

Sensenbrenner	Terry	Westmoreland
Sessions	Thompson (PA)	Whitfield
Shimkus	Thornberry	Wilson (SC)
Simpson	Tiberi	Wittman
Smith (NE)	Tipton	Wolf
Smith (NJ)	Turner	Womack
Smith (TX)	Upton	Woodall
Southerland	Walberg	Yoder
Stearns	Walden	Young (AK)
Stivers	Walsh (IL)	Young (FL)
Stutzman	Webster	Young (IN)
Sullivan	West	

NAYS—176

Andrews	Gutierrez	Pastor (AZ)
Baca	Hanabusa	Paul
Baldwin	Hastings (FL)	Payne
Barrow	Heinrich	Pelosi
Bass (CA)	Higgins	Perlmutter
Berkley	Himes	Pingree (ME)
Berman	Hinchev	Polis
Blumenauer	Hinojosa	Price (NC)
Brady (PA)	Hirono	Quigley
Braley (IA)	Holden	Rahall
Brown (FL)	Holt	Rangel
Butterfield	Honda	Reyes
Capps	Hoyer	Richardson
Capuano	Inslee	Richmond
Cardoza	Israel	Rothman (NJ)
Carnahan	Jackson (IL)	Roybal-Allard
Carney	Jackson Lee	Ruppersberger
Carson (IN)	(TX)	Rush
Castor (FL)	Johnson (GA)	Sánchez, Linda
Chu	Johnson, E. B.	T.
Ciilline	Kaptur	Sanchez, Loretta
Clarke (MI)	Keating	Sarbanes
Clarke (NY)	Kildee	Schakowsky
Clay	Kind	Schiff
Cleaver	Kucinich	Schrader
Clyburn	Labrador	Schwartz
Cohen	Langevin	Scott (VA)
Connolly (VA)	Larsen (WA)	Scott, David
Conyers	Larson (CT)	Serrano
Costello	Lee (CA)	Sewell
Courtney	Levin	Sherman
Critz	Lipinski	Shuler
Crowley	Loeback	Sires
Cuellar	Lofgren, Zoe	Slaughter
Cummings	Lowey	Smith (WA)
Davis (CA)	Lujan	Speier
Davis (IL)	Lynch	Stark
DeFazio	Maloney	Sutton
DeGette	Markey	Thompson (CA)
DeLauro	Matheson	Thompson (MS)
Deutch	Matsui	Tierney
Dicks	McClintock	Tonko
Dingell	McCollum	Towns
Doggett	McDermott	Tsongas
Donnelly (IN)	McGovern	Van Hollen
Doyle	McNerney	Velázquez
Edwards	Meeks	Visclosky
Ellison	Michaud	Walz (MN)
Engel	Miller (NC)	Wasserman
Eshoo	Miller, George	Schultz
Farr	Moore	Waters
Fattah	Moran	Watt
Filner	Murphy (CT)	Waxman
Frank (MA)	Nadler	Weiner
Fudge	Napolitano	Welch
Gibson	Neal	Wilson (FL)
Gonzalez	Oliver	Woolsey
Green, Al	Owens	Wu
Green, Gene	Pallone	Yarmuth
Grijalva	Pascrell	

NOT VOTING—9

Becerra	Giffords	Platts
Bilbray	Harman	Ryan (OH)
Garamendi	Lewis (GA)	Shuster

□ 1511

Messrs. **INSLEE**, **LARSON** of Connecticut, and **RANGEL** changed their vote from “yea” to “nay.”

Mr. **MACK** changed his vote from “nay” to “yea.”

Mr. **JOHNSON** of Illinois changed his vote from “present” to “yea.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DIRECTING COMMITTEES TO REVIEW REGULATIONS FROM FEDERAL AGENCIES

The **SPEAKER** pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 73) providing for consideration of the resolution (H. Res. 72) directing certain standing committees to inventory and review existing, pending, and proposed regulations and orders from agencies of the Federal Government, particularly with respect to their effect on jobs and economic growth, on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The **SPEAKER** pro tempore. The question is on ordering the previous question.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 240, nays 180, not voting 13, as follows:

[Roll No. 30]

YEAS—240

Adams	Flake	LaTourette
Aderholt	Fleischmann	Latta
Akin	Fleming	Lewis (CA)
Alexander	Flores	LoBiondo
Altmire	Forbes	Long
Amash	Fortenberry	Lucas
Austria	Fox	Luetkemeyer
Bachmann	Franks (AZ)	Lummis
Barletta	Frelinghuysen	Lungren, Daniel
Bartlett	Galleghy	E.
Barton (TX)	Gardner	Mack
Bass (NH)	Garrett	Manzullo
Benishke	Gerlach	Marchant
Berg	Gibbs	Marino
Biggert	Gibson	McCarthy (CA)
Bilirakis	Gingrey (GA)	McCaul
Bishop (UT)	Gohmert	McClintock
Black	Goodlatte	McCotter
Blackburn	Gosar	McHenry
Bonner	Gowdy	McKeon
Bono Mack	Granger	McKinley
Boren	Graves (GA)	McMorris
Boustany	Graves (MO)	Rodgers
Brady (TX)	Griffin (AR)	Meehan
Brooks	Griffith (VA)	Mica
Broun (GA)	Grimm	Michaud
Buchanan	Guinta	Miller (FL)
Bucshon	Guthrie	Miller (MI)
Buerkle	Hall	Miller, Gary
Burgess	Hanna	Mulvaney
Burton (IN)	Harper	Murphy (PA)
Calvert	Harris	Myrick
Camp	Hartzler	Neugebauer
Campbell	Hastings (WA)	Noem
Canseco	Hayworth	Nugent
Cantor	Heck	Nunes
Capito	Heller	Nunnelee
Carter	Hensarling	Olson
Cassidy	Herger	Palazzo
Chabot	Herrera Beutler	Paul
Chaffetz	Huelskamp	Paulsen
Coble	Huizenga (MI)	Pearce
Coffman (CO)	Hultgren	Pence
Cole	Hunter	Petri
Conaway	Hurt	Pitts
Cravaack	Issa	Poe (TX)
Crenshaw	Jenkins	Pompeo
Culberson	Johnson (IL)	Posey
Davis (KY)	Johnson (OH)	Price (GA)
Denham	Johnson, Sam	Quayle
Dent	Jones	Reed
DesJarlais	Jordan	Rehberg
Diaz-Balart	Kelly	Reichert
Dold	King (IA)	Renacci
Dreier	King (NY)	Ribble
Duffy	Kingston	Rigell
Duncan (SC)	Kinzinger (IL)	Rivera
Duncan (TN)	Kline	Roby
Ellmers	Labrador	Roe (TN)
Emerson	Lamborn	Rogers (AL)
Farenthold	Lance	Rogers (KY)
Fincher	Landry	Rogers (MI)
Fitzpatrick	Lankford	Rohrabacher

Rokita	Sessions	Upton
Rooney	Shimkus	Walberg
Ros-Lehtinen	Shuler	Walden
Roskam	Simpson	Walsh (IL)
Ross (AR)	Smith (NE)	Webster
Ross (FL)	Smith (NJ)	West
Royce	Smith (TX)	Westmoreland
Runyan	Southerland	Whitfield
Ryan (WI)	Stearns	Wilson (SC)
Scalise	Stivers	Wittman
Schilling	Stutzman	Wolf
Schmidt	Sullivan	Womack
Schock	Terry	Woodall
Schrader	Thompson (PA)	Yoder
Schweikert	Thornberry	Young (AK)
Scott (SC)	Tiberi	Young (FL)
Scott, Austin	Tipton	Young (IN)
Sensenbrenner	Turner	

NAYS—180

Ackerman	Fudge	Owens
Andrews	Gonzalez	Pallone
Baca	Green, Al	Pascrell
Baldwin	Green, Gene	Pastor (AZ)
Barrow	Gutierrez	Payne
Bass (CA)	Hanabusa	Pelosi
Berkley	Hastings (FL)	Perlmutter
Berman	Heinrich	Peters
Bishop (GA)	Higgins	Peterson
Bishop (NY)	Himes	Pingree (ME)
Blumenauer	Hinchev	Polis
Boswell	Hinojosa	Price (NC)
Brady (PA)	Hirono	Quigley
Braley (IA)	Holden	Rahall
Brown (FL)	Holt	Rangel
Butterfield	Honda	Reyes
Capps	Hoyer	Richardson
Capuano	Inslee	Richmond
Cardoza	Israel	Rothman (NJ)
Carnahan	Jackson (IL)	Roybal-Allard
Carney	Jackson Lee	Ruppersberger
Carson (IN)	(TX)	Rush
Castor (FL)	Johnson (GA)	Sánchez, Linda
Chandler	Johnson, E. B.	T.
Chu	Kaptur	Sanchez, Loretta
Ciilline	Keating	Sarbanes
Clarke (MI)	Kildee	Schakowsky
Clarke (NY)	Kind	Schiff
Clay	Kissell	Schwartz
Cleaver	Kucinich	Scott (VA)
Clyburn	Langevin	Scott, David
Cohen	Larsen (WA)	Serrano
Connolly (VA)	Larson (CT)	Sewell
Conyers	Lee (CA)	Sherman
Cooper	Levin	Sires
Costa	Lewis (GA)	Slaughter
Costello	Lipinski	Smith (WA)
Courtney	Loeback	Speier
Critz	Lofgren, Zoe	Stark
Crowley	Lowey	Sutton
Cuellar	Lujan	Thompson (CA)
Cummings	Lynch	Thompson (MS)
Davis (CA)	Maloney	Tierney
Davis (IL)	Markey	Tonko
DeFazio	Matheson	Towns
DeGette	Matsui	Tsongas
DeLauro	McCollum	Van Hollen
Deutch	McDermott	Velázquez
Dicks	McGovern	Visclosky
Dingell	McIntyre	Walz (MN)
Doggett	McNerney	Wasserman
Donnelly (IN)	Meeks	Schultz
Doyle	Miller (NC)	Waters
Edwards	Miller, George	Watt
Ellison	Moore	Waxman
Engel	Moran	Weiner
Eshoo	Murphy (CT)	Welch
Farr	Nadler	Wilson (FL)
Fattah	Napolitano	Woolsey
Filner	Neal	Wu
Frank (MA)	Oliver	Yarmuth

NOT VOTING—13

Bachus	Giffords	Platts
Becerra	Grijalva	Ryan (OH)
Bilbray	Harman	Shuster
Crawford	Latham	
Garamendi	McCarthy (NY)	

□ 1519

So the previous question was ordered.

The result of the vote was announced as above recorded.

The **SPEAKER** pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 255, nays 169, not voting 9, as follows:

[Roll No. 31]

YEAS—255

Adams	Gerlach	Miller, Gary
Aderholt	Gibbs	Mulvaney
Akin	Gibson	Murphy (PA)
Alexander	Gingrey (GA)	Myrick
Altmire	Gohmert	Neugebauer
Amash	Goodlatte	Noem
Austria	Gosar	Nugent
Bachmann	Gowdy	Nunes
Bachus	Granger	Nunnelee
Barletta	Graves (GA)	Olson
Bartlett	Graves (MO)	Owens
Barton (TX)	Griffin (AR)	Palazzo
Bass (NH)	Griffith (VA)	Paul
Benishkek	Grimm	Paulsen
Berg	Guinta	Pearce
Biggert	Guthrie	Pence
Billirakis	Hall	Peters
Bishop (GA)	Hanna	Peterson
Bishop (UT)	Harper	Petri
Black	Harris	Pitts
Blackburn	Hartzler	Poe (TX)
Bonner	Hastings (WA)	Pompeo
Bono Mack	Hayworth	Posey
Boren	Heck	Price (GA)
Boustany	Heller	Quayle
Brady (TX)	Hensarling	Rahall
Brooks	Hergert	Reed
Broun (GA)	Herrera Beutler	Rehberg
Buchanan	Huelskamp	Reichert
Buchson	Huizenga (MI)	Renacci
Buerkle	Hultgren	Ribble
Burgess	Hunter	Richardson
Burton (IN)	Hurt	Rigell
Calvert	Issa	Rivera
Camp	Jenkins	Roby
Campbell	Johnson (IL)	Roe (TN)
Canseco	Johnson (OH)	Rogers (AL)
Cantor	Johnson, Sam	Rogers (KY)
Capito	Jones	Rogers (MI)
Carney	Jordan	Rohrabacher
Carter	Keating	Rokita
Cassidy	Kelly	Rooney
Chabot	King (IA)	Ros-Lehtinen
Chaffetz	King (NY)	Roskam
Chandler	Kingston	Ross (AR)
Coble	Kinzinger (IL)	Ross (FL)
Coffman (CO)	Kline	Royce
Cole	Labrador	Runyan
Conaway	Lamborn	Ryan (WI)
Connolly (VA)	Lance	Scalise
Costa	Landry	Schilling
Cravaack	Lankford	Schmidt
Crawford	Latham	Schock
Crenshaw	LaTourrette	Schrader
Culberson	Latta	Schwartz
Davis (KY)	Lewis (CA)	Schweikert
Denham	LoBiondo	Scott (SC)
Dent	Long	Scott, Austin
DesJarlais	Lucas	Sensenbrenner
Diaz-Balart	Luetkemeyer	Sessions
Dold	Lummis	Shimkus
Dreier	Lungren, Daniel	Simpson
Duffy	E.	Smith (NE)
Duncan (SC)	Mack	Smith (NJ)
Duncan (TN)	Manzullo	Smith (TX)
Ellmers	Marchant	Southerland
Emerson	Marino	Stearns
Farenthold	Matheson	Stivers
Fincher	McCarthy (CA)	Stutzman
Fitzpatrick	McCaul	Sullivan
Flake	McClintock	Terry
Fleischmann	McCotter	Thompson (PA)
Fleming	McHenry	Thornberry
Flores	McKeon	Tiberi
Forbes	McKinley	Tipton
Fortenberry	McMorris	Turner
Fox	Rodgers	Upton
Franks (AZ)	Meehan	Walberg
Frelinghuysen	Mica	Walden
Gallely	Michaud	Walsh (IL)
Gardner	Miller (FL)	Webster
Garrett	Miller (MI)	West

Westmoreland
Whitfield
Wilson (SC)
Wittman

Wolf
Womack
Woodall
Yoder

Young (AK)
Young (FL)
Young (IN)

The text of the resolution, as amended, is as follows:

H. RES. 72

Resolved, That each standing committee designated in section 3 of this resolution shall inventory and review existing, pending, and proposed regulations, orders, and other administrative actions or procedures by agencies of the Federal Government within such committee's jurisdiction. In completing such inventory and review, each committee shall consider the matters described in section 2. Each committee shall conduct such hearings and other oversight activities as it deems necessary in support of the inventory and review, and shall identify in any report filed pursuant to clause 1(d) of rule XI for the first session of the 112th Congress any oversight or legislative activity conducted in support of, or as a result of, such inventory and review.

SEC. 2. MATTERS FOR CONSIDERATION.

In completing the review and inventory described in the first section of this resolution, each committee shall identify regulations, executive and agency orders, and other administrative actions or procedures that—

- (1) impede private-sector job creation;
- (2) discourage innovation and entrepreneurial activity;
- (3) hurt economic growth and investment;
- (4) harm the Nation's global competitiveness;
- (5) limit access to credit and capital;
- (6) fail to utilize or apply accurate cost-benefit analyses;
- (7) create additional economic uncertainty;
- (8) are promulgated in such a way as to limit transparency and the opportunity for public comment, particularly by affected parties;
- (9) lack specific statutory authorization;
- (10) undermine labor-management relations;
- (11) result in large-scale unfunded mandates on employers without due cause;
- (12) impose undue paperwork and cost burdens on small businesses; or
- (13) prevent the United States from becoming less dependent on foreign energy sources.

SEC. 3. COMMITTEES.

The committees referred to in the first section of this resolution are as follows—

- (1) The Committee on Agriculture;
- (2) The Committee on Education and the Workforce;
- (3) The Committee on Energy and Commerce;
- (4) The Committee on Financial Services;
- (5) The Committee on the Judiciary;
- (6) The Committee on Natural Resources;
- (7) The Committee on Oversight and Government Reform;
- (8) The Committee on Small Business;
- (9) The Committee on Transportation and Infrastructure; and
- (10) The Committee on Ways and Means.

