

transmit herewith the Twenty-seventh Annual Report of the Department of Transportation, which covers fiscal year 1993.

WILLIAM J. CLINTON.

THE WHITE HOUSE, March 1, 1995.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Transportation and Infrastructure.

35.8 REGULATORY REFORM AND RELIEF

The SPEAKER pro tempore, Mr. BURTON, pursuant to House Resolution 100 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 926) to promote regulatory flexibility and enhance public participation in Federal agency rulemaking and for other purposes.

The SPEAKER pro tempore, Mr. BURTON, by unanimous consent, designated Mr. BARRETT as Chairman of the Committee of the Whole; and after some time spent therein,

35.9 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. EWING:

Page 2, line 11, strike "180 days" and insert "one year notwithstanding any other provision of law", in line 24, strike "(2)(A)" and all that follows through "(B)" in line 4 on page 3, and beginning in line 7 strike the dash and all that follows through line 13 and insert "one year notwithstanding any other provision of law".

It was decided in the affirmative { Yeas 420 Nays 5

35.10 [Roll No. 184] AYES—420

- Abercrombie Bryant (TN)
- Ackerman Bryant (TX)
- Allard Bunn
- Archer Bunning
- Armey Burr
- Bachus Buyer
- Baessler Callahan
- Baker (CA) Calvert
- Baker (LA) Camp
- Baldacci Canady
- Ballenger Dicks
- Barcia Castle
- Barr Chabot
- Barrett (NE) Chambliss
- Barrett (WI) Chapman
- Bartlett Chenoweth
- Barton Christensen
- Bass Chrysler
- Bateman Clay
- Becerra Clayton
- Beilenson Clement
- Bentsen Clinger
- Bereuter Clyburn
- Berman Coble
- Bevill Coburn
- Bilbray Coleman
- Bilirakis Collins (GA)
- Bishop Collins (MI)
- Bliley Combest
- Blute Condit
- Boehlert Conyers
- Boehner Cooley
- Bonilla Costello
- Bonior Cox
- Bono Coyne
- Borski Cramer
- Boucher Crane
- Brewster Crapo
- Browder Cremeans
- Brown (FL) Cubin
- Brown (OH) Cunningham
- Brownback Danner
- Davis de la Garza
- Deal
- DeFazio
- DeLauro
- DeLay
- Dellums
- Deutsch
- Diaz-Balart
- Dickey
- Dicks
- Dingell
- Dixon
- Johnson, Sam
- Jones
- Kanjorski
- Kaptur
- Kasich
- Kelly
- Kennedy (MA)
- Kennedy (RI)
- Kennelly
- Kildee
- Kim
- King
- Kingston
- Kleczka
- Klink
- Klug
- Knollenberg
- Kolbe
- LaFalce
- Rahall
- LaHood
- Lantos
- Largent
- Latham
- Fazio
- LaTourette
- Laughlin
- Lazio
- Leach
- Levin
- Lewis (CA)

