

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2636

To direct the Director of the Office of Management and Budget to establish commissions to review regulations issued by certain Federal departments and agencies.

---

## IN THE HOUSE OF REPRESENTATIVES

JULY 14, 1993

Mr. THOMAS of Wyoming (for himself, Mr. ZIMMER, and Mr. SCHIFF) introduced the following bill; which was referred to the Committee on Government Operations

---

## A BILL

To direct the Director of the Office of Management and Budget to establish commissions to review regulations issued by certain Federal departments and agencies.

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 “Commissions on Regu-  
5 latory Reform Act of 1993”.

6 **SEC. 2. FINDING AND PURPOSE.**

7 (a) FINDING.—The Congress finds that Federal reg-  
8 ulations have placed an unprecedented burden on all pri-

1 vate citizens of the United States, to the extent that eco-  
2 nomic growth is significantly hampered.

3 (b) PURPOSE.—The purpose of this Act is to dem-  
4 onstrate the need to reexamine the policies and procedures  
5 of Federal agencies which impose regulatory burden, to  
6 determine what changes are necessary and desirable in  
7 those policies and procedures.

8 **SEC. 3. REVIEW OF FEDERAL REGULATIONS.**

9 (a) IN GENERAL.—Each of the commissions estab-  
10 lished under section 4 by the Director of the Office of  
11 Management and Budget (hereinafter in this Act referred  
12 to as the “Director”) shall review in accordance with this  
13 section the regulations issued by the department or agency  
14 with respect to which the commission is established.

15 (b) STANDARDS FOR REVIEW.—In reviewing regula-  
16 tions under this section, a commission shall examine and  
17 determine the following:

18 (1) Whether the regulations are—

19 (A) within the scope of authority of the  
20 statutes under which the regulations were is-  
21 sued; and

22 (B) in accordance with the original intent  
23 of the Congress in approving those statutes.

24 (2) Whether administrative decisions made  
25 under the regulations were based on adequate infor-

1       mation concerning the need for and consequences of  
2       proposed Government action.

3           (3) Whether regulatory action was taken only in  
4       instances where potential economic benefits to soci-  
5       ety of taking an action have exceeded the economic  
6       costs to society of taking the action.

7           (4) Whether the objectives of regulatory actions  
8       were selected to minimize net economic costs to  
9       society.

10          (5) Whether in selecting among alternative ap-  
11       proaches for achieving objectives of regulatory ac-  
12       tions, the alternative selected was the alternative in-  
13       volving the least net economic cost to society.

14          (6) Whether Federal agencies, in selecting regu-  
15       latory priorities, have taken into account—

16           (A) the condition of the particular employ-  
17       ers and employees affected by regulatory ac-  
18       tions;

19           (B) the condition of the regional and na-  
20       tional economy; and

21           (C) other Federal regulatory actions being  
22       considered.

23       (c) CONSULTATION AND COMMENT.—In carrying out  
24       reviews under this section, a commission shall—

25           (1) consult with the Congress; and

1           (2) solicit and consider views and suggestions of  
2 persons affected by the regulations reviewed by the  
3 commission.

4           (d) REPORTS.—

5           (1) IN GENERAL.—Each commission established  
6 under section 4 shall submit reports in accordance  
7 with this subsection to the Director, the head of the  
8 department or agency with respect to which the  
9 commission is established, and the Congress. The re-  
10 ports shall consist of—

11                   (A) an interim report submitted by not  
12 later than 1 year after the completion of ap-  
13 pointments of the members of the commission;

14                   (B) an interim report submitted by not  
15 later than 2 years after the completion of those  
16 appointments; and

17                   (C) a final report submitted by not later  
18 than 3 years after the completion of those ap-  
19 pointments.

20           (2) CONTENTS.—Each report under this sub-  
21 section shall describe the determinations made by  
22 the commission under each of paragraphs (1), (2),  
23 (3), (4), (5), and (6) of subsection (b) for the period  
24 covered by the report.

1 **SEC. 4. ESTABLISHMENT OF COMMISSIONS.**

2 (a) IN GENERAL.—Not later than 1 year after the  
3 date of the enactment of this Act, the Director shall estab-  
4 lish 5 commissions to carry out reviews under section 3.  
5 Of the commissions established under this section—

6 (1) 1 shall be established with respect to each  
7 of—

8 (A) the Environmental Protection Agency;

9 (B) the Occupational Safety and Health  
10 Administration; and

11 (C) the Health Care Financing Adminis-  
12 tration; and

13 (2) 1 shall be established with respect to each  
14 of 2 Federal departments or agencies selected by the  
15 Director.

16 (b) MEMBERSHIP.—Each commission established  
17 under this section shall be composed of 14 members as  
18 follows:

19 (1) 2 members of the Senate appointed by the  
20 President pro tempore of the Senate, who shall be  
21 members of different political parties.

22 (2) 2 members appointed by the Speaker of the  
23 House of Representatives, who shall be members of  
24 different political parties.

25 (3) 5 members appointed by the President from  
26 among persons affected by regulatory actions of the

1 department or agency with respect to which the  
2 commission is established, of whom not more than 3  
3 may be members of the same political party.

4 (4) 5 members appointed by the head of the de-  
5 partment or agency with respect to which the com-  
6 mission is established, from among the career em-  
7 ployees of the agency.

8 (c) COMPENSATION.—A member of a commission  
9 may not receive any additional compensation by reason of  
10 service on the commission.

11 (d) EXPENSES.—The head of a Federal department  
12 or agency with respect to which a commission is estab-  
13 lished under this section shall pay the expenses incurred  
14 by the commission in carrying out this Act.

15 (e) TERMINATION.—A commission established by this  
16 section shall terminate on the date the commission sub-  
17 mits a final report under section 3(d)(1)(C).

○