The SPEAKER pro tempore. The resolution shall be debatable for 9 hours and 30 minutes, with 30 minutes equally divided and controlled by the majority leader and minority leader or their designees, 8 hours equally divided and controlled by the chairs and ranking minority members of the Committees on Agriculture, Energy and Commerce, Financial Services, the Judiciary, Natural Resources, Oversight and Government Reform, Transportation and Infrastructure, and Ways and Means, and 1 hour equally divided among and controlled by the chairs and ranking minority members of the Committees on Education and the Workforce and Small Business.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. GRAVES of Missouri. Mr. Speaker, I ask unanimous consent that all

NAYS—169

Ackerman	Green, Gene
Andrews	Grijalva
Baca	Gutierrez
Baldwin	Hanabusa
Barrow	Hastings (FL)
Bass (CA)	Heinrich
Berkley	Higgins
Berman	Himes
Bishop (NY)	Hinche
Blumenauer	Hinojosa
Boswell	Hirono
Brady (PA)	Holden
Brale (IA)	Holt
Brown (FL)	Honda
Butterfield	Hoyer
Capps	Insee
Capuano	Israel
Cardoza	Jackson (IL)
Carnahan	Jackson Lee
Carson (IN)	(TX)
Castor (FL)	Johnson (GA)
Chu	Johnson, E. B.
Cicilline	Kaptur
Clarke (MI)	Schakowsky
Clarke (NY)	Kildee
Clay	Kind
Clyburn	Kissell
Cohen	Kucinich
Conyers	Langevin
Cooper	Larsen (WA)
Costello	Larson (CT)
Courtney	Lee (CA)
Critz	Levin
Crowley	Lewis (GA)
Cuellar	Lipinski
Cummings	Loeb
Davis (CA)	Lofgren, Zoe
Davis (IL)	Lowe
DeFazio	Lujan
DeGette	Lynch
DeLauro	Maloney
Deutch	Markey
Dicks	Matsui
Dingell	McCarthy (NY)
Doggett	McCollum
Donnelly (IN)	McDermott
Doyle	McGovern
Edwards	McIntyre
Ellison	McNerney
Engel	Meeks
Eshoo	Miller (NC)
Farr	Miller, George
Fattah	Moore
Finler	Moran
Frank (MA)	Murphy (CT)
Fudge	Nadler
Gonzalez	Napolitano
Green, Al	Neal
	Oliver

NOT VOTING—9

Becerra	Garamendi	Platts
Bilbray	Giffords	Ryan (OH)
Cleaver	Harman	Shuster

□ 1527

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. SESSIONS. Mr. Speaker, pursuant to House Resolution 73, I call up the resolution (H. Res. 72) directing certain standing committees to inventory and review existing, pending, and proposed regulations, orders, and administrative actions of the Federal Government, particularly with respect to their effect on jobs and economic growth, and ask for its immediate consideration.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 73, the amendment printed in the resolution is adopted and the resolution, as amended, is considered read.

Members have 5 legislative days to review and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. GRAVES of Missouri. I yield myself such time as I may consume.

Mr. Speaker, as chairman of the House Small Business Committee, I often see the impact that regulations have on small businesses. Harmful Federal regulations can put serious hurdles in the way of entrepreneurship, making it difficult to create jobs and expand businesses. As we try to encourage a lasting, stable economic recovery, it is critical we review and analyze the impact of proposed and existing regulations on small businesses. We must make sure regulators are not making irreversible decisions that could strain the competitive ability of small businesses, prevent expansion, reduce access to capital and harm the overall growth of the American economy.

□ 1530

Not only are regulations potentially harmful to small businesses, there are simply too many regulations for businesses to follow. In 2010, the Federal Register, the daily digest of the Federal agency regulatory announcements, contained about 82,000 pages, in comparison to the roughly 42,000 pages in 1980.

President Reagan and every President since ordered Federal bureaucrats to review regulations. Despite this, very few rules are ever repealed. President Reagan and every President since has ordered the Office of Management and Budget to review new regulations. And despite this review, Federal agencies continue to issue new regulations. President Reagan and every President since has issued an Executive Order mandating that agencies only promulgate rules in which benefits exceed the costs. Despite this, agencies continue to issue regulations imposing undue costs on small businesses. President Reagan and every President since has sought to strengthen the enforcement of the Paperwork Reduction Act. But despite this, reporting and record keeping requirements continue to bury small business owners.

Ultimately, what is at stake is whether small businesses will succeed in the free market or have their success determined by the whims and dictates of Federal bureaucrats. If the President and agencies are unable to stem this tide and allow small businesses to do what they do best—that is create jobs—then Congress has to act. The resolution before us today is just that, a call for Congress to act.

I strongly endorse this resolution and look forward to the Committee on Small Business reviewing agency regulations that are duplicative, unnecessary, or otherwise inhibit small business expansion.

With that, Mr. Speaker, I reserve the balance of my time.

Ms. VELÁZQUEZ. I yield myself such time as I may consume.

Mr. Speaker, small businesses are central to the economic recovery currently underway. Unfortunately, there are many obstacles for entrepreneurs to overcome in order to be successful. One of the most notable is regulatory burden, the hours upon hours it takes an entrepreneur to navigate and complete Federal, State, or municipal government paperwork.

This impediment has grown dramatically in recent years. According to the SBA's Office of Advocacy, rules imposed from the Federal Government now cost Americans some \$1.75 trillion each year. This is 50 percent higher than the \$1.1 trillion in costs reported in 2005. We know that this burden falls heaviest on small firms. Research shows that small businesses face an annual regulatory cost of \$10,585 per employee, an amount that is 36 percent higher than those facing large firms. And Federal agencies continue to release tens of thousands of pages of regulations each year.

With this problem getting worse, it is certainly worth Congress' time and attention. In the Committee on Small Business, we have been reviewing regulations in a bipartisan fashion for years. As a result of this examination, we have called on Federal agencies to modify or eliminate regulatory requirements that adversely affect small firms, whether they are related to medical equipment at CMS, accounting requirements at the SEC, real estate procedures at HUD, or environmental regulations at the EPA.

The reality is that we already do what this resolution calls for. As a result, today's resolution does not help one small businessperson. It sets up a bureaucratic process here in Congress with the goal of producing a list of regulations. How does a "list" help small businesses? It doesn't. Anyone that has spent 5 minutes with a small business owner knows that this is a top problem for them. This resolution is nothing more than a vehicle to rehash old politically motivated fights and just creates more paperwork here in Congress.

Instead of approving this green eyeshade bookkeeping resolution, what we need to do is make sure that the actual tools already available to reduce regulatory burden are effective. This includes the Regulatory Flexibility Act, which mandates that Federal agencies consider the potential economic impact of Federal regulations as well as conduct periodic reviews of rules that have a significant economic impact on businesses. Making these laws work better—or expanding them further—is what we should be doing instead of passing this resolution. Requiring tougher and more agency reviews of regulation as well as considering broader economic effects of regulations are necessary. Here in the House, our committee reported bipartisan legislation in the 110th Congress to do just that.

As we navigate this issue over the next 24 months, we cannot lose sight of who we are trying to actually help. It is the small business owner that needs our assistance. Unfortunately, if this resolution is the best we can do, small businesses may have to wait a long time for real and meaningful relief.

Mr. Speaker, I ask unanimous consent that all time on the resolution be yielded back and that H. Res. 72 be adopted so we can move to consider legislation creating jobs.

The SPEAKER pro tempore. Does the majority manager, the gentleman from Missouri, yield for the purpose of that unanimous consent request?

Mr. GRAVES of Missouri. No.

The SPEAKER pro tempore. The gentleman does not yield for the purpose of that request.

Ms. VELÁZQUEZ. Mr. Speaker, we will continue this debate that will end up not creating one single job.

I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, at this time, I yield 2 minutes to the gentlelady from North Carolina (Mrs. ELLMERS), the chair of the Subcommittee on Health Care and Technology.

(Mrs. ELLMERS asked and was given permission to revise and extend her remarks.)

Mrs. ELLMERS. Mr. Speaker, in all of my years in business, I can honestly say that I have never seen an administration so prepared to regulate nearly every ailment, either real or perceived. Nearly every segment of industry has been subjected to increased regulation, whether it be banking, energy, automotive, services, and of course, health care. Ronald Reagan once said, "Government exists to protect us from each other. Where government has gone beyond its limits is in deciding to protect us from ourselves."

As a nurse and small business owner, I worked with my husband as a clinical director of the Trinity Wound Care Center in Dunn, North Carolina, where I saw firsthand the damage that government regulations can do to the growth of small businesses. The costs of these rules pile up. It's easy to understand why businesses are reportedly sitting on \$2 trillion in cash. Businesses don't know the true cost to comply with the rules just imposed and are concerned about the costs and rules yet to come.

No business can properly plan with roaming regulatory activity. This halts job growth and investment in its tracks. Just yesterday, a small business owner in my district testified in the Small Business Committee about this issue. He said working through a recession is tough, but adding to the burden with cumbersome and confusing new laws and regulations makes a recovery twice as hard. The uncertainty being created by Washington is stifling his small business recovery. He testified that the new health care law and the uncertainty it is creating for small business owners makes it harder for

him to determine what his costs are. This is a time when he is struggling to meet the most basic costs of running his business. Another witness, a restaurant owner, even stated that if he had to start his business today, he would probably decide against starting.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. GRAVES of Missouri. Mr. Speaker, I yield the gentlewoman an additional 30 seconds.

Mrs. ELLMERS. Thank you, Mr. Chairman.

He even stated that he wouldn't start his business. He further stated that he still may have to close his doors. Beyond existing businesses, regulations may prevent new firms and startups from entering the market. These startups are the very businesses that create the jobs in America.

□ 1540

According to a study using business dynamic statistics between 1977 and 2005, in their first year new firms add an average of 3 million jobs. My message today is simple. We must remove burdensome regulations so that businesses can grow and entrepreneurs can start new businesses.

Ms. VELÁZQUEZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. ALTMIRE).

Mr. ALTMIRE. Mr. Speaker, the rapidly expanding Federal regulatory burden is a bipartisan problem, and I commend the chairman of the committee, my friend from Missouri, for his efforts in working, not just in his time as chairman, but working with the committee in the previous years.

And I know that he understands that this is not a Republican or a Democratic problem, because the regulatory burdens on small businesses increased by \$30 billion from the years 2001–2008, and Federal regulations now cost Americans \$1.75 trillion each year, which is up 50 percent from the \$1.1 trillion in annual costs just in 2005.

And last year, the Federal Register contained 80,000 pages. In its first year in print, the Federal Register contained 2,355 pages. And each year, Federal agencies continue to release thousands of pages of new regulations and accompanying information. And I know that the gentleman understands that, and we share the goal of reducing this burden because the burden is detrimental, and it affects small businesses.

In fact, Mr. Speaker, studies indicate that adhering to Federal rules cost \$10,585 per worker for small businesses with 19 or fewer workers, but only 78 percent of that amount for businesses with 500-plus workers. It affects small businesses disproportionately.

Overall, on a per-employee basis, it costs \$2,400, or 45 percent, more for small businesses to comply with Federal regulations than their larger counterparts.

Small businesses face the greatest disadvantage in complying with envi-

ronmental and tax regulations. Compliance with environmental regulations cost 364 percent more in small firms than large, and 67 percent more for the cost of corporate tax compliance.

So we agree on the problem. The question is, Where do we go from here?

And this is where I have a concern with what Chairman GRAVES is putting forward. What does H. Res. 72 call for that we're not already doing?

The Committee on Small Business has been reviewing regulations in a bipartisan fashion for years. The gentleman has been involved in that. And as a result of these examinations, it's called on Federal agencies to modify or alter regulatory requirements that impose costs on small firms. This has included regulations pertaining to medical equipment at CMS, accounting requirements at the SEC, real estate procedures at HUD, environmental regulations at the EPA, and on it goes.

So the reality, Mr. Speaker, is we've already done, as a committee, what this resolution calls for. And I will include in the RECORD the 112th Congress Small Business Committee's Oversight of Federal Regulatory and Paperwork Burdens administrative plan, what the committee has already passed.

So my question for the gentleman from Missouri to answer during the course of the debate is: What exactly does this resolution do for small businesses that we're not already doing? Is there anything in this that's not already being done now? Does it actually reduce any real regulatory burden on small businesses? Does it reduce paperwork? Does it limit government requirements on the small business community?

I would submit that this particular resolution does not. It sets up a bureaucratic process here in the Congress with a goal of inventory of regulations, a long list of inventory regulations. But this list will be submitted as part of an administrative reporting process. It does nothing for small businesses.

So I would suggest, Mr. Speaker, in closing, that instead of approving this bookkeeping resolution, what Congress really needs to do is strengthen the tools it already has available to reduce regulatory burdens. This includes the Regulatory Flexibility Act, which mandates that Federal agencies consider the potential economic impact of Federal regulations, strengthening the requirements and increasing agency reviews and regulations, regulatory relief that we passed here in the Congress during the 110th Congress, reported out by the Small Business Committee related to bipartisan regulatory reductions.

And as we continue to revisit these issues here in the 112th Congress, we must remember that small businesses are who we're trying to help.

So, in closing, I'm concerned, Mr. Chairman, that what this legislation does is add an unnecessary step to getting down to the business that we can all agree on, which is actually reducing

the regulations that we all agree are a problem.

OVERSIGHT OF FEDERAL REGULATORY AND PAPERWORK BURDENS

The Committee will conduct hearings and investigations into unnecessary, burdensome, and duplicative federal rules, reporting and recordkeeping requirements affecting small businesses that may include any or all of the following, as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

Centers for Medicare and Medicaid Services.

Consumer Financial Protection Bureau.

Consumer Safety Products Commission.

Department of Agriculture.

Department of Energy, particularly the Office of Energy Efficiency and Renewable Energy.

Department of Interior, particularly the Bureau of Land Management and Minerals Management Service.

Department of Labor, particularly the Occupational Safety and Health Administration.

Department of Homeland Security, particularly the Transportation Security Administration.

Department of Transportation, particularly the Federal Aviation Administration and Federal Motor Carrier Safety Administration.

Environmental Protection Agency.

Federal Communications Commission.

Federal Financial Institutions Examination Council and its constituent agencies.

Food and Drug Administration.

Office of Federal Procurement Policy.

Securities and Exchange Commission.

The Committee will identify specific rules and regulations already issued or at the proposed rule stage to assess the impact on small businesses. The Committee will pay close attention to the effect that regulations have on the implementation of advanced technologies including, but not limited to, the deployment of broadband communications (either by wireline or wireless services) throughout the United States. Oversight of the regulatory process also will, to the extent relevant, examine the work of the Office of Information and Regulatory Affairs at the Office of Management and Budget. Special attention will be paid to the work performed by the Chief Counsel for Advocacy at the United States Small Business Administration to ensure that Office is fulfilling its mission to advocate vigorously on behalf of America's small business owners in regulatory matters at federal agencies. Finally, this oversight will entail an examination of compliance by federal agencies with amendments to Executive Order 12866 and memoranda on regulatory flexibility and regulatory compliance issued by the President on January 18, 2011.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 1 minute to the gentleman from Louisiana (Mr. LANDRY).

(Mr. LANDRY asked and was given permission to revise and extend his remarks.)

Mr. LANDRY. Mr. Speaker, our government is working against us. Dana Dugas in St. Martinville wanted to continue to live the American Dream. He wanted to start his own small business.

Mr. Dugas had all the credentials needed to secure a loan: he had run a small successful business before, creating jobs and helping fuel coastal Louisiana's economy. He had the approval from two banks in St. Martinville,

\$200,000 in cash, a prime location, \$205,000 worth of renovations to bring the building up to code, \$205,000 in equipment and fixtures that he needed.

Mr. Dugas had an 800-plus credit score and 20 percent-plus cash in the bank for the down payment. He had a sound business plan with projections showing a 14 percent profit. His business would employ 10 to 15 full-time employees, and 10 to 20 part-time employees. His appraisal came in at \$605,000, \$200,000 more than he needed.

Everything looked great. Right? So you'd think. Everything looked great until his community small bank told him they could not make that loan. Due to new regulations, they directed him to work with a larger bank and through SBA.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GRAVES of Missouri. Mr. Speaker, I yield the gentleman an additional 15 seconds.

Mr. LANDRY. Then the Feds needed him to prove that he could pay back the loan without the income of his restaurant. That sounds like someone buying a house and having to prove that he can pay the note without a job.

Mr. Speaker, we need to get our government back on the side of Mr. Dugas and the American people, back on the side of free enterprise, back on the side of small businesses, and back on the side of the job creators.

Ms. VELÁZQUEZ. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Ms. CLARKE).

Ms. CLARKE of New York. Mr. Speaker, I rise today in opposition to H. Res. 72. H. Res. 72 is basically a solution in search of a problem. The House Small Business Committee already has a long bipartisan legacy of providing oversight and, when necessary, calling on government agencies to alter regulatory requirements that adversely affect small businesses.

H. Res. 72 does nothing to assist small businesses to create jobs, nor does it reduce Federal requirements on small businesses. All it does is order committees to do what they already do anyway.

