibit it from being sold. It does not levy any fines. There is no administrative process except reporting information to the public.

Yet, in this bill, there is a wholesale discarding of that particular process. It does not belong here. It should not be here.

Similarly, the Delaney clause, which prevents people from being exposed to carcinogens in food additives. This is a critical program. Most people agree that there have been some problems in its administration, and we need to fix it. I agree, we ought to fix it. The Labor and Human Resources Committee and others have been working diligently on a fix. They are in the process of working within the committee with jurisdiction to rework the program. Then along comes this approach of just grabbing out of thin air and plunking into this bill what is not a fix, but an absolute eradication of the Delaney protections. That does not make sense. I do not think Americans have come in and said, "Hey, expose me to a whole new set of carcinogens, and it really does not matter what is in my food." But that is the effect of what is in this legislation.

Those were the "special fixes," the provisions that do not relate to regulatory reform and that should not be in the legislation before us.

In addition, Mr. President, I have some concerns with a number of provisions in the bill that actually address regulatory issues. For starters, this bill lowers the threshold for the definition of a "major" role in the rule-making process. When the EPA or another agency decides that something is a major rule which then affords it a certain set of administrative procedures, the threshold today for a major rule is \$100 million of annual economic impact. First, you have to make a determination that the rule will have an

effect of \$100 million of consequence, and then it is treated as a major rule.

In the bill that is on the floor, the sponsors lower that threshold to just \$50 million. The \$100 million threshold was set in 1975 by President Ford.

That 1975 value is worth just \$35 million. It is not very hard to get to a \$35 million current value in terms of rule-making impact. If you lower that by half, to an \$18 million impact, any lawyer worth his salt can come in and achieve that; particularly since the definition in this bill allows you to take indirect costs into account, you can very rapidly get to a \$50 million consequence.

What is the impact of that? Here is a bill that talks about being regulatory reform yet will open up a whole expanse of new rules subject to major rulemaking procedures which makes it then subject to court review.

Currently, EPA spends \$120 million per year to conduct risk assessment and cost-benefit analysis for major rules at the \$100 million level. EPA estimates that it will need an increase of 191 percent to 458 percent to keep up with the increased workload. Nowadays the EPA handles approximately 10 rules per year that qualify as major rules. Under the \$50 million threshold, we are going to go to 75 major rules per year just for rule at the \$50 million threshold. In addition, in this bill before us, S. 343, the Superfund is lowered even further to a threshold of just \$10 million which will cause a minimum of an additional 650 rules that need this new complex administrative procedure. Every one of us knows that no one is going to come down here and say "add personnel to EPA, appoint more judges, give us the people to achieve this and make this work."

So what you have here is not just an effort to have a legitimate reform of a system that I acknowledge needs reform. What you have is a totally calculated capacity to create gridlock within the system so the rules cannot be made and many of the rules on the books get eliminated.

Now, there are a host of other problems with S. 343. There is a problem with the effective date. The effective date of this bill is upon enactment. The implication of this term will require going back to scratch and being over to develop any rules that are in the entire Federal Government system on that date, whatever that day may be. The impact may well be enormous from meat inspection regulations to drinking water protections and other things that would literally stop in midstream as a consequence.

I do not think that is the intention of the authors. However, that will be the effect. These are the types of problems of which colleagues must be aware. This legislation currently leaves open to question a number of concerns such as this.

Another very significant area is judicial review and the petition process developed in this bill. The bill before us