

103D CONGRESS
1ST SESSION

H. R. 3649

To establish the Industrial Regulatory Relief Commission.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 22, 1993

Mr. HUNTER (for himself, Mr. BURTON of Indiana, Mr. CUNNINGHAM, Mr. EVERETT, Ms. KAPTUR, and Mr. TRAFICANT) introduced the following bill; which was referred jointly to the Committees on Energy and Commerce, Banking, Finance and Urban Affairs, and Rules

A BILL

To establish the Industrial Regulatory Relief Commission.

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 “Industrial Regulatory
5 Relief Commission Act”.

6 **SEC. 2. ESTABLISHMENT.**

7 There is established an independent commission to be
8 known as the “Industrial Regulatory Relief Commission”
9 (hereinafter in this Act referred to as the “Commission”).

1 **SEC. 3. PURPOSE OF COMMISSION.**

2 (a) IN GENERAL.—The purpose of the Commission
3 is to develop and submit, to the President and the Con-
4 gress, recommendations for reducing the regulatory bur-
5 den to the manufacturing, housing, and biotechnology in-
6 dustries nationwide.

7 (b) REQUIREMENTS.—The recommendations of the
8 Commission shall be developed in a manner so as to pro-
9 mote investment in the industries specified in subsection
10 (a).

11 **SEC. 4. MEMBERSHIP.**

12 (a) NUMBER AND APPOINTMENT.—

13 (1) IN GENERAL.—The Commission shall be
14 composed of 8 members appointed by the President,
15 by and with the advice and consent of the Senate.

16 (2) NOMINATIONS.—The President shall submit
17 to the Senate the President's nominations for ap-
18 pointment to the Commission no later than 30 days
19 after the date of the enactment of this Act.

20 (b) CONSULTATION.—In selecting individuals for
21 nomination for appointment to the Commission, the Presi-
22 dent shall consult with—

23 (1) the Speaker of the House of Representa-
24 tives concerning the appointment of 2 members;

25 (2) the majority leader of the Senate concerning
26 the appointment of 1 member;

1 (3) the minority leader of the House of Rep-
2 representatives concerning the appointment of 1 mem-
3 ber; and

4 (4) the minority leader of the Senate concern-
5 ing the appointment of 1 member.

6 (c) CHAIRMAN.—At the time the President nominates
7 individuals for appointment to the Commission, the Presi-
8 dent shall designate 1 such individual to serve as Chair-
9 man of the Commission.

10 (d) TERMS.—Each member shall be appointed for the
11 life of the Commission.

12 (e) MEETINGS.—

13 (1) FREQUENCY.—The Commission shall meet
14 at the call of the Chairman or a majority of its
15 members.

16 (2) OPEN MEETINGS.—Each meeting of the
17 Commission shall be open to the public.

18 (f) PAY.—Each member shall be paid at the rate
19 equal to the daily equivalent of the rate payable for level
20 IV of the Executive Schedule under section 5315 of title
21 5, United States Code, for each day during which the
22 member is engaged in the actual performance of duties
23 vested in the Commission.

1 **SEC. 5. STAFF.**

2 The Commission may appoint and fix the pay of such
3 personnel as it considers appropriate, except that not more
4 than one-third of the personnel employed by or detailed
5 to the Commission may be on detail from a Federal
6 agency.

7 **SEC. 6. REPORTING REQUIREMENTS.**

8 (a) RELATING TO THE COMMISSION.—The Commis-
9 sion shall transmit a report to the President and the Con-
10 gress not later than 90 days after the Commission is ap-
11 pointed. Such report shall contain the recommendations
12 of the Commission (as described in section 3(a)), including
13 recommendations relating to any legislation or other meas-
14 ures which the Commission considers necessary, with par-
15 ticular attention to the methodology used by the Commis-
16 sion.

17 (b) RELATING TO THE PRESIDENT.—The President
18 shall transmit a written report to the Congress, not later
19 than 10 days after receiving the report of the Commission,
20 in which the President shall indicate—

21 (1) approval, in which case the Congress shall
22 introduce these recommendations as a joint resolu-
23 tion; or

24 (2) disapproval, in which case the President
25 shall submit changes to the Commission within 10
26 days.

1 The Commission shall have an additional 10 days to con-
2 sider changes submitted to the President and submit a
3 final report to Congress.

4 **SEC. 7. CONGRESSIONAL CONSIDERATION OF COMMISSION**
5 **REPORT.**

6 (a) TERMS OF THE RESOLUTION.—For purposes of
7 this Act, the term “joint resolution” means only a joint
8 resolution which is introduced within a 10-day period be-
9 ginning on the date on which the President or the Com-
10 mission transmits the report to Congress and—

11 (1) which does not have a preamble;

12 (2) the matter after the resolving clause of
13 which is as follows: “That Congress approves the
14 recommendations of the Industrial Regulatory Relief
15 Commission as submitted by the President on
16 _____”, the blank space being filled by
17 the appropriate date; and

18 (3) the title of which is as follows: “Joint reso-
19 lution approving the recommendations of the Indus-
20 trial Regulatory Relief Commission.”.