Instead of distracting the American people's attention with this ploy disguised as a resolution, we should be focusing on doing what the American people want from us, which is to focus our efforts on the sorely needed real job-creation measures.

We are currently in our fifth week of the 112th Congress, and the new majority has not brought one bill to the floor that specifically focuses on job creation. How much longer must the job seekers of Brooklyn's 11th Congressional District wait before the new majority begins bringing legislation to the floor that promotes meaningful job creation?

If this is the best we can do, we are falling woefully short of the expectation of America's small businesses.

President Obama has made it clear that his primary objective is to pro-

mote job growth. We should be working with President Obama for the American people by bringing to the floor substantive legislation specifically targeted towards our small business entrepreneurs and meaningful and substantive job growth.

□ 1550

Mr. GRAVES of Missouri. Mr. Speaker, I yield 1½ minutes to the gentleman from Colorado, the chairman of the Subcommittee on Agriculture, Energy and Trade, Mr. TIPTON.

Mr. TIPTON. I thank the gentleman from Missouri.

Mr. Speaker, regulations cost the American people \$1.75 trillion annually. And just last year, the Obama administration unleashed 46 new regulations that will place an additional \$26.5 billion drain on the American economy.

Of those 46 new regulations, 10 came from the EPA, including job-killing regulations of carbon emissions and increased CAFE standards. The cost of these new EPA regulations alone total \$23 billion annually. These EPA regulations run counter to the free market principles and directly impact rural communities, small businesses, and families in my district. We simply cannot continue down the path of creating unnecessary regulatory traps that drain our economy and do little more than penalize small businesses and discourage job creation.

To be clear, not all regulations are unwarranted. Commonsense rules play an important role in our economy and in keeping the American people safe. However, common sense has been lost in the regulatory process that has become politicized and wrought with bureaucracy and overlap.

As a small business owner, I know firsthand the negative impacts that unnecessary regulations and excessive government involvement can have on entrepreneurs. Just yesterday, I participated in a hearing with the Small Business Committee where we focused on one such example of the job-killing government interference of the 1099 reporting requirement included in the President's health care law.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GRAVES of Missouri. Mr. Speaker, I yield the gentleman 30 additional seconds.

Mr. TIPTON. Repealing the 1099 requirement is a good start, and our focus must remain on restoring a stable climate in our economy so it will not be rife with uncertainty and overregulation so small business, the backbone of our economy, can do what it does best: create jobs and grow our economy.

As chairman of the Subcommittee on Agriculture, Energy and Trade for the Small Business Committee, I will take action. The fact that the Federal regulation targets on small businesses more than on any other sector is not acceptable. It's time we change the way that

regulation is enacted and increase congressional oversight.

Ms. VELÁZQUEZ. Mr. Speaker, I would like to inquire as to how much time each side has.

The SPEAKER pro tempore. The gentlewoman from New York has 5 minutes remaining, and the gentleman from Missouri has 7¼ minutes remaining.

Ms. VELÁZQUEZ. I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, at this time I yield 1½ minutes to the gentleman from Tennessee (Mr. FLEISCHMANN).

Mr. FLEISCHMANN. I thank the gentleman from Missouri.

Mr. Speaker, today I rise to speak on behalf of small business men and women all across America in their fight to survive and grow. Winston Churchill once said: If you have 10,000 regulations, you destroy respect for the rule of law. And that is exactly what our government is doing. We are destroying respect for law and losing the respect and trust of those who sent us here to do our job, not dictate through regulations how they do their jobs. Government regulations are putting a stranglehold on businesses in America, and it must be reined in.

I just returned from spending 12 days across the Third District of Tennessee, and I heard the same thing over and over again: CHUCK, please get the Federal Government out of our lives. It's destroying our businesses and preventing us from growing.

As a member of the Small Business Committee, I was proud to cosponsor the Small Business Paperwork Relief Act that does away with the onerous 1099 reporting regulation found within ObamaCare. It is long overdue for the government to get out of the way and allow the American entrepreneurs to do what they do best: create jobs and produce capital.

Ms. VELÁZQUEZ. I yield 2 minutes to the gentlewoman from California (Ms. CHU).

Ms. CHU. I rise today to oppose House Resolution 72. This is a meaningless gimmick that only wastes time.

While I do not oppose its spirit, I do oppose spending House floor time debating a bill that is wholly and completely redundant. It is already the job of committees to review Federal regulations and laws, and, in fact, the Committee on Small Business has been actively doing this.

But this bill doesn't do one thing to help small business. It does nothing to actually reduce real regulatory burden on small businesses. It does not reduce paperwork nor limit government requirements on the business community. In fact, it only sets up a bureaucratic process here in Congress with a goal of producing an inventory of regulations, something we already do.

We have already passed strong bills, the Regulatory Flexibility Act, and, most recently, the Dodd-Frank bill, which sets up a very strong protection,

something that has not been done before. The Consumer Protection Agency must meet with small businesses before any new regulation is passed.

So why aren't we doing something to actually help small business come out from this tough recession? Why haven't we voted on a single bill creating jobs since the Republicans took over the majority? Why haven't we voted on a single bill to help small businesses?

Small businesses are responsible for two-thirds of net new jobs. But if this resolution is the best we can do, small businesses will have to wait a long time for real relief, and that's not good enough for our economy or the American people.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado, the chair of the Subcommittee on Investigation, Oversight and Regulations, Mr. COFFMAN.

Mr. COFFMAN of Colorado. I thank the gentleman for yielding.

I rise today in support of House Resolution 4, the Small Business Paperwork Mandate Elimination Act of 2011.

Yesterday, we heard testimony in the Small Business Committee from the bill's author, Representative DAN LUNGREN of California. In addition, small business owners, including a constituent of mine, Mark Eagleton of Golden, Colorado, also testified.

House Resolution 4 would repeal the provision from the recently passed health care reform law that requires every business to file a 1099 form with the IRS for every vendor with which they conduct business transactions of \$600 or more on an annual basis. This requirement will force businesses to use scarce resources to comply with this burdensome government mandate, and it will take away from their ability to grow and create jobs.

In these tough economic times, it is important for government to take proactive steps that will foster small business expansion and job growth. Unfortunately, the recently passed health care reform law will lead to the opposite. Increased government mandates, such as the 1099 reporting requirement, will lead to reduced revenues, job losses, and will only extend this economic downturn with its high levels of unemployment.

Mr. Speaker, I urge my colleagues to support the Small Business Paperwork Mandate Elimination Act of 2011, which will rid American businesses of this job-killing requirement. We must start over and pass meaningful reforms that will lower the cost of health care for all Americans while supporting growth of America's small businesses.

Ms. VELAZQUEZ. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore. The gentlewoman has 3½ minutes remaining.

Ms. VELAZQUEZ. Mr. Speaker, the resolution that we are considering today will not help one single small business. It will not reduce paperwork for entrepreneurs nor will it result in a less intrusive government.

□ 1600

This resolution will do none of this.

The previous speaker was talking about the fact that yesterday we held a hearing in the Small Business Committee discussing the burden of 1099s. We know that there is bipartisan agreement on this issue, so let's fix it instead of wasting time, hours here that will take us nowhere. Why can't the Republican leadership bring the issue of the 1099, where there is bipartisan agreement, and get it done? That will help small businesses, and it will create jobs. But this resolution will not achieve that.

What it does do is create bureaucratic bookkeeping requirements for House committees. I guess for some this might be a good sound bite, but this does not provide any concrete solutions for our Nation's small business owners who are drowning in government regulations.

If we want real change, we have to transform how executive branch agencies create and approve regulations. This means ensuring that businesses are given meaningful involvement in the process, not just a token role. It also means that agencies should consider the impact on the business community before they begin writing the regulation, not when it is nearly complete.

Changes like this are long overdue. The reality is that the regulatory burden has grown dramatically under both Republican and Democratic administrations, rising by over \$30 billion under George W. Bush's administration alone.

This is a bipartisan problem that needs a bipartisan solution. With this in mind, I look forward to working with anyone that is interested in bringing real regulatory relief to small businesses.

I yield back the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. WEST).

Mr. WEST. Mr. Speaker, I thank the chairman.

As we are seeing unfold throughout our country and also especially my 22nd Congressional District in Florida, this health care bill has been detrimental to the survival and growth of our small businesses. Employers are choosing to drop health care for their employees, which will flood this government-run health care system, eventually leading to a lower quality of health care.

According to the Small Business Administration, the smallest firms spend 36 percent more per employee than larger firms to comply with Federal regulations. It comes out to about \$10,585 per employee for all Federal regulations. The multitude of rules, restrictions and mandates imposes a heavy burden on Americans and the U.S. economy and could destroy an untold number of jobs.

The Obama administration promulgated 59 major regulations in 2009, 62 in

2010, another 191 regulations are in the works, and the Dodd-Frank permanent bailout bill alone requires no fewer than 243 new rules by 11 agencies over a dozen years.

The SBA also estimates the total cost for all Federal regulations is roughly \$1.75 trillion each year. All of the Federal red tape is a tax and regulatory straightjacket that is crippling our economic recovery.

Mr. GRAVES of Missouri. Mr. Speaker, in closing, I just want to say that this resolution before us, as has been said, it is not a Democratic or a Republican issue; rather, it is an issue of good government and it identifies those irrational rules that represent barriers to job growth.

Mr. Speaker, the last Congress and this administration passed bill after bill after bill that either taxed or regulated businesses and small firms right out of business, and it is going to take time to unravel that mess. With this bill, again, we are going to identify a lot of those irrational rules that represent those barriers.

With that, I would strongly urge my colleagues to support this resolution.

Mr. Speaker, I yield back the balance of my time.

Mr. SHIMKUS. Mr. Speaker, I yield myself such time as I may consume.

(Mr. SHIMKUS asked and was given permission to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, I rise today in strong support of the pending resolution, particularly with respect to the effect on jobs and the economy.

My colleagues on the other side are going to oppose this effort, claiming we are seeking to strip basic public health and safety protections. No one is in favor of hurting those in those areas, but that is not the purpose of us being here today.

We have had numerous hearings over the last couple of days on rules and regulations and how they hurt job creation. This gives power back to the committees to then do that, fine-tooth comb through rules and regulations and address what the President talked about in his State of the Union; where there are rules and regulations that don't make sense, we need to eliminate them, because we need to focus on job creation. We can't regulate existing businesses into the ground on the hope that better ones will come later. We must protect the jobs currently we have and open the doors for new businesses as well.

As the chairman of the Subcommittee on Environment and the Economy, I am particularly interested in the activities of the EPA. I am going to talk about three examples, one we heard yesterday in testimony.

United States Steel came before us and said imagine a regulation where we have to decrease the heat in the preparation of steel to comply with NO_x, but as we move to EPA rules and regulations on greenhouse gasses we actually have to use the same process and heat

that process up. So U.S. Steel will be caught in a catch-22. Under one reg, they have to keep the heat low to comply with nitrous oxide regulations; on the other hand, in the same process, they have to heat it up to meet the greenhouse gas rules.

Now, what is a steel company going to do? They are going to move to China. You can't develop rules and regulations that cannot be complied with by existing known technologies, and that was just a perfect example.

Another one that I find, and a lot of these things not only hurt jobs, but they are going to hurt the environment. The example is the redefinition of used oil as a solid waste. Now, this sounds like, what are they talking about?

Many of us, and there are times when many of us, when we were young, we changed our own oil. We would get underneath the car, pull the plug and drain the oil. Fortunately, in today's world, you can take it to an auto repair shop, you can take it to maybe a parts store, and you can then recycle that used oil.

Not if the EPA has its say, because what they do in the redefinition of this is the only way you can dispose of this off-brand, off-used oil is to burn it. Oh, that is real great for the environment, burning the used oil. And what will the home do-it-yourselfer do? They are probably going to pour it on the ground. So EPA regs not only hurt job creation, but they have a great effect in hurting and harming the economy.

The next one, one of the issues we will address next week in the committee is coal ash byproducts. This is another one that is curious in which the EPA is trying to meddle in. Despite EPA's own testing and admittance that these coal byproducts do not qualify as hazardous waste based on their toxicity, EPA wants to label them as toxic material.

What does that mean? Any byproducts used will then be required to be disposed of in special landfills or dumps and not recycled. Coal ash can't go into concrete. Gypsum can't go into wallboard. Wallboard that has to be disposed of or you are going to remodel your home, what happens to that wallboard? The cost of doing business increases, and these all are things that hurt job creation.

□ 1610

We applaud President Obama in his State of the Union when he says there's too many regulations and we need to ease the regulatory burden. That's the importance of what we're doing here—one of the few things we agree on with the administration. And this will allow us committee by committee to go through the process and identify those hindrances and start to move legislation to address those.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. WAXMAN. Mr. Speaker, I yield myself such time as I may consume.

Our highest priority should be to put America back to work. We need jobs, investment, and growth; but that's not what we're doing in Congress. Yesterday the Energy and Commerce Committee held one hearing attacking women's reproductive rights and another promoting legislation to roll back the Clean Air Act. And today we're spending all day debating a meaningless resolution no one disagrees with. None of this will create any jobs or make our economy stronger.

The resolution we're debating directs several committees, including my committee, the Committee on Energy and Commerce, to conduct oversight of government regulations. Well, I support oversight and reforming unnecessary or outdated regulations. That's part of our job. We don't need a resolution to do our job.

But we need to be honest with American families. Our economy is not in a recession because of regulations. We are in a recession because Wall Street ran amok and Federal regulators were asleep on the job. It is too little regulation of Wall Street—not overregulation—that caused our economic woes. And that's why this resolution is going to do nothing to get our economy growing again.

I ask my colleagues to remember the collapse of Wall Street in 2008. This meltdown in the financial markets threw our economy into the deepest recession since the Great Depression. Millions of Americans lost their jobs, and it cost U.S. taxpayers billions of dollars to bail out AIG and Wall Street banks. The cause wasn't regulation. As Alan Greenspan, the head of the Federal Reserve Board, testified before me and other members of the Oversight Committee, he had "made a mistake" in promoting deregulation. He said he had "found a flaw" in his free-market ideology and was in "a state of shocked disbelief."

The Deepwater Horizon oil spill wreaked havoc on the economies of the Gulf States. It wasn't caused by too little oversight and too much regulation. It was because there wasn't enough oversight and regulation. Thousands of jobs were lost in the gulf because Deepwater Horizon was not subject to proper safety and environmental regulations.

No one disagrees that ongoing oversight of regulations is necessary. In his address to the Chamber of Commerce on Monday, President Obama said that Federal agencies are already conducting a comprehensive review of existing regulations to identify and fix those that are outdated and unnecessary. As the President said, we should design regulations intelligently and "get rid of regulations that have outlived their usefulness or don't work."

But this isn't going to create new jobs, reduce our deficit, or make the middle class stronger. To grow our economy, we need to invest in new clean energy jobs; we need to bring

broadband connections to all parts of America; and we need to continue to make health care more efficient. That's what we should be talking about on the floor today.

Mr. Speaker, I yield the balance of my time to the gentlewoman from Colorado (Ms. DEGETTE), and I ask unanimous consent that she be allowed to control the time for the Energy and Commerce Committee.

The SPEAKER pro tempore (Mr. TERRY). Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SHIMKUS. I now yield 2½ minutes to the chairman of the Health Subcommittee, JOE PITTS.

Mr. PITTS. The United States is in danger of losing its status as the world leader in medical device innovation. Multiple studies have shown that regulatory uncertainty and a delay and inefficiency at the Food and Drug Administration are damaging this critical industry.

Shorter, more predictable and more transparent approval processes in Europe have led many device companies to seek to market their products in Europe before submitting them to the FDA. This hurts American patients who, on average, have access to innovative medical devices 2 years later than patients in European countries, and, in some cases, never have access to these devices. And does a longer, more uncertain regulatory process by FDA result in making American patients any safer? The answer is no.

According to recent studies, medical devices marketed through the shorter and more transparent European regulatory processes are statistically as safe as FDA-cleared and -approved devices and have comparable patient outcomes. Regulatory uncertainty also hurts American competitiveness as innovative device companies are moving jobs overseas.

And these are good jobs. Nationally, jobs in medical technology pay almost 40 percent higher compared to the national earnings average. San Diego-based NuVasive, a medical device company, is a case study of what regulatory burdens and delays can do to a company. NuVasive reports that in the last 18 to 24 months, "longer FDA approval times have directly resulted in significant revenue loss estimated at \$70 million, increased operating expenses of over \$2 million, hundreds of new jobs eliminated, and less investment in research and development."

The company continues: "It is becoming far more efficient and faster to innovate outside the U.S.A. in such places as Europe. Non-U.S.A. systems have more timely, predictable, and transparent process. We have seen U.S.A. delays of 3 to 70 months, which has forced NuVasive to rethink longer-term strategies around where to place research and development jobs and even whether or not to invest in innovation of new products."

