

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the pending substitute amendment to S. 343, the Regulatory Reform Bill:

Bob Dole, Bill Roth, Fred Thompson, Spencer Abraham, Kay Bailey Hutchison, Jon Kyl, Chuck Grassley, Craig Thomas, Orrin Hatch, Larry E. Craig, Mitch McConnell, Conrad Burns, Bob Smith, Jesse Helms, Jim Inhofe, Judd Gregg.

CALL OF THE ROLL

The PRESIDING OFFICER. Under the previous order the mandatory quorum call has been waived.

VOTE

The PRESIDING OFFICER. The question is, Is it the sense of the Senate that debate on the amendment numbered 1487 to S. 343, the regulatory reform bill, shall be brought to a close?

The yeas and nays are required under the rule. The clerk will call the roll.

The bill clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 53, nays 47, as follows:

[Rollcall Vote No. 311 Leg.]

YEAS—53

Abraham	Gorton	McCain
Ashcroft	Gramm	McConnell
Bennett	Grams	Murkowski
Bond	Grassley	Nickles
Breaux	Gregg	Packwood
Brown	Hatch	Pell
Burns	Hatfield	Pressler
Campbell	Heflin	Roth
Coats	Helms	Santorum
Cochran	Hutchison	Shelby
Coverdell	Inhofe	Simpson
Craig	Johnston	Smith
D'Amato	Kassebaum	Stevens
DeWine	Kempthorne	Thomas
Dole	Kyl	Thompson
Domenici	Lott	Thurmond
Faircloth	Lugar	Warner
Frist	Mack	

NAYS—47

Akaka	Feingold	Lieberman
Baucus	Feinstein	Mikulski
Biden	Ford	Moseley-Braun
Bingaman	Glenn	Moynihan
Boxer	Graham	Murray
Bradley	Harkin	Nunn
Bryan	Hollings	Pryor
Bumpers	Inouye	Reid
Byrd	Jeffords	Robb
Chafee	Kennedy	Rockefeller
Cohen	Kerrey	Sarbanes
Conrad	Kerry	Simon
Daschle	Kohl	Snowe
Dodd	Lautenberg	Specter
Dorgan	Leahy	Wellstone
Exon	Levin	

The PRESIDING OFFICER. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Mr. BRADLEY. I rise to express serious reservations about S. 343, the regulatory reform bill. After listening to over a week's debate, I remain doubtful that a vote in favor of S. 343 would serve the best interests of the American people. While I support carefully crafted regulatory reform efforts like the Glenn-Chafee substitute, S. 343 does not meet my standards nor the standards of the people of New Jersey.

I doubt whether my constituents want new red tape requirements which would delay long-awaited regulations for food safety, drinking water quality, worker protections and pollution control. Even with the changes adopted during the last week, S. 343 is still a prescription for delay, duplication, and judicial gridlock.

S. 343 is not true reform. It is full of exemptions and special interest provisions unrelated to the basic bill or which give assistance to particular industries. Its provisions will swamp agencies with requirements for hundreds of new, costly, and time-consuming analyses and it will undermine needed health, safety and environmental regulations already on the books.

S. 343 is filled with new opportunities for endless rounds of judicial review. Yesterday, our colleague Senator JOHN KERRY stated that the bill still contained 88 new places for court intervention in the regulatory process, despite the efforts of many Senators to improve this aspect of S. 343.

S. 343 could result in the sunset of many regulations if agencies failed to review them accordingly to required time schedules. Even worse, the schedules themselves might be manipulated by special interests who could overload agency review agendas and tie them up until regulations expired.

Finally, S. 343 still includes language which favors the least cost and not the most cost-effective regulations—an affront to common sense which could result in missed opportunities for sensible regulatory revisions.

Mr. President, this country needs regulatory reform. Regulated businesses and individuals deserve the most flexible, cost-effective regulations agencies can craft while still providing the protections Congress has provided and all of us need. But it is also time for us to admit the real cause of many regulatory complaints—overly prescriptive and sloppily drafted legislation.

While this bill needs further work, I hope we can resume negotiations and produce a regulatory reform bill we all can support.

AMENDMENT NO. 1487

Mr. PRESSLER. Mr. President, today I rise to express my support for the substitute regulatory reform amendment currently pending before the Senate. I commend Senator DOLE for putting together a measure that is balanced, fair and commands bipartisan support. Certainly, we need Federal regulations to protect the public

health and safety. But the rules must be reasonable. They must make sense. That is exactly what the Dole substitute amendment attempts to ensure.

Mr. President, when I talk with South Dakotans, few topics raise their blood pressure faster than when they describe their frustrating dealings with the Federal bureaucracy. Government is supposed to work for us, not against us. Yet time after time, I hear horror stories of Washington bureaucrats running amok, imposing complicated, costly and silly rules.

Our current regulatory system is too large, too complicated, too burdensome, and too expensive. Worst of all, it is rapidly growing out of control. In the first two years of the Clinton administration, almost 140,000 pages of new Federal regulations were published. This is excessive. There is no way small businesses, local governments, or farmers and ranchers in South Dakota can possibly keep up with the changes.

Our current system costs all of us dearly. According to Thomas Hopkins, an economics professor at the Rochester Institute of Technology and the former Deputy Administrator of the Office of Management and Budget, OMB, every American household spends about \$4000 of their hard-earned income annually to comply with Federal regulations. As a nation, we spend between \$500 and \$800 billion each year.

The overwhelming majority of Americans agree the Federal bureaucracy needs an overhaul. Last November's election was a clear indication for smaller, smarter government with less redtape. This legislation takes a big step in that direction. Its main provision simply would require that before major new regulations are enacted, Federal regulators must show that the benefits justify the costs. This is simple common sense. It would force Federal regulations to be reasonable. If a Federal regulator cannot show that the costs of a proposed rule are justified by the benefits, why should we allow it be implemented? Common sense says we should not. This is a sensible hurdle that newly proposed rules should be required to clear.

Mr. President, let me give two recent examples of ridiculous Federal regulations that demonstrate the need for this legislation. The U.S. Environmental Protection Agency, EPA, is charged with enforcing our Nation's safe drinking water laws. In an effort to enforce the law, the EPA zealously over interprets congressional intent. In effect, they rewrite the law "raising the bar" for municipalities by requiring excessively burdensome water standards without comparing the costs of their rules to the benefits they hope to achieve.

Each year it seems, state and local officials are told last year's water standards are no longer good enough. They are forced by the EPA to perform costly new tests for presences in their water supply. Unfortunately, the EPA