Ireland and Northern Ireland; to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROTH, from the Committee on Governmental Affairs, with amendments:

S. 1. A bill to curb the practice of imposing unfunded Federal mandates on States and local governments; to strengthen the partnership between the Federal Government and State, local and tribal governments; to end the imposition, in the absence of full consideration by Congress, of Federal mandates on State, local, and tribal governments without adequate funding, in a manner that may displace other essential governmental priorities; and to ensure that the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations; and for other purposes.

By Mr. DOMENICI, from the Committee on the Budget, with amendments:

S. 1. A bill to curb the practice of imposing unfunded Federal mandates on States and local governments; to strengthen the partnership between the Federal Government and State, local and tribal governments; to end the imposition, in the absence of full consideration by Congress, of Federal mandates on State, local, and tribal governments without adequate funding, in a manner that may displace other essential governmental priorities; and to ensure that the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations; and for other purposes.

STATEMENT OF THE CHAIRMAN ON THE REPORTING BY THE GOVERNMENTAL AFFAIRS COMMITTEE OF S. 1—UNFUNDED MANDATE REFORM ACT OF 1995

Mr. ROTH. Mr. President, this morning the Governmental Affairs Committee, by a vote of 9 to 4, reported S. 1, the Unfunded Mandate Reform Act of 1995. Because of the great importance of this legislation to the State and local governments of this country, the bill is expected to be taken up by the Senate this week. Therefore, no official report of the committee will be filed on this legislation. To do so would delay the start of the bill's consideration. When a report is to be filed, each Member is entitled to a minimum of 3 days to prepare additional views. After it is filed, printed, and made available, the bill must lay over for 2 days before it may be considered.

Therefore, I am publishing instead a statement of the chairman on S. 1, which contains the very information, such as a legislative history and a section-by-section analysis, that would have been included in the report to accompany the legislation, had one been filed. Much of this is similar to the official committee report that was filed on the bill last year, when the committee reported S. 993, the predecessor of S. 1.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT OF THE CHAIRMAN, SENATE COMMITTEE ON GOVERNMENTAL AFFAIRS, ON S. 1—UNFUNDED MANDATE REFORM ACT OF 1995

I. PURPOSE

The purpose of S. 1—the ''Unfunded Mandate Reform Act of 1995''—is to strengthen the partnership between Federal, State, local and tribal governments by ensuring that the impact of legislative and regulatory proposals on those governments are given full consideration in Congress and the Executive Branch before they are acted upon. S.1 accomplishes this objective through the following major provisions: a majority point of order in the Senate to lie against Federal mandates without authorized funding to State, local and tribal governments; a requirement that the Congressional Budget Office (CBO) estimate the cost of Federal mandates to State, local and tribal governments as well as to the private sector; a requirement that Federal agencies establish a process to allow State, local and tribal governments greater input into the regulatory process; and, a requirement that agencies analyze the costs and benefits to State, local, and tribal governments of major regulations that include federal mandates.

II. BACKGROUND

On October 27, 1993, State and local officials from all over the Nation came to Washington and declared that day as ''National Unfunded Mandates Day.'' These officials conveyed a powerful message to Congress and the Clinton Administration that unfunded Federal mandates imposed unreasonable fiscal burdens on their budgets, limited their flexibility to address more pressing local problems, forced local tax increases and service cutbacks, and hampered their ability to govern effectively.

The Committee on Governmental Affairs heard that message, and on November 3rd scheduled a Full Committee hearing on the issue. Witnesses from all levels of State and local government, from big cities on down to small townships, testified at the hearing on how unfunded Federal mandates adversely affected their ability to govern and set priorities. Mayor Greg Lashutka of Columbus, Ohio summed up the problems best when he said: ''Others have called it [unfunded Federal mandates] spending without representation. Across this country, mayors and city councils and county commissioners have no vote on whether these mandated spending programs are appropriate for our cities. Yet, we are forced to cut other budget items or raise taxes or utility bills to pay for them because we must balance our budget at our level.''

Mayor Ed Rendell of Philadelphia, Pennsylvania was more emphatic: ''What is happening is we are getting killed. In most instances, we can't raise taxes. Many townships are at the virtual legal cap that their State government puts on them, or in my case in Philadelphia I took over a city that had a $500 million cumulative deficit that had raised four basic taxes 19 times in the 11 years prior to my becoming mayor. We have driven out 30 percent of our tax base in that time. I can't raise taxes, not because I want to get reelected or because it is politically feasible to say that, but because that would destroy what is left of our base, and our base isn't good enough.''

Further, Mayor Rendell noted how Federal mandates forced undesirable tradeoffs against tackling more needy local problems: ''So when you pass a mandate down to us and we have to pay for it, the police force goes down, the firefighting force goes down. Recreation departments are in disrepair. Our rec centers are in disrepair because our capital budget is being sopped up by Federal mandates, by the need to pay for Federal mandates.''

Susan Ritter, County Auditor, Renville County, North Dakota, and David Worhatch, Township Trustee, Hudson, Ohio gave their perspective of how Federal mandates negatively impact the smallest of governments with a description of some specific examples. Ms. Ritter noted that the town of Sherwood, with a population of 286, will have to spend one half of its annual budget on testing its water supply. Mr. Worhatch noted how well-intentioned Federal mandates can have unintended consequences at a township-level that thwart the original purpose of the mandate. He pointed to strict regulations that could force the closure of a local landfill. That closure could lead to greater midnight dumping—an undesirable result.

The Federal-State-local relationship is a complicated one. It is a blurry line between where one level of government's responsibility ends and another begins. Local officials decry unfunded State mandates as much as they do unfunded Federal ones.State officials then tell local officials that those mandates aren't theirs, but rather that they come from the Federal government and that States are just the conduit. The Federal government officials sometimes accuse State and local governments of falling down on their share of responsibilities when using Federal aid to carry out a Federal program. Likewise, State and local governments say that the regulations that go with accepting that aid are too onerous, and getting more so. They blame Federal agencies for promulgating burdensome and inflexible regulations. The agencies say that it is not their fault and claim that they are only carrying out the will of Congress in implementing statutes. Congress asserts that agencies have the statutory authority to allow State and local governments more leeway and flexibility in regulation and that therefore the responsibility lies there. What is lost in the debate is need for all levels of government to work together in a constructive fashion to provide the best possible delivery of services to the American people in the most cost-effective fashion. Vice President Gore's National Performance Review recognizes this fundamental issue in its report—''Strengthening the Partnership in Intergovernmental Service Delivery.'' The report notes:

''Americans increasingly feel that public institutions and programs aren't working. In fact, serious social and economic problems seem to be getting worse. The percentage of low-birth-weight babies, the number of single teens having babies, and arrest rapes for juveniles committing violent crimes are rising; the percentage of children graduating from high school is falling; welfare rolls and prison populations are swelling; median incomes for families with children are falling; more than half of children in female-headed households are poor; and 37 million Americans have no basic health care or not enough.''

''Why? At least part of the answer lies in an increasingly hidebound and paralyzed intergovernmental process.''

The report goes on to explain how the 140 Federal programs designed to help families and children are administered by 10 departments and 2 independent agencies. Fifteen percent of them are directly administered by the Federal government, 40 percent by States, and the remaining 40 percent by local, private or public groups.

Whether these programs, as well as many other Federal programs, work or not hinges on the ability of Federal, State and local to work together as partners in carrying the