This is just one company, but this scenario is playing out nationwide. Unfortunately, this scenario also is playing out in prescription drugs space. The uncertainty and lack of transparency in the drug approval process is hurting American job creation and hurting American patients. We need to improve these problems at FDA so American patients have timely access to life-saving, life-improving drugs and devices and American workers have access to these good jobs.

Ms. DEGETTE. I yield myself 5 minutes.

Mr. Speaker, Congress needs to get going. We were sworn in over a month ago now, when the highest priority in this country, everybody agrees, is creating jobs. And, frankly, with unemployment still hovering around 9 percent, we have no time to waste dithering around arguing about what we should do.

This resolution does not do one thing to create one job. So, once again, what are we doing? We're standing on the House floor debating for 9½ hours, wasting the American people's time, which is time we could be using to sit down on a bipartisan basis and bring jobs, investment, and growth to this country. What we're doing here is time-consuming, but it really means nothing in the end. It's a resolution. It's a resolution that directs certain standing committees to look at regulations and to decide if they think that it has some impact on jobs. It lists a number of matters for consideration. It gives no deadline by which the committees have to investigate these issues. It gives no standards for the various matters for consideration, including impede private sector job creation, et cetera. So you can bet we'll have long debates over each one of those criteria.

But, then, what is most unbelievable about this resolution, it really doesn't say what we should do about it. Let's say all the committees meet month after month determining day after day, hearing after hearing that there's some impeding on business. Then what do they do? And that's what's so frustrating, because the American people don't want more review, inventory, or compilation of regulations. They want their families to have jobs. And so that's why we really need to sit down and talk about how will we create jobs.

This resolution won't save one home from foreclosure, it won't help repair one crumbling bridge or potholed road, it won't extend a mile of broadband. It wouldn't ensure one school lunch for our children or provide a patient greater access to hospitals or doctors. It won't do any of that.

□ 1620

What's worse, Mr. Speaker, is that, as we take this debate on today, we need to remember the committees are already bound by the rules of the House to provide proper oversight. We don't need 2 days to debate a resolution

that tells the committees what they already have a constitutional duty to do.

Frankly, I am concerned, too, because there is nothing this Congress has done today to give us any indication that the majority intends to spend any time creating jobs. We had 7 hours of debate on a bill to repeal health care, which everybody knows is not going anywhere in the other body and which doesn't create one job. This week, today—it's Thursday—we passed exactly one piece of legislation, and we are done voting for the day.

While this resolution does nothing to create jobs and nothing, frankly, to make Congress expeditiously use its already existing regulatory oversight, at the same time it neglects the fact that laws and regulations can be important to protect our constituents' health.

For example, when we had insufficient laws and regulations to deal with outbreaks of foodborne illness, we acted on a bipartisan basis to reduce 76 million foodborne illnesses, 300,000 hospitalizations, and 5,000 deaths a year in the United States. This type of regulation and oversight is important. It keeps Americans safe. It reduces the cost to our economy, and it ultimately helps save jobs. There are billions of dollars of lost productivity for workers, damage to our economy, and lost profits due to foodborne illnesses, which this Congress acted on a bipartisan basis to reduce.

Mr. Speaker, I've also introduced legislation to foster the development of a clear and predictable regulatory pathway that enables better approval of safe and effective products and the support of regulatory research to promote the understanding of regenerative medicine. These types of regulatory initiatives can actually help create jobs in the future and are a critical part of our work in this body.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. DEGETTE. I yield myself 1 additional minute.

Look, there is nobody on either side of this aisle who thinks we should have an unnecessary or overly burdensome regulation, but that's not what this is about. We have a long history of regulatory review, and we can do that without spending 9 hours debating a resolution like this. A few hours ago, we all stood here and read the Constitution aloud together. I am sure everybody remembers that the authority for committees in this Congress to review and inventory regulations is already provided.

So I would suggest, Mr. Speaker, that what we do is bring this debate to an end, that we focus on the regulations that we can repeal, and that we really focus on what the American people want us to talk about, which is creating jobs for the American public.

I reserve the balance of my time.

Mr. SHIMKUS. It is business that creates jobs. Easing the regulatory burden helps create jobs.

Mr. Speaker, I would now like to yield 2 minutes to the gentlewoman

from California, Congresswoman BONO MACK, who is the chairman of the Commerce, Manufacturing and Trade Subcommittee.

Mrs. BONO MACK. I thank the gentleman for yielding.

Mr. Speaker, we are going to rightfully hear a lot today during this debate about how excessive government regulations are hurting our economy, but there are other forces at work as well, and they are just as damaging, even, perhaps, more insidious.

Shortly after taking office, President Obama issued an executive order encouraging Federal agencies, which was really sort of a wink and a nod, to require project labor agreements on government construction projects costing more than \$25 million.

Mr. Speaker, with unemployment in my California district over 14 percent and unemployment in the construction industry above 20 percent, these so-called "crony contracts" are not only wrong; they are immoral. Instead of an executive order, what we really need from the White House is a cease and desist order.

Simply put, project labor agreements mandating "union labor only" are anticompetitive. The infamous Big Dig in Boston is clearly the biggest boondoggle of them all. Originally projected to cost about \$3 billion, this 3-mile tunnel project turned out to be one of the most expensive Federal highway projects in U.S. history. At last count, the meter was still running: \$15 billion in construction costs and another \$7 billion in interest alone. Put another way, when it's all said and done, the Big Dig is going to cost us about \$1.2 million per foot.

Not only do these PLAs waste taxpayer money, but they are also un-American. Today, less than 15 percent of construction workers in our Nation are unionized. So every time a PLA is mandated by some government bureaucrat, 85 percent of America's construction workers, some 8 million hardworking men and women across the country, are told either tough luck, too bad, or maybe next time. Since 2007, nearly 2 million construction workers across America have lost their jobs.

Enough already. Let's put an end to political favoritism. Let's demand the best deal for the taxpayers. Let's say "no" to the "wink and nod" culture in Washington.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. SHIMKUS. I yield the gentleman an additional 15 seconds.

Mrs. BONO MACK. As the new chairman of the House Subcommittee on Commerce, Manufacturing and Trade, I am going to do everything to make "made in America" matter again. That starts by taking a critical look at what we do here at home to foster competitiveness. Today, with the economy still struggling to recover, it is time to do what is best for all Americans, not what is best simply for a select, favored few.

Ms. DEGETTE. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, this resolution being offered by my colleagues on the other side of the aisle is a simple waste of time, and it doesn't address job creation, which must be the number one priority of this Congress.

Today, we are literally coming to the floor to spend nearly 10 hours of debate telling the committees of the House to do what they already should be doing. Since January 5, when this Congress was sworn in, we have not voted on one bill that will strengthen our economy or create jobs—not a single one. While we're doing this, the Republican leadership is putting together a spending bill that will cost our economy jobs. The bill makes sweeping cuts in research and development, cuts that will jeopardize America's position as a world leader in innovation.

In the State of the Union, the President set the right priorities with his focus on job creation, economic recovery, debt reduction, and economic opportunity for all Americans.

I am here with my Democratic colleagues from the Energy and Commerce Committee where we worked over the last 4 years to keep America at the forefront of the world in clean-energy technologies and quality health care, so I am trying to understand why our committee is down here today, wasting our time, when we could be having hearings to generate new ideas on how to create jobs and strengthen our economy.

Republicans simply don't get it. They don't have a clue. Democrats have lots of ideas. Investments in clean energy will not only reduce greenhouse gas emissions and keep our environment healthy, but they will also create countless new jobs.

I am encouraged by the President's announcement this week that he is going to prioritize offshore wind development in areas off the Atlantic coast, including in my State of New Jersey. This is exactly the type of clean energy America should be investing in, which will reduce our dependence on foreign oil and gas and create jobs. That's why I oppose the Republican plan to cut almost \$900 million from energy efficiency and renewable energy programs that create jobs and move America towards a more self-efficient energy market that doesn't rely on foreign oil from volatile places like the Middle East.

Another important issue that we could be discussing in our committee is health science and innovation. The health science industry, which includes pharmaceuticals, medical devices and biotechnology, plays a critical role in our national economy as well as in New Jersey's economy. A recent report by Research America noted that New Jersey is the third largest research and development employer in the U.S., with more than 211,000 jobs supported by health R&D, including 50,000 direct jobs in health R&D.

Federal R&D investments are critical for continued economic growth. For example, the National Institutes of Health award many grants to universities, which, in turn, bring money and jobs to States. In 2007, New Jersey received \$280 million in research grants from NIH, which helped create and support 3,738 new jobs.

We need to continue to make smart, disciplined, forward-looking investments in innovation. Unfortunately, my colleagues on the other side of the aisle have proposed cutting \$1 billion from NIH funding in the spending bill they plan to bring to the floor next week. This is not the solution to keeping America at the forefront of R&D in the world, and it is going to hurt our ability to create high-quality high-tech jobs.

□ 1630

Mr. SHIMKUS. Mr. Speaker, I yield 2½ minutes to the chairman of the Oversight and Investigations Subcommittee, Chairman STEARNS.

(Mr. STEARNS asked and was given permission to revise and extend his remarks.)

Mr. STEARNS. I thank my distinguished colleague.

My colleagues, recently the Oversight and Investigations Subcommittee of Energy and Commerce held a hearing, and I chair this subcommittee. It was one of the first hearings on the rapid pace of regulations that are coming from the Obama administration. We made clear to the witness, regulation czar Cass Sunstein, that we objected to the fact that the administration is considering and issuing regulations with regard not to jobs and the economy, but is simply using as a standard such ridiculously amorphous terms as equity, human dignity, fairness, and distributive impacts. I asked him what this meant and he said, well, basically distribution of income. What? The administration is making a decision on regulation on the basis of distribution of income? I thought the market was supposed to decide that, not a government czar.

In fiscal year 2010, Federal agencies promulgated 43 major rules that impose costs that are estimated to cost industry \$28 billion, the highest annual level since 1981. Along with all these major rules come daunting levels of red tape, the cost of which cannot easily be counted. The Obama administration's regulatory agenda released this past fall identifies 4,225 rules under development.

Now, the EPA alone has finalized almost 1,000 new regulations since the start of the administration and has also proposed a number of expensive and complex new rules affecting our energy system, our industrial and manufacturing infrastructure, and even the electric power we rely upon every day.

Now, with this Nation suffering from 21 straight months of unemployment at 9 percent or higher unemployment, our focus should be on jobs. Unnecessary

and burdensome regulations act as a de facto tax on every American family and small business in this country; yet there's no end in sight for all the regulations that are coming from the Obama administration. From our health to our wealth to the freedom to live our lives the way we want, the Federal regulatory state continues to grow and grow and intrudes.

It's time for Congress to reduce this burden and get our economy growing again.

Ms. DEGETTE. Mr. Speaker, I would just say that in this hearing with Professor Sunstein, the evidence was that the regulations that came out in the first 2 years of the Obama administration were less than the regulations that came out in the last 2 years of the Bush administration.

With that, I yield 5 minutes to the gentlewoman from California (Ms. MATSUI).

Ms. MATSUI. I thank the gentlelady for yielding.

Mr. Speaker, I rise today in opposition to House Resolution 72. This resolution does nothing to actually create jobs and is a distraction from what should be our focus: creating jobs here in this country. Instead of spending time debating and creating legislation that would create jobs and further our economic recovery, we are here debating legislation that basically reiterates what the Energy and Commerce Committee is currently doing.

In contrast, I believe that the American people have been clear. They want this Congress to focus on jobs, and that should be our number one priority. In fact, I recently sent a survey to my constituents asking them what they thought should be the top priorities of this Congress. Not surprisingly, 81 percent responded that creating jobs should be our top priority.

Mr. Speaker, I routinely hold clean energy roundtable forums in Sacramento with CEOs and with other local leaders, including one just last week, and they consistently tell me that they need real incentives and assistance in expanding their manufacturing base and finding new markets abroad for their products and services. In doing so, they recognize that new jobs will be created. They will have additional revenues to purchase new equipment, invest in R&D, and benefit our economy. Perhaps, instead of debating today's resolution, we could instead be focused on debating legislation that would create jobs.

Mr. Speaker, we need to be focussing on moving our economy forward by creating new jobs in different sectors of our economy. Just as the President emphasized in his recent State of the Union address and announced in his Startup America initiative, America must continue to lead the way in innovation in order to both rebuild today's economy and bolster the industries of tomorrow.

The clean energy manufacturing sector is a critical area where most leading economists believe our Nation can

experience the highest job growth potential. In fact, the Department of Energy has found that continued investment in the U.S. clean energy sector could create more than 750,000 jobs over the next decade. However, it is one area where the U.S. is unfortunately falling behind many of its competitors, including China and Germany. Mr. Speaker, we must change that.

America has an historic opportunity to become a leader in clean technology manufacturing and creating new, good-paying jobs in this country. That is why I, along with Congressman JOHN DINGELL, recently introduced legislation to bolster the U.S. clean energy and manufacturing industry with the goal of creating jobs and advancing our Nation's standing in the ever growing clean energy economy.

As part of the Make It In America agenda, this legislation, H.R. 502, the Clean Energy Technology Manufacturing and Export Assistance Act of 2011, would help boost U.S. innovation and competitiveness by promoting the manufacturing of clean energy technology at home and supporting its exports abroad. The bill helps strengthen America's domestic clean tech manufacturing industry by directing the Commerce Department to provide specific tools and resources to those companies that need it most: America's small and medium-sized manufacturing businesses.

Mr. Speaker, manufacturing jobs are the fabric of our country that could put millions of Americans back to work. But we must manufacture the products that are in demand and that have an exponential potential to grow, and the clean energy sector is that ever growing industry. But in order to create those jobs, this Congress must pass legislation that will help us do just that.

Mr. Speaker, this bill passed the House last Congress with bipartisan support, and it is my hope that it will be considered again soon during this new Congress so we can move our Nation's clean energy economy forward and create new, good-paying jobs here in this country. Unfortunately, H. Res. 72 fails that test.

I urge my colleagues to vote against the resolution before us.

Mr. SHIMKUS. Mr. Speaker, I yield myself such time as I may consume.

We don't care which administration created all these burdensome regulations. If they do not protect public health and harm job creation, we want to review them. I don't see what's the big damage of that, and every time you hear the word "incentives" you know what that means? Tax dollars. That means borrowing money from China to incentivize who knows what.

We want capital formation through the private sector to create jobs. The government can no longer do that.

I now yield 2 minutes to my colleague from Pennsylvania (Mr. MURPHY), who is the vice chairman of my subcommittee.

Mr. MURPHY of Pennsylvania. Thank you, Mr. Chairman.

You know, we now have 29 million people in America who are either out of work or looking for work, and we also are facing a problem of trillions of deficit spending that affects those jobs. There's four pillars to what we need to do to turn our economy around.

One is the issue of cutting government spending and turning that deficit around. Two is to deal with making sure we're keeping taxes low and regulations fair that promote growth of jobs and not hinder that growth. We must also have trade enforcement law changes that allow us to grow in another way.

China alone, for example, is exploiting loopholes big enough to sail a freight ship through. They tax and embargo the export of raw materials and rare Earth minerals. They mandate local content requirement so American companies can't build in the U.S. and ship to China. They steal patents, copyrights, and reverse-engineer U.S. technology and products. They offer below-market government loans to their companies, and they manipulate their currency. All of this has created a great wall of illegal and unfair manufacturing trade practices, and we cannot sit by while they undermine our jobs.

But a fourth pillar has to do with how we need to grow our resources, an important issue for the Energy and Commerce Committee. While the Outer Continental Shelf of this country is off limits for oil drilling, we are passing by massive amounts of jobs and massive amounts of economy for our Nation.

□ 1640

If we were allowed to have drilling on the Outer Continental Shelf, the Federal revenue alone, without borrowing money, without buying from OPEC, without increasing our trade deficits, would yield \$2.5 trillion to \$3.7 trillion in Federal revenue, and all of that based upon 1970s estimates of how much oil is out there.

In addition to that, even though there is not supposed to be a moratorium on drilling off the Gulf of Mexico, there is in effect a "permatorium" because all of these wells which previously have been permitted are now told they can't drill. Regulatory agencies dither, which means higher oil prices at the pump for American families, greater reliance on OPEC, and with the threats of Egypt and the worries about the Suez Canal, we are sitting by as American families wondering what's going to happen next. Let's deal with all these issues and grow American jobs.

Ms. DEGETTE. Mr. Speaker, I yield 3 minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank the gentlelady from Colorado.

Three points. Number one, any regulations that aren't doing their job, they're imposing excessive burdens,

let's change them. I agree with that. The President agrees with that. You're arguing that. You're right. The American people want regulations that are limited to achieving legitimate goals and not imposing unnecessary burdens.