- Foglietta
- Foley
- Forbis
- Fowler
- Fox
- Frank (MA)
- Franks (CT)
- Franks (NJ)
- Frelinghuysen
- Frisa
- Frost
- Funderburk
- Furse
- Gallegly
- Ganske
- Gejdenson
- Gekas
- Gephardt
- Geren
- Gibbons
- Gilchrist
- Gillmor
- Gilman
- Goodlatte
- Goodling
- Gordon
- Goss
- Graham
- Green
- Greenwood
- Gunderson
- Gutierrez
- Gutknecht
- Hall (OH)
- Hall (TX)
- Hamilton
- Hancock
- Hansen
- Harman
- Hastert
- Hastings (FL)
- Hastings (WA)
- Hayes
- Hayworth
- Hefley
- Hefner
- Heineman
- Herger
- Hilleary
- Hilliard
- Hinchev
- Hobson
- Hoekstra
- Hoke
- Holden
- Horn
- Hostettler
- Houghton
- Hoyer
- Hutchinson
- Obey
- Inglis
- Istook
- Jackson-Lee
- Jacobs
- Jefferson
- Johnson (CT)
- Johnson (SD)
- Johnson, E.B.
- Johnson, Sam
- Paxon
- Payne (NJ)
- Payne (VA)
- Pelosi
- Peterson (FL)
- Peterson (MN)
- Petri
- Pickett
- Pombo
- Pomeroy
- Porter
- Portman
- Poshard
- Pryce
- Quillen
- Quinn
- Wise
- Radanovich
- Rahall
- Ramstad
- Rangel
- Reed
- Reed
- Yates
- Young (AK)
- Young (FL)
- Zeliff
- Zimmer
- Lewis (GA)
- Lewis (KY)
- Lightfoot
- Lincoln
- Linder
- Lipinski
- Livingston
- LoBiondo
- Lofgren
- Longley
- Lowey
- Lucas
- Luther
- Maloney
- Manton
- Manzullo
- Markey
- Martinez
- Martini
- Mascara
- Matsui
- McCarthy
- McCollum
- McCrery
- McDade
- McDermott
- McHale
- McHugh
- McInnis
- McIntosh
- McKeon
- McNulty
- Meehan
- Meeke
- Menendez
- Metcalfe
- Meyers
- Mfume
- Mica
- Miller (CA)
- Miller (FL)
- Mineta
- Minge
- Mink
- Molinari
- Mollohan
- Montgomery
- Moorhead
- Moran
- Morella
- Murtha
- Myers
- Myrick
- Neal
- Nethercutt
- Neumann
- Ney
- Norwood
- Nussle
- Oberstar
- Obey
- Olver
- Ortiz
- Orton
- Owens
- Oxley
- Packard
- Pallone
- Parker
- Pastor
- Paxon
- Payne (VA)
- Pelosi
- Peterson (FL)
- Peterson (MN)
- Petri
- Pickett
- Pombo
- Pomeroy
- Porter
- Portman
- Poshard
- Pryce
- Quillen
- Quinn
- Wise
- Radanovich
- Rahall
- Ramstad
- Rangel
- Reed
- Reed
- Yates
- Young (AK)
- Young (FL)
- Zeliff
- Zimmer

- NOES—5
- Andrews McKinney
- Ford Nadler
- Watt (NC)
- NOT VOTING—9
- Brown (CA) Gonzalez
- Burton Hunter
- Moakley
- Collins (IL) Johnston
- Rush
- Waters

So the amendment was agreed to. After some further time,

35.11 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. REED:

Page 8, line 11, strike out "50,000,000 or more;" and insert "100,000,000 or more; and" and strike lines 12 through 20.

It was decided in the negative { Yeas 159 Nays 266

35.12 [Roll No. 185] AYES—159

- Ackerman
- Andrews
- Baldacci
- Barcia
- Barrett (WI)
- Becerra
- Beilenson
- Bentsen
- Berman
- Bishop
- Bonior
- Borski
- Boucher
- Brown (FL)
- Brown (OH)
- Bryant (TX)
- Clay
- Clayton
- Clement
- Clyburn
- Coleman
- Collins (IL)
- Collins (MI)
- Conyers
- Costello
- Coyne
- de la Garza
- DeFazio
- DeLauro
- Dellums
- Deutsch
- Dicks
- Dingell
- Dixon
- Doggett
- Doyle
- Durbin
- Engel
- Eshoo
- Evans
- Farr
- Fattah
- Fazio
- Fields (LA)
- Filner
- Flake
- Foglietta
- Ford
- Frank (MA)
- Frost
- Furse
- Gejdenson
- Gephardt
- Gibbons
- Gordon
- Green
- Gutierrez
- Hall (OH)
- Hamilton
- Hastings (FL)
- Hefner
- Hilliard
- Hinchev
- Holden
- Hoyer
- Jackson-Lee
- Jefferson
- Johnson (SD)
- Johnson, E. B.
- Johnston
- Kanjorski
- Kaptur
- Kennedy (MA)
- Kennedy (RI)
- Kennelly
- Kildee
- Klink
- LaFalce
- Lantos
- Levin
- Lewis (GA)
- Lipinski
- Lofgren
- Lowey
- Luther
- Maloney
- Manton
- Markey
- Martinez
- Mascara
- Matsui
- McCarthy
- McDermott
- McHale
- McKinney
- Meehan
- Meek
- Menendez
- Mfume
- Miller (CA)
- Mineta
- Minge
- Mink
- Moran
- Morella
- Murtha
- Nadler
- Neal
- Oberstar
- Obey
- Olver
- Ortiz
- Owens
- Pallone
- Payne (NJ)
- Pelosi
- Pomeroy
- Rahall
- Rangel
- Reed
- Reynolds
- Richardson
- Rivers
- Roemer
- Rose
- Roybal-Allard
- Sabo
- Sanders
- Sawyer
- Schroeder
- Schumer
- Scott
- Serrano
- Shays
- Skaggs
- Slaughter
- Spratt
- Stark
- Stokes
- Studds
- Stupak
- Thompson
- Torres
- Torricelli
- Towns
- Trafficant
- Tucker
- Vento
- Visclosky
- Ward
- Waters
- Watt (NC)
- Waxman
- Williams
- Woolsey
- Wyden
- Wynn
- Yates
- NOES—266
- Abercrombie
- Allard
- Archer
- Armey
- Bachus
- Baessler
- Baker (CA)
- Baker (LA)
- Ballenger
- Barr
- Barrett (NE)
- Bartlett
- Barton
- Bass
- Bateman
- Becerra
- Beilenson
- Bereuter
- Berman
- Bevill
- Bilbray
- Bilirakis
- Bliley
- Blute
- Boehlert
- Bonilla
- Bonior
- Bono
- Borski
- Boucher
- Brewster
- Browder
- Brown (FL)
- Brown (OH)
- Brownback
- Bereuter
- Bevill
- Bilbray
- Bilirakis
- Bliley
- Blute
- Boehlert
- Boehner
- Bonilla
- Bono
- Brewster
- Browder
- Brownback
- Bryant (TN)
- Bunn
- Bunning
- Burr
- Burton
- Buyer
- Callahan
- Calvert
- Camp
- Canady
- Cardin
- Castle
- Chabot
- Chambliss
- Chapman
- Chenoweth
- Christensen

Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Cox
Cramer
Crane
Crapo
Creameans
Cubin
Cunningham
Danner
Davis
Deal
DeLay
Diaz-Balart
Dickey
Doolley
Doolittle
Dornan
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson

NOT VOTING—9

Brown (CA) Istook Rush
Gonzalez Kleczka Thornton
Hunter Moakley Velazquez

So the amendment was not agreed to.
After some further time,

35.13 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. CONYERS:

Page 9, line 21, strike the close quotation marks and the period following and insert after line 21 the following:

“(5) In a rulemaking involving a major rule, the agency conducting the rulemaking shall make a written record describing the subject of all contacts the agency made with persons outside the agency relating to such rulemaking. If the contact was made with a non-governmental person, the written record

of such contact shall be made available, upon request to the public.”.

It was decided in the affirmative { Yeas 406
Nays 23

35.14

[Roll No. 186]

AYES—406

Abercrombie Dixon Jefferson
Ackerman Doggett Johnson (CT)
Allard Dooley Johnson (SD)
Andrews Dornan Johnson, E. B.
Bachus Doyle Johnston
Baesler Dreier Jones
Baker (LA) Duncan Kanjorski
Baldacci Dunn Kaptur
Ballenger Durbin Kachich
Barcia Edwards Kelly
Barr Ehrlich Kennedy (MA)
Barrett (NE) Emerson Kennedy (RI)
Barrett (WI) Engel Kennelly
Bartlett English Kildee
Barton Ensign Kim
Bass Eshoo Kingston
Bateman Evans Kleczka
Becerra Everett Klink
Beilenson Ewing Klug
Bentsen Farr Knollenberg
Berman Fattah Kolbe
Bevill Fawell LaFalce
Billbray Fazio LaHood
Bilirakis Lantos Fields (LA)
Bishop Fields (TX) Largent
Bilely Filner Latham
Blute Flake LaTourette
Boehlert Flanagan Laughlin
Boehner Foglietta Lizio
Bonior Foley Leach
Bono Ford Levin
Borski Fowler Lewis (CA)
Boucher Fox Lewis (GA)
Brewster Frank (MA) Lewis (KY)
Browder Franks (CT) Lightfoot
Brown (CA) Franks (NJ) Lincoln
Brown (FL) Frelinghuysen Lipinski
Brown (OH) Frisa Livingston
Brownback Frost LoBiondo
Bryant (TN) Funderburk Lofgren
Bryant (TX) Furse Longley
Bunn Gallegly Lowey
Bunning Ganske Lucas
Burr Gejdenson Luther
Burton Gekas Maloney
Buyer Gephardt Manton
Callahan Geran Manzullo
Calvert Gibbons Markey
Camp Gilchrest Martinez
Canady Gillmor Martini
Cardin Gilman Mascara
Castle Goodlatte Matsui
Chabot Goodling McCarthy
Chambliss Gordon McCollum
Chapman Goss McCreery
Chenoweth Graham McDade
Christensen Green McDermott
Christen McHale
Clay McHugh
Clayton Gutierrez
Clement Gutknecht
Clinger Hall (OH)
Clyburn Hall (TX)
Coble Hamilton
Coleman Hansen Meek
Collins (GA) Harman Menendez
Collins (IL) Hastert Metcalf
Collins (MI) Hastings (FL) Meyers
Condit Hastings (WA) Mfume
Conyers Hayes Mica
Costello Hefley Miller (CA)
Cox Hefner Miller (FL)
Coyne Heineman Mineta
Cramer Herger Minge
Crane Hilleary Mink
Crapo Hilliard Mollohan
Creameans Hinchey Montgomery
Cubin Hobson Moorhead
Cunningham Hoekstra Moran
Danner Hoke Morella
Davis Holden Murtha
de la Garza Horn Myrick
Deal Hostettler Nadler
DeFazio Houghton Neal
DeLauro Hoyer Neumann
Dellums Hutchinson Ney
Deutsch Hyde Norwood
Diaz-Balart Inglis Nussle
Dickey Istook Oberstar
Dicks Jackson-Lee Obey
Dingell Jacobs Olver