21 (b) REFERRAL.—A resolution described in subsection
22 (a) that is introduced in the House of Representatives
23 shall be referred to the Committee on _____. A
24 resolution described in subsection (a) introduced in the

1 Senate shall be referred to the Committee on
2 _____.

3 (c) DISCHARGE.—If the committee to which a resolu-
4 tion described in subsection (a) is referred has not re-
5 ported such resolution (or an identical resolution) by the
6 end of the 20-day period beginning on the date on which
7 the President transmits a report to the Congress under
8 section 6(b), such committee shall be, at the end of such
9 period, discharged from further consideration of such reso-
10 lution, and such resolution shall be placed on the appro-
11 priate calendar of the House involved.

12 (d) CONSIDERATION.—(1) On or after the third day
13 after the date on which the committee to which the resolu-
14 tion is referred has reported, or has been discharged, it
15 shall be in order for any Member of the respective House
16 to move to proceed to the consideration of the resolution
17 (but only on the day after the calendar day on which such
18 Member announces to the House concerned the Member's
19 intention to do so). All points of order against the resolu-
20 tion and against consideration of the resolution are
21 waived. The motion is highly privileged in the House of
22 Representatives and is privileged in the Senate and is not
23 debatable. The motion is not subject to amendment, or
24 to a motion to postpone, or to a motion to proceed to the
25 consideration of other business. A motion to reconsider the

1 vote by which the motion is agreed to or disagreed to is
2 not in order. If a motion to proceed to the consideration
3 of the resolution is agreed to, the respective House shall
4 immediately proceed to consideration of the joint resolu-
5 tion without intervening motion, order, or other business,
6 and the resolution shall remain the unfinished business of
7 the respective House until disposed of.

8 (2) Debate on the resolution, and on all debatable
9 motions and appeals in connection therewith, shall be lim-
10 ited to not more than 2 hours, which shall be divided
11 equally between those favoring and those opposing the res-
12 olution. An amendment to the resolution is not in order.
13 A motion to further limit debate is in order and not debat-
14 able. A motion to postpone, or a motion to proceed to the
15 consideration of other business, or a motion to recommit
16 the resolution is not in order. A motion to reconsider the
17 vote by which the resolution is agreed to or disagreed to
18 is not in order.

19 (3) Immediately following conclusion of the debate on
20 a resolution described in subsection (a) and a single
21 quorum call at the conclusion of the debate is requested
22 in accordance with the rules of the appropriate House, the
23 vote on final passage of the resolution shall occur.

24 (4) Appeals from the decisions of the Chair relating
25 to the application of the rules of the Senate or the House

1 of Representatives, as the case may be, to the procedure
2 relating to a resolution described in subsection (a) shall
3 be decided without debate.

4 (e) CONSIDERATION BY THE OTHER HOUSE.—(1) If,
5 before the passage by one House of a resolution of that
6 House described in subsection (a), that House receives
7 from the other House a resolution described in subsection
8 (a), then the following procedures shall apply:

9 (A) The resolution of the other House shall not
10 be referred to a committee and may not be consid-
11 ered in the House receiving it except in the case of
12 final passage as provided in subparagraph (B)(ii).

13 (B) With respect to a resolution described in
14 subsection (a) of the House receiving the resolu-
15 tion—

16 (i) the procedure in that House shall be
17 the same as if no resolution had been received
18 from the other House; but

19 (ii) the vote on final passage shall be on
20 the resolution of the other House.

21 (2) Upon disposition of the resolution received from
22 the other House, it shall no longer be in order to consider
23 the resolution that originated in the receiving House.

24 (f) RULES OF THE SENATE AND HOUSE.—This sec-
25 tion is enacted by Congress—

1 (1) as an exercise of the rulemaking power of
2 the Senate and House of Representatives, respec-
3 tively, and as such it is deemed a part of the rules
4 of each House, respectively, but applicable only with
5 respect to the procedure to be followed in that
6 House in the case of a resolution described in sub-
7 section (a), and it supersedes other rules only to the
8 extent that it is inconsistent with such rules; and

9 (2) with full recognition of the constitutional
10 right of either House to change the rules (so far as
11 relating to the procedure of that House) at any time,
12 in the same manner, and to the same extent as in
13 the case of any other rule of that House.

14 **SEC. 8. TERMINATION.**

15 The Commission shall terminate as of the date on
16 which it transmits its final report under section 6(b)(2).

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