Second, and this is a question, why are we going to debate this? Why are we going to substitute words for actions? The Committee on Energy and Commerce and all the other committees that are being charged to act on this resolution are free to act. And rather than have a discussion and debate about it, ask those committees to come in with what their specific recommendations are. Let the House of Representatives vote yes or no on any proposed action.

But third, jobs. Both sides have been saying we've got to focus on jobs. A couple of very good speeches, Mr. MURPHY from Pennsylvania, Mr. STEARNS from Florida, we agree with that. Why don't we dust off a proven and bipartisan job-creating bill, Home Star, which the Energy and Commerce Committee passed out on a bipartisan basis last year, and bring it forward to this Congress this year? It's something that saves money for our homeowners on their energy bills, it's something that puts local contractors who are reeling from the decline in homebuilding back to work retrofitting our homes, and it saves \$10 billion in energy bills, creates 170,000 jobs and it's all about using less, not more. It's about efficiency. And that's common ground. We're not having a debate about whether we should or shouldn't be drilling, or what's the preferred energy source, whether it's coal, nuclear or solar. It's really whatever energy source you're using, if you use less of it, as a business or as a consumer, you're going to save money. So it's something we can do together. The new majority would have the final say on how we would pay for this. It could be designed in a way to take care of the capital formation concerns that the other side has expressed.

What we're talking about here is important. Regulations should be limited to the legitimate purpose for which they're intended. They shouldn't be excessively burdensome. If there are specific regulations that ought to be adjusted and it requires statutory action, come back with the specific statute, let this body vote on it and move on. That's action. It's not words. But then the common goal that we have, even if it's a significant debate and disagreement about how best to get from here to there, is we've got to create jobs in this economy. Home Star is a way we can do it with the new majority working with the new minority.

Mr. SHIMKUS. Mr. Speaker, I want to share with my colleagues, we'll have a chance next week to vote on greenhouse gas regulations, which will kill jobs. Those bills are coming.

I yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Speaker, I think our colleagues across the aisle

are showing their displeasure. They think that it requires passing a law to create jobs and they want to tax and spend so that they can use the term “invest.” But I think the American people have really wised up to what is going on. They know that every time a law is passed, rules and regulations start to pile on. They also know that if money is coming to D.C., then they can’t use that money there in their communities to create jobs. Because the way it really works is this: Government does not create jobs. Government creates the environment in which the private sector can create jobs.

Last week, as we were home, I visited, I worked with my Chambers of Commerce and with job creators to tell us, what is getting in the way. We heard a lot about regulation and the overreach of regulation. From bankers, we heard about auditors and regulators and the FDIC. From builders, we heard about OSHA and the EPA. From small business manufacturers, we heard about the EPA and carbon emissions. From retailers, we heard about the FTC. From our implement device manufacturers and biotech community, we heard about the FDA overreach. From our high tech innovators and our health informatics, we heard about the overreach of the FCC.

Regulation is stifling job growth. It is time for us to cut back on this \$1.75 trillion a year hit that the business community, the job creators, are taking; rein this regulation in; and, yes, my friends, let’s repeal some of these laws and rules and regulations, get them off the books and free up the private sector so they do what they do best—create the jobs that the American people want to see.

Ms. DEGETTE. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. CAPPs).

Mrs. CAPPs. I thank my Colorado colleague for yielding.

Mr. Speaker, I’m sort of troubled that we’re here this afternoon. Americans are still facing staggering unemployment rates and our economy has not yet fully recovered. But instead of focusing on job creation, we’re wasting 2 days—and taxpayer dollars—on a resolution directing committees to conduct oversight on government regulations.

I have been a Member of Congress for over a decade and I know that committees already do oversight on government regulations. Without prompting, a well-run committee will make sure the government’s regulations are necessary and effective at protecting the American people. In fact, the Energy and Commerce Committee, under the leadership of HENRY WAXMAN in the last Congress, did just that. Our committee conducted oversight on the failures that led to the BP oil spill in the gulf and the reckless Wall Street behaviors that caused a near meltdown of our economy.

When insurance companies announced that they would pad their

profits with huge rate increases on American families—after they dropped individuals from coverage just because they got sick—it was our committee that stood up to them. I’m afraid, though, that in this new Congress, American families won’t get that same kind of protection.

Yesterday, our committee held a hearing on legislation that would insert the government into private decisions between a patient and her doctor. We also held a hearing on legislation that would put the interests of polluters ahead of the health of millions of Americans, including our children, our seniors and the most vulnerable among us. That wasn’t oversight to help create jobs or to help the American people; it was just examples of promoting an extreme agenda that puts the public’s health at risk.

Mr. Speaker, instead of telling committees how to do their jobs, we should be creating jobs for the American people—health care jobs, clean energy jobs, high tech jobs, manufacturing jobs. This is America’s top priority. This is what we should be talking about here on the House floor today.

Mr. SHIMKUS. Mr. Speaker, I now yield 1½ minutes to my colleague from Ohio who is from the largest manufacturing district in the country, Mr. LATTA.

Mr. LATTA. I thank the gentleman for yielding.

Mr. Speaker, the EPA has indicated they intend to overturn 30 years of precedent and designate coal ash as a hazardous waste, despite findings from the Department of Energy, the Federal Highway Administration, State regulatory authorities and the EPA itself that the toxicity levels in coal ash are well below the criteria that requires a hazardous waste designation. In fact, in the EPA’s May 2000 regulatory determination, they concluded that coal ash does not warrant regulation as a hazardous waste, and that doing so would be environmentally counterproductive.

About 45 percent of the coal ash generated is recycled, being used as an additive in cement, concrete, wallboard and roofing materials, road-based fill materials, and snow and ice control. While all of this is completely safe, designating coal ash as a hazardous waste would halt these beneficial uses, which the EPA estimates will lead to \$16.7 billion in increased costs per year, further damaging our economy.

□ 1650

Finally, the increased cost of coal ash disposal will lead to the closure of up to 18 percent of current coal-generated power, resulting in lost jobs, higher electricity costs, and further increasing our dependency on foreign countries for our energy needs, which we cannot afford.

Mr. Speaker, I urge support.

Ms. DEGETTE. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. INSLEE).

(Mr. INSLEE asked and was given permission to revise and extend his remarks.)

Mr. INSLEE. Mr. Speaker, there is nothing wrong with having our committees review regulations. But the problem is we are wasting 9½ hours when we are involved in a great race, a great competition.

We are in a race with China and other places in the world to build a clean energy economy that can create millions of new jobs in solar and wind and electric cars and lithium ion batteries.

And you can be assured that the Chinese are not wasting 9½ hours when it comes to figuring out how to form capital formation for solar power companies. That’s what we should be doing.

You can be assured the Chinese aren’t wasting 9½ hours trying to figure out how to site high-density transmission lines so we can have clean energy plants and move that electricity across their country. That’s what we should be doing on a bipartisan basis.

You can be assured that the Chinese aren’t wasting 9½ hours figuring out how to create a demand for new wind energy so we can put people to work building wind farms. That’s what we should be doing.

And you know what, last year the Republicans passed a clean energy standard which we could be talking about this year on a bipartisan basis. Instead, we’re wasting 9½ hours talking about something all of us agree to do.

Now, how do the Republicans intend to do this going out of the gate next week? We’re told that their first act is to remove from our Federal law the ability to create jobs in the green, clean energy sector because they want to pass their dirty air bill. Their dirty air bill will strip the Environmental Protection Agency of the ability to create an incentive for 1.5 million jobs: jobs in the solar sector industry, jobs in the wind industry, jobs in the enhanced geothermal industry. These are jobs.

Don’t let them pass the dirty air bill.

Mr. SHIMKUS. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Washington, CATHY MCMORRIS RODGERS, the vice chairman of the Republican Conference.

Mrs. MCMORRIS RODGERS. Mr. Speaker, I rise in strong support of H. Res. 72.

Last week, I met with a company who said the only way to comply with the regulations is to not operate. Just last month, America slipped in its economic freedom rating. We are no longer an “economically free” society but a “mostly free” society because of the costly and duplicative regulations—not labor costs, but regulations. We don’t have to look any further than the hard rock mining industry, many of which operate in eastern Washington.

Despite effective safeguards implemented by States, the Federal Government, through the EPA, has decided

that it needs to step in and add regulations that will all but certainly drain this industry of capital, forcing businesses to cut jobs, not invest in America, and ultimately make us more dependent upon foreign countries for these important minerals.

Mr. Speaker, regulation is not what our Nation is all about. America is about entrepreneurialism, innovation, and living the American Dream.

Let's get these oppressive rules and regulations off the books. A good first step is the passage of the resolution we are considering today.

The SPEAKER pro tempore. The gentleman from Illinois has 10½ minutes remaining; the gentlewoman from Colorado has 5½ minutes remaining.

Ms. DEGETTE. I reserve the balance of my time.

Mr. SHIMKUS. Mr. Speaker, I yield 2 minutes to the gentleman from Houston (Mr. OLSON) the former Navy fighter pilot.

Mr. OLSON. I thank my friend from Illinois.

Mr. Speaker, I rise today in strong support of H. Res. 72. In this economic environment, it is critically important for this Congress to find and eliminate government regulations which are damaging to the economy and are destroying American jobs.

According to the Heritage Foundation, the current administration has imposed 43 major regulations in fiscal year 2010 alone, with an estimated cost of \$26.5 billion. A prime example of this senseless regulation is the EPA's new greenhouse gas regulations which will adversely affect every business and energy consumer in America. The increased costs associated with the new EPA regulations will be passed on to consumers in the form of higher energy costs. Those impacted include small businesses and individuals still struggling to make it out of the current recession.

The EPA's regulations will eliminate American jobs and send them overseas. It's just plain and simple. The bureaucratic EPA permitting process will cause countless construction delays on new projects, and the increased compliance costs will drive many companies abroad where the regulatory environment is more favorable. Again, American jobs heading overseas to foreign soil.

America has suffered 21 straight months of unemployment above 9 percent. Our top priority should be to reduce the cost of doing business so companies can expand their operations and hire new employees.

The new EPA greenhouse gas regulations are a tax on energy. They will only serve to drive up energy costs, reduce economic activity, and destroy American jobs. Most importantly, under the Constitution, it is Congress—not unelected EPA bureaucrats—who determines whether and how greenhouse gases are regulated.

The Energy and Commerce Committee will soon be reviewing existing

regulations to determine if they make sense. If so, we will keep them. If not, we will throw them in the dustbin of history.

Ms. DEGETTE. I continue to reserve the balance of my time.

Mr. SHIMKUS. Mr. Speaker, I now yield 2 minutes to one of our new colleagues from Colorado (Mr. GARDNER).

Mr. GARDNER. I thank the gentleman from Illinois for yielding.

Mr. Speaker, I rise today in support of House Resolution 72 and of Congress' new emphasis on oversight. Over the past few years, Federal agencies have promulgated a litany of rules and regulations with little regard for their impact on American businesses, jobs, and everyday American workers.

Last week, I met with a business in my district that employs nearly 1,000 people. They expressed their concern that the onslaught of rules and regulations threaten our energy infrastructure, power stability, and electricity costs. In other words, reckless regulation threatens their very existence.

I met with a business that employs 53 people, whose owners said they won't expand because they don't know what the cost of health care regulations will mean to their business.

At a committee hearing just yesterday before the Energy and Commerce Committee, businesses stated that the regulatory environment is hindering investment in our economy, not promoting it.

In Colorado, Federal regulations that could usurp the State's role over energy production may stop the creation of jobs that are set to employ thousands of people in northern Colorado.

It's time for Congress to listen to the voices that are America, that move our country, feed our country, power our country, and make our country great. It is time to put an end to reckless regulation.

If there are 1.5 million jobs to be created, then let's get started creating them. But let's not turn to the role of government to regulate people out of business to create other jobs. That's not the job of the Federal Government. Let's put an end to reckless regulation.

Ms. DEGETTE. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Mr. Speaker, I rise today to express my deep concerns about attempts to undermine one of our country's most cherished and effective environmental policies, the Clean Air Act.

Simply put, recent attacks against environmental protections threaten the health, safety, and quality of life of the American people. All credible scientific evidence proves that emissions of carbon and other pollutants change our climate and harm our environment, posing risks for our communities and our children. Americans deserve to breathe clean air and drink clean water.

□ 1700

We know beyond any doubt that pollution can increase asthma, heart attacks, and cancer. I do support legitimate efforts for regulatory reform. But the majority's attempt to pass a new dirty air act by gutting needed health provisions is a travesty.

Now, the majority party, on the other side, my friends, will try to tell you that we have to make a choice between clean air and jobs. And that is a false choice. We can create, in fact, if we create clean air we will create jobs, we will create an environment where businesses will want to do business in our country. So our country needs forward-thinking energy and environmental policies that create jobs and protect public health. And we will not tolerate a return to the pollution allowed before the Clean Air Act.

Mr. SHIMKUS. Mr. Speaker, I yield myself such time as I may consume.

I'm glad my colleague talked about the Clean Air Act. The Clean Air Act was passed in the 1990s, and it identified six criteria pollutants. And we know a lot of what those are—nitrous oxide, sulfur dioxide, particulate matter. Carbon dioxide was never identified in the law. In fact, Chairman Emeritus DINGELL said numerous times the Clean Air Act was never designed to regulate carbon.

Even as the EPA now moves in the direction of climate, they've changed the rules. They are not complying with the Clean Air Act because of their tailoring rule, thus picking winners over losers.

If we go down the road to regulate carbon, we raise the cost of creating jobs. Jobs move overseas. That's what the Waxman-Markey debate was last year. That's why the majority last year could not pass a bill to regulate carbon, because of the impact on jobs.

So why are we here?

We're not trying to end regulation. We're trying to make sure that there's an economic analysis on what occurs on jobs. What's the job impact?

Administrator Jackson, throughout the entire process, could not tell us. In fact, they only do it in silos and never the cumulative effect of what are the jobs lost based upon regulation.

What is the compliance cost?

We ought to know that because the more there is a requirement to comply with the rules and regulations when we're competing against China, who has no rules and regulations, we are less competitive, we lose jobs.

Is it so harmful to ask where's the benefit, a cost-benefit analysis of all these regulations?

So we'll get a chance. I know I was asked by the other side earlier in the debate, where is the legislation to affect rules and regulations that will create jobs?

Well, it's coming next week, and it's the greenhouse gas rules and regulations, which does not affect the Clean Air Act, which does not change, after all their portrayals on dirty air, it does

not affect a single criteria pollutant in the Clean Air Act.

Mr. Speaker, I reserve the balance of my time.

Ms. DEGETTE. Mr. Speaker, I would like to inquire if the gentleman has any further requests for time.

Mr. SHIMKUS. I was expecting a few Members, but I don't expect them to come now.

Ms. DEGETTE. I yield myself the balance of my time.

Mr. Speaker, it has now been 36 days since we were sworn in in the 112th Congress. Yet, in the Energy and Commerce Committee, which I know Mr. SHIMKUS and I will both agree is the most illustrious and powerful committee in the U.S. House of Representatives, the committee with broad-ranging jurisdiction, everything from energy policy to food safety to health care, even to national league sports, we have not passed one legislative bill in those 36 days. We haven't passed one bill to repeal an onerous regulation. We haven't passed one bill to create one new job.

In fact, the first subcommittee markup in the Energy and Commerce Committee is tomorrow. This markup is of an extreme bill which will restrict a woman's right to choose. This is a divisive bill that has nothing to do with repealing one onerous regulation, and, in fact, it doesn't create one job, except maybe a job for lawyers who, if this actually became law, would have a field day litigating the legislation.

Look, Mr. Speaker, we all agree that if there are burdensome regulations, they should be repealed. But let's not let this discussion devolve into a partisan debate under the guise of regulatory reform.

So we know our colleagues on the other side of the aisle don't like the new EPA greenhouse gas regulations. We know that they don't like the new health care bill. But just because those bills have been passed and are being implemented does not mean that the regulations, per se, cause a loss of jobs.

So what I would suggest the American people would like us to see, what they told us in the election, what they've told us since the election, what all of my constituents told me when I was home last week is, when are you going to stop the partisan bickering? When are you going to create jobs?

I believe that if my colleague from Illinois and I, and all of the rest of us got together, we could identify a number of regulations, regulations passed under Democratic and Republican administrations that are burdensome, that are outdated, and that we could repeal. But in the meantime, let's just call it what it is. Let's have the debate if we're going to have it. But let's not call it a debate about burdensome regulations. Let's create jobs.

Mr. Speaker, I yield back the balance of my time.