Ortiz Salmon Thompson
Orton Sanders Thornberry
Owens Sanford Thornton
Oxley Sawyer Thurman
Packard Saxton Tiahrt
Pallone Scarborough Torkildsen
Parker Schaefer Torres
Pastor Schiff Torricelli
Paxon Schroeder Towns
Payne (NJ) Schumer Traficant
Payne (VA) Scott Tucker
Pelosi Seastrand Upton
Peterson (FL) Sensenbrenner Velazquez
Peterson (MN) Serrano Vento
Petri Shadegg Visclosky
Pickett Shaw Volkmer
Pombo Shays Vucanovich
Pomeroy Shuster Waldholz
Porter Sisisky Walker
Portman Skaggs Walsh
Poshard Skeen Wamp
Pryce Skelton Ward
Quillen Slaughter Waters
Quinn Smith (MI) Watt (NC)
Radanovich Smith (NJ) Watts (OK)
Rahall Smith (TX) Waxman
Ramstad Smith (WA) Weldon (FL)
Rangel Solomon Weldon (PA)
Reed Spence Weller
Regula Spratt White
Reynolds Stark Whitfield
Richardson Stearns Williams
Riggs Stenholm Wilson
Rivers Stockman Wise
Roberts Stokes Wolf
Roemer Studds Woolsey
Rogers Stupak Wyden
Rohrabacher Talent Wynn
Ros-Lehtinen Tanner Yates
Rose Tate Young (AK)
Roth Tauzin Young (FL)
Roukema Taylor (MS) Zelliff
Roybal-Allard Taylor (NC) Zimmer
Royce Tejada
Sabo Thomas

NOES—23

Archer DeLay Linder
Army Doolittle McIntosh
Baker (CA) Ehlers Molinari
Beureter Forbes Myers
Bonilla Hancock Nethercutt
Coburn Hayworth Stump
Combest Johnson, Sam Wicker
Cooley King

NOT VOTING—5

Gonzalez Moakley Souder
Hunter Rush

So the amendment was agreed to.

After some further time,
The SPEAKER pro tempore, Mr. HASTERT, assumed the Chair.

When Mr. BARRETT, Chairman, pursuant to House Resolution 100, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Regulatory Reform and Relief Act”.

TITLE I—STRENGTHENING REGULATORY FLEXIBILITY

SEC. 101. JUDICIAL REVIEW.

(a) AMENDMENT.—Section 611 of title 5, United States Code, is amended to read as follows:

“§ 611. Judicial review

“(a)(1) Except as provided in paragraph (2), not later than one year notwithstanding any other provision of law after the effective date of a final rule with respect to which an agency—

“(A) certified, pursuant to section 605(b), that such rule would not have a significant