Mr. SHIMKUS. Mr. Speaker, I think this has been a great debate. And DIANA DEGETTE is a great friend of

mine. We've served here in the Chamber for a long time. And I think it's good for the public to understand that we can have strong disagreements without being disagreeable. And I'm probably one of the strongest, outspoken loudmouths on the committee. And I have been recently. But I think it's also good to know that we can continue, even on very controversial issues on life. She has very strong opinions, and I have very strong opinions. But Congresswoman DEGETTE has my respect, and she's a friend.

During last fall, businesses kept coming to me and saying, all we want to be is left alone. That's really part of this debate.

The Democrat majority, in fact, in the last 2 years, they had the whole shooting match. These are the same debates you had about us. You could have addressed the regulatory burdens on business, but you didn't. You had the House, you had the Senate, you had the Presidency. Not one bill to ease the regulatory burden.

So now the pendulum has shifted. We're into job creation. One of the burdens of job creation is excessive regulation. Businesses want to be left alone. There's too much uncertainty.

What have we done to bring to the floor to help provide certainty? We voted to repeal the health care law. If you want to talk to businesses, both large and small, one of the biggest things that has created uncertainty is Obamacare. And that was on the floor.

The second thing that created the most uncertainty is climate and a carbon tax, raising the cost. That's going to come to the floor.

So here are two major provisions passed in this Chamber, hurt jobs, we get a chance to address on the floor. And so this is an important exercise. We're going to be doing it in the committee. We've had four hearings in the committee on issues all around the regulatory burdens.

I gave you the example of U.S. Steel. Here they've got a NO_x requirement so they keep the burners on low. But a carbon requirement would require that the burners are on high. How do they comply? I'll tell you how they comply. They move the steel mill to a country that does not have those regulations. Or we import it.

Should we look at these and address these? The answer is yes.

I see my colleague from Louisiana has shown up. If my colleague from Colorado doesn't mind, I yield the balance of my time to my colleague from Louisiana (Mr. SCALISE).

Mr. SCALISE. Let's talk really quickly about just what's so important about this resolution.

□ 1710

As my colleague from Illinois talked about, we have had those hearings. In fact, we had the EPA administrator yesterday in committee, and she actually tried to state that her regulations are helping create jobs. The only prob-

lem is that, right after that, we had panelist after panelist of American job creators talking about how those exact EPA regulations are running jobs out of the country. So there must be some parallel universe that these bureaucrats are living in. They think they are creating jobs. And I guess, if you want to really look at it, they are creating jobs, in China, in India, in other places around the world instead of in America.

We just had another hearing today on the problems with what is happening with the administration not issuing permits in the Gulf of Mexico. They are actually making our country more dependent on Middle Eastern oil at a time when you are seeing the Middle East in total disarray with what is happening in Egypt. There was just another super tanker that was hijacked by Somali pirates right off the coast of Oman, just yet another example that this is a volatile world. Yet you have got an administration that's using regulations to run more jobs out of this country. This is a time when we should be creating jobs.

I'm really glad that we are actually focusing under this Republican Congress on exposing what those regulations are doing to destroy jobs in America. We can create jobs. We have got to get ahold of these regulations.

Mrs. SCHMIDT. Mr. Speaker, before I give my opening remarks, I yield 3 minutes to my good friend from North Carolina (Mr. COBLE).

Mr. COBLE. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of this resolution. We have all heard the expression, Keep It Simple, Stupid, the KISS formula. Our government needs to do a better job of adhering to this phrase.

In the transportation sector, there are numerous examples where the regulatory process is burdensome and impedes private enterprise.

The Department of Transportation has regulations pending that classify lithium cells and batteries as hazardous materials. If implemented, this could create an impediment in getting batteries to consumers, the military, and government agencies. As a result, this could jeopardize manufacturing jobs in my district, jobs we cannot afford to lose.

DOT has also put forth regulations that would implement changes to hours of service regulations. This proposal is soliciting comments on whether to retain the current 11-hour time limit, or reduce the maximum driving time to 10 hours, something the agency prefers. If implemented, it will create ramifications for goods movement and likely affect consumers' wallets and private enterprise.

Finally, the National Mediation Board recently published a rule that alters how labor elections occur. Under previous guidelines, a majority of the eligible electorate must vote in favor of unionization. Under the new proposed rules, this majority is defined by

those who actually vote in elections, meaning the outcome could form a union when the majority of persons affected did not express the desire to do so. This is simply another way for the labor movement to gain traction and dictate an outcome that they cannot achieve otherwise.

We support reducing the number of regulations, Mr. Speaker. But that is not to say that we support compromising safety. Indeed, we do not.

Mr. Speaker, we can do better. We can provide oversight that is simple and straightforward without impeding private enterprise. Our economy will benefit if we bear in mind the saying, *Keep It Simple, Stupid*.

Mr. RAHALL. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of H. Res. 72. Under both Democratic and Republican administrations, Federal agencies can, and do, abuse their regulatory powers.

For the last 2 years, in my own district, coal miners in communities that depend on coal have been struggling with the uncertainty created by the Environmental Protection Agency that has pushed its regulatory authority to extremes.

As a result of EPA's extensive intervention in Clean Water Act section 404 permitting for service mines, miners in my district and their families are in an untenable limbo, wondering from week to week whether their mines will get a permit and whether their jobs will end.

EPA is setting new timelines and new criteria for permits, timelines and criteria that differ from what is in statute and regulation. And they are doing so not through the proper regulatory procedure, but through interim guidance, skirting the rulemaking process that would provide for greater transparency and public comment.

The agency is setting a terrible precedent that opens the door for further abuses in future administrations. So I stand here today supporting the contention that Congress ought to check overzealous executive agencies. We ought to be conducting rigorous oversight and siphoning off regulations that hamstring our economy and the wellbeing of Americans. And I fully expect our committee, the Committee on Transportation and Infrastructure, to soon review the EPA's actions with respect to coal mining permits throughout central Appalachia.

But I also remind my colleagues that this is not a new responsibility. It is the duty placed on Congress, the people's branch, by the Framers of the Constitution, who knew firsthand the abuses of an all-powerful executive.

Nothing in this resolution changes or enhances that responsibility. Rather than expending so much time, energy, and taxpayer dollars in a display on this floor that provides the Members of this body and the American people not a single ounce of new or enhanced benefit, we ought to be concentrating on the real work. We ought to be moving legislation that creates jobs, good family-wage jobs.

There is no better way to create family-wage jobs than investing in our Nation's transportation and water resources infrastructure. These investments create and sustain millions of American jobs and generate billions of dollars of economic activity.

According to the Federal Highway Administration, for example, each \$1 billion of Federal investment creates or sustains 34,799 jobs and \$6.2 billion of economic activity. Moreover, these investments strengthen our ability to compete in the global marketplace.

It is for these reasons, creating family-wage jobs and strengthening our global competitiveness, that the presidents of the Chamber of Commerce and the AFL-CIO have linked arms in support of increased infrastructure investment. Yet, in the first six weeks of this Congress, the only action to date has been to wipe away the legacy of former Republican Chairman BUD SHUSTER, the budgetary firewalls that ensured that we invest the revenues of the Highway Trust Fund in highway and transit infrastructure. We have abolished the "trust" in the Highway Trust Fund.

In the last Congress, the House passed a Federal Aviation Administration reauthorization bill that significantly increased airport investment, including runway, terminal, and tarmac construction. The bill also authorized and accelerated the FAA's next-generation air transportation system, which will be an engine of economic growth. It will benefit airlines, workers, the traveling public, and the FAA over the long term, providing greater job security and opportunities for the Nation's 567,000 airline workers and the 624,000 employees that work for companies that manufacture aircraft and components.

We also passed a bill to help cash-strapped States and communities invest almost \$14 billion in wastewater treatment facilities and sewer lines.

In addition, the committee, on a bipartisan basis, approved a \$500 billion Surface Transportation Authorization Act to significantly increase investment in highway transit and rail infrastructure. The bill would create and sustain an estimated 6 million jobs.

Finally, our committee on T&I approved a water resources development bill to invest in our Nation's water resources infrastructure and an Economic Development Administration reauthorization bill that provides grants to economically distressed communities to help them build the necessary infrastructure to foster business investments and create jobs.

Mr. Speaker, these are the bills that we should be debating on the floor today. These are the bills that make a difference in people's lives.

We cannot wait. The construction season is upon us, and 1.9 million construction workers are still out of work.

□ 1720

They need a job, not another feel-good resolution from this Republican majority.

Mr. Speaker, I ask unanimous consent that all time on the resolution be yielded back and that H. Res. 72 be adopted so we can move to consider legislation creating jobs.

The SPEAKER pro tempore. Does the majority manager, the gentlewoman from Ohio, yield for the purpose of that unanimous consent request?

Mrs. SCHMIDT. I do not, Mr. Speaker.

The SPEAKER pro tempore. The gentlewoman does not yield for the purpose of that request.

Mr. RAHALL. I reserve the balance of my time.

Mrs. SCHMIDT. I yield 3 minutes to the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN of Tennessee. I thank the gentlelady from Ohio for yielding me this time. Mr. Speaker, I rise in strong support of H. Res. 72.

I thank the Speaker and the House leadership for giving us this time to help call to the attention of the Nation something that has become a very serious problem, and that is the explosion of rules and regulations and red tape that has taken place over these last several years at a very rapid pace.

In 2005, a study by the Small Business Administration found that businesses spent approximately \$1.1 trillion to comply with Federal Rules. Confirming that, another study in 2009 by the Competitive Enterprise Institute said Federal regulatory compliance had reached \$1.2 trillion for businesses.

The annual outflow of rules has meant that nearly 60,000 Federal rules have been issued just since 1995. Regulatory agencies issued over 3,500 final rules in 2009. Today's Code of Federal Regulations contains an astounding 157,974 pages. They haven't designed a computer that can keep up with all of that, much less a human being. And the average family, according to another study by the SBA in 2010, they said the cost of Federal rules and regulations now costs the average family over \$15,000 a year, and that has increased by more than \$4,000 just in the last 5 years.

George Mason University put out a report earlier this year which said that U.S. regulations "are now more onerous than those in other countries, particularly countries that offer similar property rights and infrastructure," and that "the United States risks losing investment capital and jobs."

Speaking more specifically about the Transportation Committee, according to a GAO report the typical transportation project now takes between 9 and 19 years to plan, gain approval of and construct a new major federally funded highway project.

Let me give you two examples. Several years ago when I chaired the Aviation Subcommittee, we had a hearing in which they said the main and newest runway at Atlanta airport at that time took 14 years from conception to completion. It took only 99 construction days. They were so happy to get all the

final approvals they did those in 33 24-hour days. It was all environmental rulings and regulations and red tape.

Four years ago, we had a hearing in the Highways and Transit Subcommittee, and they said that a highway project in Southern California, a 9-mile project, took 17 years from conception to completion, from 1990 until 2007.

What these delays and rules and regulations have done is driven up the cost. We now take on average three times as long and three times the cost of any other developed nation.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mrs. SCHMIDT. I yield the gentleman an additional 30 seconds.

Mr. DUNCAN of Tennessee. What this does is it hurts the poor and lower-income and working people of this country because it destroys jobs, it drives up prices, all these regulations. It even kills people, when you delay for years widening and improving highways and making them safer. So it is causing problems for everything that comes out of our committee.

This is a very important resolution, and I urge my colleagues to support it.

Mr. RAHALL. Mr. Speaker, I reserve my time.

Mrs. SCHMIDT. Mr. Speaker, I yield 2 minutes to the former chairman of the Transportation Committee, the gentleman from the great State of Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. I thank the good lady for yielding.

Mr. and Mrs. America, our economic growth is being stifled by 165,000 pages of regulations; 1.4 million laws were never voted on by this body. They are the law of the land, passed by the bureaucracy. We are to blame for this ourselves.

As you can see from the chart—I venture they will get it up here—the number of environmental laws and executive orders affecting the construction industry has exploded since 1965. Just take a look at this. Here is where we are. Look at what they have to go through here. All these things have to be met by the construction company. This is why it takes 17 years to build a highway.

I want to keep in mind now—you keep hearing about creating jobs. You do not create a job; you allow a job to be created, and regulations prohibit that. We see regulations every day that prohibit the growth of industry and jobs in this country. You mentioned, Mr. Ranking Member, who was chairman, we can't even mine coal because of regulations.

So let's start thinking about the money. By the way, it costs \$1,000,100,000,000 a year to implement these regulations that were never voted on. We can balance the budget in 13 years if we eliminate these regulations.

The agencies keep going forth each day spending more money. Their idea of success is having another law that

has never been voted on. It gives an untold power to the executive branch. This is the House of the people, and if we don't address this issue, shame on us. It is absolutely important.

I just got a regulation proposed at Alaskan Airlines. They had to get a permit. By regulation, they are required to apply to the Pipeline Hazardous Materials Safety Administration before they could fly it. You know what it was? It was whipped cream. You can't fly whipped cream without a permit. Another regulation from an agency. Who thought that up?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mrs. SCHMIDT. I yield the gentleman 30 additional seconds.

Mr. YOUNG of Alaska. The second one, the newest one to come out is a regulation by EPA under the oil spill liability clause where the EPA is proposing a regulation to apply to dairies because milk has fat in it. They want to apply the oil spill liability regulation to a dairy. That means each cow costs \$600 per life of the cow because they want to clean up milk. The saying "don't cry over spilt milk" is now going to cost you money, a regulation by an agency that makes no sense at all.

Wake up, Mr. and Mrs. America. Let's eliminate these regulations that prohibit job creation in this country. That is what we ought to be talking about.

Mr. RAHALL. Mr. Speaker, I continue to reserve.

Mrs. SCHMIDT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the American voter spoke loud and clear in November. They said they are tired of business as usual in Washington. They want less government intrusion and more freedom to prosper. This resolution begins that journey. It ensures freedom from government overregulation.

The buck stops here in this Chamber. The Transportation and Infrastructure Committee alone, in this committee there are overregulations in every mode of transportation and in every area of infrastructure.

Specifically, our committee is going to look at a recent rulemaking by the National Mediation Board; arbitrary revocation of environmental permits by the EPA; new hours of service regulations for truckers by DOT; costly implementation of positive train control by DOT; the overly broad lithium battery rule; an extremely burdensome EPA rule to comply with the Cotton Council versus the EPA decisions; EPA's regulation of leaded general aviation fuel and airport de-icing fluid; EPA's expanded regulations of storm water discharge; and EPA's jurisdiction grab while they claim to implement the Clean Water Act.

An issue of particular concern to me and others are the actions taken over by the National Mediation Board.

□ 1730

Mr. Speaker, under the current administration, unelected and unaccount-

able political appointees at the National Mediation Board have been bullying hardworking airline employees. As many of us know, Delta Airlines merged with Northwest Airlines in 2008. Northwest employees were represented by unions and traditionally most Delta employees were not. To complete the merger, employees have to decide whether they will elect union representation or not.

Beginning in 2008, Delta repeatedly urged the unions to seek elections so that the issue could be resolved one way or another. The only way to start that process was for the employees who wanted a union to call for an election. Many of the merged Delta working groups had already made their decision about representation. Pilots, mechanics, dispatchers, and meteorologists had all chosen, and the mediation board affirmed those decisions promptly.

In August of 2009, everything was in place to allow votes to proceed for the remaining work groups. The mediation board, however, dragged its feet and did not act on these requests, despite receiving and acting on three other requests from three other employee groups at other airlines in the intervening time.

The reason became clear in September of 2009, when the AFL-CIO asked the mediation board to change the rules in the middle of the merger. With no consultation or transparency, the mediation board rushed through new rules which makes it much easier to join a union. The new rule does so by only requiring a majority of those voting—not the majority of the work group, as required under the Railway Labor Act—to decide whether or not employees would be represented by a union. This meant that if, of a workforce of 20,000 people, only 1,000 people voted and 501 wanted a union, the entire 20,000 would be then represented.

At the same time, the new rule, while making it easier for unions to gain a foothold among employees who might not want them, didn't provide any mechanism for decertifying the union. In other words, the mediation board made it easier to get the union in and nearly impossible to get it kicked out.

With these new rules proposed, the unions which represented Northwest employees withdrew their request for votes while they waited for the new, easier rules to be finalized. The rules change was then finalized. They refiled for elections under the easier rule, and the mediation board promptly acted on those requests.

So what the unions wanted and got was the chance to have their vote under the new, more favorable rules. It begs the question, Mr. Speaker, of how much the mediation board is mediating on behalf of workers as opposed to coordinating with special interests.

If the mediation board were reasonable, it would have allowed Delta and Northwest flight attendants and airport workers to decide whether or not

they wanted union representation as soon as the unions filed. The NMB let three other airline elections go forward under the old rules but not Delta.

I would hope that the mediation board is watching out for workers' rights and not just union dues. Nothing appears to have been done to enhance worker rights and protections, and many feel that their rights are being trampled on by the very agency that is supposed to be looking out for them.

Despite the rule change, Mr. Speaker, when votes were eventually held late last year, a majority of the employees in fact voted not to join the union. The unions now have filed a complaint with the mediation board, asserting that Delta interfered with these elections and asking for new elections under—guess what?—another new set of rules. The National Mediation Board has not yet responded, but there are rightfully concerns with how it will proceed based on its past behavior.

It should be up to the employees and no one else to decide whether or not they will have a union—not the company and certainly not the Federal Government. Forcing employees to unionize through regulation is not why the National Mediation Board exists.

Mr. Speaker, at this time I yield 2 minutes to the gentleman from Ohio (Mr. GIBBS).

Mr. GIBBS. I thank my colleague for yielding.

Mr. Speaker, I rise today, along with many of my newly elected colleagues, as one of the Members that came to Washington to stop the "red tape" factory of regulations and help businesses get back to creating jobs.

In every community I visit in my district, I have met a business owner who is fed up with spending tremendous amounts of money to comply with unlimited, burdensome regulation—or have invested dollars that are tied up for months or even years waiting for Federal agencies to make the decisions held up by regulations and also the permitting process. This is what I came to Congress to stop. These rulemakings create uncertainty and costs, as the details of the regulations take extensive periods of time to finalize. At a time when job creation is paramount to economic recovery, businesses are being forced to postpone decisions on hiring and expansion.

A prime example of these harmful regulations is a company in my district that asked the EPA in 2001 to make changes to the Land Disposal Restrictions to ensure proper treatment and promote recycling. EPA decided to take a different track on their request, and 10 years later that company is still waiting for an answer—10 years later. This has to stop.

Another example, EPA has over-extended its authority over 404 permits by allowing a permit to be issued, then years later, retroactively vetoing the exact same permit. By doing so, it not only leaves the business questioning the worth of the permit, it leaves in-

vestors wondering if they can commit funding to a project without fear of the EPA arbitrarily revoking the permit. EPA has fundamentally changed the term from "permit" to "perhaps." This has to stop.

We need to hold our regulators accountable and make sure they are carrying out the intent of the law, not enhancing their own agenda or stifling economic and job recovery.

Mr. RAHALL. Mr. Speaker, I yield 5 minutes to our distinguished leading Democrat on the Subcommittee on Highways and Transit, the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. I thank the gentleman for the generous grant of time.

So here we are trying to fill up space while America is in crisis. Now, why do I say that? One of the most important and ongoing obligations of the United States Congress is oversight. We don't need to pass a meaningless hortatory resolution to tell the committees to do oversight. I've observed a number of the Republican-led committees are already vigorously engaged in oversight. I held dozens of hearings in oversight of the bureaucracy and programs when I chaired the Surface Transportation Subcommittee. That's something we have not done enough of and we should do more of. But spending 10 hours on the floor instead of a few hours marking up some bills that could create jobs in America is a waste of time and meaningless.

We had two commissions that were named when the Republicans controlled the House, the Senate, and the White House in the Bush era. Both of those commissions, Republican-led, Republican-authorized commissions, came to the same conclusion: We are dramatically underinvesting in our Nation's infrastructure. We are becoming Third World: 150,000 bridges on the National Highway System need substantial repair or replacement; 40 percent of the pavement on the National Highway System fair or poor, causing blow-outs, axles broken, accidents. It's a mess. Talk to anybody. A \$60 billion backlog on capital investment in our transit systems. And you know what? When we make these investments, there's a great thing about it. We have strict buy America requirements—buy America requirements I intended to make more strict, and I hope the Republicans will now that they're in charge, when we reauthorize the Surface Transportation Bill.

You get a phenomenal multiplier of jobs out of those investments. Instead of the stupid stimulus bill we passed, if we had taken one-fifth of the money that went into that stimulus bill and we had invested it in surface transportation in this country, we could have created another couple of million jobs a year; because they aren't just jobs of people out there building the bridges and the highways and those sorts of things; they're the people that make the things that we use to build the bridges and highways—the steel indus-

try. They're the people who make the tires for the buses or the engines for the buses or the streetcars that we now make in Oregon again, made in America for the first time in 70 years. A huge multiplier effect. Inadequate.

□ 1740

So what they said is, the amount of money we're currently investing won't even keep the Eisenhower-era system up. Now the Republicans are refusing to look at enhanced investment in transportation infrastructure, and we haven't even begun a discussion of authorizing that legislation.

As for the Federal Aviation Administration, we are wasting billions of gallons of fuel and people's time in the air because we don't have an adequate aviation system in terms of air traffic control and the tools that our controllers need. They're focused on the controllers: Oh, those controllers, they just earn too much money.

They're working with 1950's equipment. You can't get vacuum tubes anymore.

Let's focus on the things people need in order to do the jobs more efficiently, to get our planes where they're going as safely as we do today but more efficiently. Let's stop the congestion in the skies. Allow our airports to expand. Get the jobs out of construction. Let's talk about those things.

Today, the Democrats introduced a bill, our first major bill, H.R. 11, to authorize more Buy America Bonds. Now, this doesn't cost the Federal Government anything in the end. What we are trying to do is help the local jurisdictions, the States, and others who are strapped now—their bonding authority is either tapped out or they don't have good credit because of other problems—to do needed projects and give it to them at interest rates they can afford. Yeah, there's a little subsidy there in the interest rate—but guess what? With the jobs we generate, we're going to get more than that back in the taxes.

The best way we can deal with the deficit in this country is to put Americans back to work. Thirty to 40 percent of our deficit could be dealt with if we had full employment and reasonable rates of taxation like in the Clinton era. But no. The Republicans want to sit here and pretend they really care about these things.

We're going to get rid of those job-killing regulations and we'll start to do something new—oversight.

Well, good as to the oversight. You're already authorized to do oversight. Don't pretend you aren't, and don't pretend that this meaningless resolution is going to make any difference at all. Why are we wasting this time? Why are we wasting this time? Because you want to put on a show. Well, good for you. You're putting on a show. You're in charge. You can put on a show whenever you want, but someday, you're going to come to account for it, and if you haven't delivered on the jobs, and

you're not doing much so far that I've seen to produce any jobs. You can pretend this is about jobs.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RAHALL. I yield the gentleman an additional 3 minutes.

Mr. DEFAZIO. What this is really about is your day-in, day-out agenda, which is big business. This isn't about independent truckdrivers who struggle to make a living. This isn't about small, independent businesses that go out and get contracts through the States with Federal money to build highway projects and some of the paperwork they have to deal with. I'm all with you on that stuff. Let's streamline that stuff. Let's get rid of that junk.

Just today, I had some people in my office who I've helped to get some money to reopen a rail line that was closed by some hedge fund in my district that bought it out, and they're being hung up on getting a Federal grant, which I helped them get one of those horrible earmarks we get around here to further enhance that short rail line, by some paperwork at the Fish and Wildlife. It just happened that the regional guy from the Feds for Fish and Wildlife was there in my office to talk to another staffer. I put them together, and we solved the issue in a couple of minutes, but it shouldn't have happened. We can streamline the paperwork. We can do that in a transportation bill and deal with those sorts of things.

So if you want to do real stuff to help real people, small business, Main Street, I'm with you, but not if this is yet another ruse to either engage in some sort of political, you know, pursuit of the administration, or if it's just something else to help your big business allies or something else to coddle Wall Street. Get rid of those burdensome regulations on Wall Street. Why, they can regulate themselves. Look what a great job they did over the last 10 years in regulating themselves. Well, they did crater the U.S. economy and the world economy and cost a few million people their jobs, but they would never do anything that would jeopardize our country.

Those burdensome regulations on Wall Street. Those burdensome regulations on BP. My God, how can we have those burdensome regulations on those big oil companies? Just free them up. They'll drill safely anywhere and everywhere, and there will never be a problem.

We had crappy regulation. Let's fix that. But we need regulations to avoid abuses. Don't pretend that we don't. Don't pretend that big business won't choose to abuse the privilege if we don't regulate them properly and smartly.

Do you want to have an aviation industry further deregulated? Let's deregulate safety. Let's get rid of those troublesome inspectors and all that stuff that goes on. No one would ever

fly a plane that isn't safe. They wouldn't ever engage in cutting corners. Whoops. That already happened a few times in history, didn't it, during the deregulatory binge in the Reagan years.

So if you want to focus on meaningless, bothersome, trivial regulations, things that impede real working people, small businesses, truckers, other people who use our transportation system, the general aviation pilots, you know, and the airlines, great. But if it's just another hortatory thing, which it seems to be, or another gift to your big business allies, forget about it.

Mrs. SCHMIDT. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. HANNA).

Mr. HANNA. Mr. Speaker, I rise today in support of House Resolution 72 to review regulations and orders from agencies and their effect on jobs and the economy.

One example of an unnecessary proposed rule change is a change in the hours-of-service rule being considered by the Department of Transportation. It would have a detrimental impact on productivity and the economy.

Under the current rule, both the number and rate of fatal and injury-related accidents involving large trucks have declined by more than one-third. These accidents are now at the lowest levels in recorded history. We are successfully balancing safety with productivity, and this current rule works.

The proposed rule change would put additional trucks on the road to deliver the same quantity of goods. This puts more drivers at risk, increases congestion, pollution, and will result in higher final product costs, not to mention the burden this would place on the trucking industry, particularly the small business truckers, some of whom could be forced out of business. Furthermore, the proposed rules are so complex and restrictive, compliance and enforcement would become nearly impossible.

Why would we replace a rule that has served us well, particularly when the proposed change is hardly practical and would negatively impact productivity and our ability to compete?

In the least, this is a redundant and unnecessary process. At worst, it is designed to appease a narrow group of special interests.

On two prior occasions, the Federal Motor Carrier Safety Administration estimated that this change to the rules would cost the U.S. economy \$2.2 billion, and that number includes the safety benefits. Somehow and for some reason, the Federal Motor Carrier Safety Administration then changed its methodology for estimating both the costs and the benefits for this new proposed rule. This led to a statistically positive benefit-cost ratio. Strangely, however, the agency's own analysis still demonstrates the estimated benefits of retaining the current rule exceed the estimated benefits of the proposed change.

Changing this rule is both unnecessary and wasteful on the part of the Federal Government and of small businesses and large businesses everywhere.

Mr. RAHALL. Mr. Speaker, I yield 2 minutes to a valued member of our Committee on Transportation and Infrastructure, the gentlewoman from Hawaii (Ms. HIRONO).

Ms. HIRONO. I thank my colleague for yielding me time.

Mr. Speaker, the resolution before us is simple. It instructs the committees to do the job they already do—conduct oversight of the laws passed by Congress.

I believe clarity of purpose is an important component to successfully tackling the challenges we face as a Nation. So, while I have no objection to this resolution, I question why we need to spend 9½ hours debating what we should all unanimously agree on. Spending this much time on this resolution is like making sure we finish chewing our gum before we start walking—when just a few months ago we were doing both at the same time.

Take the American Recovery and Reinvestment Act, for example. This legislation was passed as an unprecedented response to the most severe economic crisis our Nation has faced since the Great Depression. We knew that there was a lot of taxpayer money involved in this legislation. That's why we included reporting requirements for the recipients, and that's why we included diligent committee oversight. Because of these measures, I know that approximately \$1.5 billion was allocated to Hawaii. Since 2009, this money has helped to save or create 13,000 full-time equivalent jobs in Hawaii.

□ 1750

I also know that Hawaii received approximately \$156 million for highway and water infrastructure improvements. These funds are helping to build Hawaii's infrastructure for the future right now.

For example, when completed, the Waimea Wastewater Treatment Plant expansion project on the island of Kauai will double the capacity of the existing plant. It will allow the county to take advantage of photovoltaic systems that will minimize the facility's carbon footprint. The expanded capacity will also reduce the county's reliance on potable water for irrigation, water that they need for other purposes besides irrigation. Altogether, this investment will allow for expanded development in the area, which will lead to more new businesses and, importantly, more new jobs.

Mr. Speaker, we need to learn how to walk and chew gum at the same time again. As the Recovery Act demonstrates, when we do, we can make a positive difference in the lives of our constituents, create jobs, and address the challenges we face together.

Mrs. SCHMIDT. Mr. Speaker, I yield 2 minutes to the gentlelady from Washington State (Ms. HERRERA BEUTLER).

Ms. HERRERA BEUTLER. Mr. Speaker, let me clear up something really quickly. The reason I'm rising in support of this resolution and the reason it is so important that we debate the job-killing costs of regulation is because we are at an all-time high in my neck of the woods for unemployment. We're at double-digit unemployment in southwest Washington, and we've been doing it just in about every single county in my district for weeks.

The other side keeps saying, oh, my goodness, this is simple, this is kid's stuff. If this is kid's stuff, why are we dealing with it today at the beginning of this Congress? Why wasn't it dealt with last Congress? I'll tell you why, because we need to make changes. We need to tell these agencies back off small businesses, back off families, back off our cities. Operate within the law. Don't make your own laws.

Last year, the EPA promulgated 928 new rules last year alone, 928 new rules. You know, when I have my construction workers who are out of work right now come to me and say we've got these storm water regulations and they're requiring us to go back into pre-Lewis and Clark days, we don't even know what that looks like. We've got these regulations handed down to us from the Feds and we can't hire new workers. We can't build new businesses. We can't even redevelop without cutting our arms off, when it comes to costs.

It needs to change. I'm all for commonsense solution-oriented regulation. I want to protect our environment. I want to protect our way of life, but business and our economy are not mutually exclusive with our environment. We're simply saying, and we're taking the time today to say, that the EPA and other Federal agencies that have overstepped their bounds need to check themselves, or we're going to have this debate.

So I invite my colleagues on the other side of the aisle. We want to create jobs. We want America to be working again. I have friends and family out of work in southwest Washington and they want to work; but then their small employer says, I'm sorry, I've got to put new money into this infrastructure piece to retrofit it to bring it up to speed with this new regulation, I can't hire you or I need to minimize your hours.

So there is work to be done.

Mr. RAHALL. I reserve the balance of my time.

Mrs. SCHMIDT. Mr. Speaker, I yield 2 minutes to the good gentleman from Indiana (Mr. BUCSHON).

Mr. BUCSHON. I thank the gentleman for the time, and, Mr. Speaker, I also want to briefly at the beginning comment on why we're here today. We're here today because the 111th Congress didn't do some of this work, and we have a resolution that is going to make the 112th Congress get the job done.

Mr. Speaker, I rise today in support of H. Res. 72, and I'm speaking about

the egregious overregulation by the current administration. One specific instance I would like to bring up to the floor occurred with Spruce Number One surface mine in southern West Virginia.

I know that it is not uncommon for the EPA to veto mine permits, but this is the first time in the history that the EPA has vetoed a mining permit after it has been issued and placed into action. The portion of the Clean Water Act referenced was section 404, a requirement for commercial investment in several industries, including mining and transportation.

I'm the son of a coal miner who worked in an underground coal mine for 37 years, and now I'm representing southwestern Indiana, a district rich in coal reserves; and in State of Indiana, 95 percent of our electrical energy comes from coal. Every coal mine in Indiana, except for one, is in my district. I find it very troubling that the EPA would veto a mining permit after it had been issued by the Corps of Engineers and put into operation by the mining company. The mining company had invested \$250 million and was going to bring good jobs to southern West Virginia.

I am troubled by this overstepping by the EPA because I am fearful that all mining companies going through the permitting process in my district are going to be at risk, even if they're granted a permit. I'm also fearful for all the industries that require section 404 permits that could have theirs retroactively vetoed and would waste private capital investment and hurt job creation.

With our Nation's labor force participation rate at a 26-year low, we must end the overregulation and stop the atrocious overreaching by government agencies. We need jobs in America.

Mrs. SCHMIDT. Mr. Speaker, I believe I have my last speaker. I yield 2 minutes to the gentleman from Illinois (Mr. MANZULLO).

Mr. MANZULLO. Mr. Speaker, we have a unique opportunity today to begin the long process of addressing the hidden tax of burdensome regulations. These are the regulations that choke small businesses, hinder U.S. manufacturers, and obstruct job creation.

Last year alone, the Federal Government created 43 major new rules that cost our economy approximately \$28 billion, and my friends on the other side of the aisle wonder why jobs are going overseas.

By directing committees to review and purge outdated and unproductive regulations from the books, this resolution provides much-needed oversight to a regulatory system that is spiraling out of control.

As the co-chair of the House Manufacturing Caucus, I hear almost every day from manufacturers and other small businesses that are being crushed by unnecessary regulations which constrict job growth and yet don't make

us any safer, any healthier, or any more secure.

Our country needs a sensible and economically competitive regulatory policy. We need to give the Office of Advocacy of the Small Business Administration a stronger voice within the executive branch to stop or amend bad regulations before they become finalized. We also need to pass the REINS Act that will require Congress to have the final say on major regulations before they take effect to ensure that they are following congressional intent.

I urge my colleagues to support H. Res. 72.

Mr. RAHALL. Mr. Speaker, I yield back the balance of my time.

Mrs. SCHMIDT. Mr. Speaker, in closing, I just want to say I look forward to working with the gentleman from West Virginia and all in this House to make our America a better place to live, work, and raise a family.

I yield back the balance of my time.

Mr. BACHUS. Mr. Speaker, I yield myself such time as I may consume.

(Mr. BACHUS asked and was given permission to revise and extend his remarks.)

□ 1800

Mr. BACHUS. Mr. Speaker, I commend my colleague from Texas (Mr. SESSIONS) and Speaker BOEHNER, Leader CANTOR and the House leadership for bringing this important resolution forward.

This resolution represents the opening battle in the fight against the continued expansion and overreach of the regulatory state, that state being the Federal Government.

We have just gone through 4 years of a very liberal Congress and 2 years of a very liberal administration, and working hand in hand, they have passed massive new laws that expanded government and weakened personal freedom. The 10th Amendment says that all powers not specifically granted to the Federal Government are left to the States and the people. But from health care to financial services to other sectors of the economy, Congress has ceded its constitutional responsibility to unelected and unaccountable Federal bureaucrats.

Two years ago, President Obama reminded us that elections matter when he said, "I won." Well, Mr. Speaker, in November, the American people won. In doing so, they made it clear to anyone listening that they strenuously objected to the direction that our country has taken. They object to the limitations imposed on our freedom, on our choices, and on our ability to create jobs. This is not new. In the past as well as in the current administration, liberal Presidents who could not achieve their goals by the consent of the people have resorted to regulatory fiat to give their most extreme supporters what they want.

Under these regulatory regimes, the power of Congress and the people has been reduced to notice and comment, a

notice and comment period in which they can only state their objections. However, as is becoming increasingly apparent to the American people, these comments are regularly ignored by the regulators. The expansion of the regulatory state continues to concentrate power in the executive branch and to marginalize representative government with congressionally enacted legislation being replaced by decrees from regulators who are insulated from the popular vote.

Fortunately, this Congress is committed to doing something about unnecessary and unreasonable regulatory burdens, and the resolution we are debating today is a great start.

Under this resolution, 10 House committees—including the Financial Services Committee—will review pending and existing regulations to determine their impact on our Nation's economy, on its ability to create jobs and, most importantly, our own personal freedoms.

This review comes not a moment too soon. Our job creators struggle under a seemingly endless and constant flurry of mandates pushed out by the administration and initiated under the former majority in Congress. Nothing better illustrates the rule of the unelected in the regulatory state than the Dodd-Frank Act. As a result of this one massive piece of legislation passed in the last Congress, there will be a tsunami of 300 new Washington rules and regulations. The burden of these regulations will almost certainly limit access to credit for small businesses and consumers. They will divert private sector resources that should go to expanding businesses and creating jobs. And they will also limit the owners and the consumers of those firms from making their own choices and decisions.

The Financial Services Committee has heard testimony from many witnesses about the harmful impact of the act. One of them, the Cargill Corporation alone, told us that the act's requirements on derivatives would cost the company \$1 billion, funds that otherwise would be deployed for the construction of a new plant in Kansas City, a plant that would create thousands of jobs and put Americans back to work.

That is only one example of the uncertainty our economy faces due to these new Washington regulations. It shows how the expanding regulatory state too often forces U.S. companies to divert resources and time away from job creation and investment and instead toward obeying the ever-growing demands of a bigger and more intrusive government.

In a hearing in my committee only this morning, there was bipartisan agreement and no opposition to a provision in our oversight plan offered by the gentleman from Georgia (Mr. WESTMORELAND) requiring a review of the mixed messages in which we hear Washington regulators calling for in-

creased lending by banks but examiners in the field micromanaging bank activities and stifling lending. These conflicting signals are creating uncertainty that prevents banks from lending to small businesses, and in extreme cases they have caused the failures of those very banks. This uncertainty, in turn, impedes economic growth and costs jobs.

Let me conclude by saying this Congress was elected to limit the scope of the Federal Government, not to expand it. Our forefathers who fashioned the 10th Amendment would be pleased with our debate and our efforts today.

Mr. Speaker, I reserve the balance of my time.

Ms. WATERS. I yield myself such time as I may consume.

Mr. Speaker, as ranking member of the Subcommittee on Capital Markets and Government Sponsored Enterprises, I am extremely concerned about the impact of the Republicans' continuing resolution on the ability of the Securities and Exchange Commission, the SEC, to police our capital markets, thereby preventing another financial crisis.

To be clear, the Republican continuing resolution, with its \$100 billion in proposed cuts, is an assault on job creation, vulnerable populations and our communities. However, it is also an assault on our financial markets. If the Securities and Exchange Commission is level-funded or funded at 2008 levels, we risk defunding the main agency with oversight over the risky financial products that started the 2008 financial crisis. The SEC is supposed to be our Wall Street cop. It is supposed to make sure that the brokerage firms are obeying the law. It is supposed to protect the investors. It is supposed to make sure that those people who work every day having their money invested by institutional investments like the pension funds are not losing their investments in their 401(k)s.

Let's talk about what happened in 2008. In 2008, our financial markets collapsed. In 2008, it was clear that the SEC didn't have the tools or the resources it needed to monitor or police those markets. So, frankly, I don't understand why Republicans would want to underfund the SEC with the same amount of funding it received in the year that it lacked the resources to monitor financial markets that were spinning out of control.

From 2005 to 2007, during the buildup to the crisis that imploded in 2008, the SEC lost 10 percent of its staff. In addition, from 2005 to 2009, the SEC's investments in information technology declined by 50 percent. During this time period, trading volume doubled, the number of investment advisers has increased by 50 percent, and the funds they manage have increased 55 percent to \$33 trillion.

Let's put these numbers into perspective. The SEC's 3,800 employees currently oversee 35,000 entities—including 11,450 investment advisers, 7,600

mutual funds, 5,000 broker dealers, and more than 10,000 public companies. Furthermore, these staff police companies that trade on average 8.5 billion shares in the listed equity markets alone every day.

The Dodd-Frank Act will prevent the next crisis by authorizing the SEC to regulate derivatives, provide oversight of investment advisers and broker dealers, and rein in credit rating agencies. In order to do this, the SEC needs additional funding. The Securities and Exchange Commission that is our Wall Street cop to protect us all needs additional funding. Unfortunately, House Republicans don't want the SEC to staff up or to even maintain their current staffing levels. Why? If funded at fiscal year 2008 levels, the SEC would have to lay off hundreds of staff and cut its IT budget down to \$86 million, its lowest level of IT spending since 2003.

□ 1810

At this level, the SEC would not be able to implement the new systems it needs to protect the Nation's securities markets.

We have all said to the public in so many ways, and certainly through Dodd-Frank, that we are going to change the way the SEC has been working; we are going to make sure we have some protections for consumers and investors. Yet we know it can't be done without the resources, without the money. You can tell where your priorities are based on where you put your funding. This attack on the SEC is more disturbing because the agency's funding will be deficit-neutral. Beginning in fiscal year 2012, fees collected by the SEC will match its congressional appropriation. The critical role that the SEC plays in our Nation's financial markets is precisely why Wall Street, the very entity that the SEC regulates, is asking for Congress to fully fund this agency.

According to a February 7 article in The New York Times, 41 prominent securities lawyers and professionals have already written to Congress to ask for full funding for the agency. Why do we have to beg for funding for the SEC if we are truly about the business of protecting our consumers?

Mr. Speaker, the SEC needs a sufficient level of funding. If Wall Street's cop on the beat is unavailable, we risk another financial crisis and loss of more jobs.

I reserve the balance of my time.

Mr. BACHUS. At this time, Mr. Speaker, I yield 1½ minutes to the gentlelady from West Virginia (Mrs. CAPITO).

Mrs. CAPITO. Thank you, Mr. Chairman, for yielding me the time. Thank you for your leadership on our committee as we work toward better solutions for a modernized financial regulatory structure.

Last year, the Dodd-Frank Wall Street Reform and Consumer Protection Act was signed into law. Today we

are realizing the overarching effects such legislation will have on our economy, and this has only just begun. Onerous new regulations and the creation of an entirely new agency with vast influence over consumer choice will only impede our recovery. Instead of expanding the scope of government, we need efficient and effective regulatory oversight to support the private sector which will drive our economy's recovery.

I have deep concerns about what this new law will mean for employment, as do many of my constituents. Charles Maddy, who is the president of Summit Community Bank, testified before our committee. The bank is headquartered in my district, and he testified just this month about the effects of the new rules and regulations enacted under the Dodd-Frank financial reform legislation on small institutions. Even though small institutions are supposedly "carved out" of this law, Charlie expressed serious concerns about his institution's ability to compete in this new regulatory regime. Banks that didn't take excessive risks or use exotic financial products are going to see higher compliance costs, limited access to capital, and regulatory pressures on lending issues, all of which hurt our ability and his ability to serve the community.

While it is necessary to regulate those that acted irresponsibly, it is important that the regulations be targeted and effective, not broad and burdensome. At a time when we should be creating economic certainty in our markets, we are seeing the unintended consequences of this law. According to Mr. Maddy, "New standards are being applied without banks having a clear understanding of where they are." This will only discourage investment and innovation and hinder job creation.

Ms. WATERS. Mr. Speaker, I yield 3 minutes to the gentleman from Colorado (Mr. PERLMUTTER).

Mr. PERLMUTTER. I thank the gentlelady.

Mr. Speaker, I come after a couple of members of the Financial Services Committee with whom I like to work and I admire; but I've got to say, what's being proposed here today is that America forget what happened on Wall Street 2 years ago, 4 years ago, 6 years ago. It's a request to have collective amnesia and forget that giant Ponzi schemes were perpetrated on hundreds of thousands of people. Pension funds, firefighter funds, people all across this country.

Let's just start with one guy named Madoff. The reason you have regulations, the reason you want a regulatory body is to stop crooks like Bernie Madoff. And under the Republican watch, it was, Let's not regulate. Let's not enforce regulations. Let's allow the market to regulate and police itself. And then we have a guy like Bernie Madoff.

I heard Mr. BACHUS talk about a company that, because of regulations,

won't invest \$1 billion. Well, regulations and the lack of regulations under the Bush administration cost investors \$65 billion in the Madoff Ponzi scheme alone. Forget about Stanford and the other ones where these bandits were running rampant.

Our economy expects regulation. It requires regulation so people aren't defrauded and looted. And it's this kind of oversight where we make sure the regulators are doing their job to look out for crooks who are stealing people's money. That's their job.

The thing that threw this country into a tailspin was the Wall Street excesses and the rampage that these Ponzi scheme artists put on America, and my friends on the Republican side of the aisle want us to forget that. They want to say, Let's not have any regulation. We have too much regulation. Well, that lack of regulation almost killed this country's economy, millions of jobs lost. We don't hear anything from the Republicans about, Let's put people back to work; let's create jobs. It's about, wait a second; we've got to get rid of these regulations that they did not enforce when they were in power, causing this country to lose billions of dollars and millions of jobs.

So we all agree that there should be oversight of the executive branch. No ifs, ands, or buts about it.

The SPEAKER pro tempore (Mr. CULBERSON). The time of the gentleman has expired.

Ms. WATERS. I yield the gentleman an additional 30 seconds.

Mr. PERLMUTTER. The regulations are important, especially in an arena where huge amounts of money are being transferred. Billions of dollars were stolen from Americans. We have regulations in place. We need those regulations enforced. And if the Republican Party thinks that these things are in excess, they should go talk to some of the victims of those giant Ponzi schemes that occurred under their watch.

Mr. BACHUS. Mr. Speaker, I would like to yield 1½ minutes to the gentlelady from Illinois (Mrs. BIGGERT), the chairman of the Housing and Insurance Subcommittee.

Mrs. BIGGERT. I thank the gentleman for yielding.

Mr. Speaker, government burdens are the number one concern that employers in my district share with me every time I visit a small business or talk with local entrepreneurs. Among all the economic hurdles we face, Federal demands clearly play a leading role in driving the uncertainty that has frozen our job market. And it's no wonder.

Over the last few years, contrary to what the gentleman from Colorado just talked about, Congress has enacted sweeping new laws regulating finance, health, and more; and as a result, employers are facing thousands of new pages of Federal regulations, mandates, and paperwork nightmares. For example, the Dodd-Frank financial

overhaul will result in an estimated 330 new rulemakings that have the potential to raise the cost of credit, impede private investment, and curtail innovation in the financial sector.

As a result, the Small Business Administration estimates that America's most active job creators, small businesses, are the hardest hit by Federal regulations. Those with 20 or fewer employees pay an astounding \$10,585 per year per employee to comply with Federal regulations. It's time to go line by line through the Federal rule book. Let's examine what works, throw out what doesn't, and make sure we aren't imposing unfair and unnecessary burdens on job creators.

I urge my colleagues to support House Resolution 72.

Ms. WATERS. I yield 3 minutes to the gentlelady from New York (Mrs. MALONEY).

□ 1820

Mrs. MALONEY. I thank the gentlelady for yielding and for her leadership, and I join her and my other colleagues in speaking out in strong protest to the projected cuts that they are pushing through the Securities Exchange Commission, the watchdog agency that is looking to find corruption, abuse and to protect the investors and to protect our financial community.

Our Republican colleagues have proposed that the SEC's budget should be cut back to 2008 levels. But I can hardly imagine that they can be pleased at the level of oversight that was performed by the SEC in 2008, the year the economy cratered, the year that massive abuses such as the Madoff scandal came to light, and other abuses.

We should not be scaling back the staff and oversight capability of the SEC. We should be adding to it so that they can do a better job in protecting investors and the American taxpayer.

According to the SEC inspector general, the Republican proposal would force the agency to cut over 600 staff members—over 600.

Now, we know that the SEC has 60 studies that they have to come out with, hundreds of rules, and they are clamoring for more staff to meet the mandates of this Congress and of the regulatory reform bill that has been written to save taxpayers from having to bail out too big to fail and excesses and mismanagement in the financial industry.

Just as our colleagues on the other side of the aisle are calling for more accountability, they would cripple one of the key agencies that holds people in a key sector accountable. The SEC's budget for all of 2010 is equal to just a small fraction of the bonus pool for just one major firm in the financial sector.

So let's look at the facts here. The total loss of household wealth as a result of the Great Recession has been estimated to be approximately \$14 trillion. \$14 trillion. It was a financial disaster that did not have to happen.

There was a movement on the Republican aisle to roll back regulation. There was a lack of adequate oversight, and the lack of oversight and regulation were major contributing factors to this financial disaster.

So the Republicans' new proposal to cut the badly needed oversight of our financial system brings to mind the old American saying, "They are being penny wise and pound foolish" with the economy of our great country.

Mr. BACHUS. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. ROYCE), the senior member of the Financial Services Committee.

Mr. ROYCE. Mr. Speaker, in terms of a lack of regulation, I think it's interesting to note that it was the Republicans who attempted to regulate Fannie Mae and Freddie Mac. It was the Republicans who were attempting to bring regulation against those government-sponsored enterprises because the Federal Reserve had approached us and told us that we faced a systemic economic consequence that might bring down, not only the housing sector, but the other sectors of the economy.

And who was it that pushed for those zero down payment loans? Who was it who pushed for the arbitrage over at Fannie and Freddie?

Now, here's the reality. The SEC has always had the ability to prosecute securities fraud. But what happened under Madoff for, what, 18 years, 20 years under President Clinton and under President Bush is that you had an inability on the part of the young lawyers at the SEC to find that fraud. And this is something I and others have pushed for.

One of the things we tried to do during the Dodd-Frank bill was to get a reform of the culture over at the SEC. Why? Because that over-lawyered institution was incapable of even understanding what Madoff and others had done with these Ponzi schemes. And when we tried to push those reforms through, what did we get out of it on the other side of the aisle? They agreed to a study, a study, of the SEC culture.

Now, in the meantime, we have 3,800 people over at the SEC. At a time when we're running a \$1.5 trillion deficit, we're going to have to have haircuts. We cannot ramp up everybody's salary around here. We can't give promotions to everybody all the time. Everybody's going to have to take a little bit of the cut in order for us to get this budget back into balance.

And I can share with you a couple of other thoughts, too, about the way in which we've approached this, because we've magnified too big to fail with what we've done with Dodd-Frank.

Ask any economist about some of the consequences of this legislation. We've reduced the cost of capital for the largest institutions at the expense of their community bank competitors or their credit union competitors. It is the large institutions that have a 100 basis point, a 1 percent interest point advan-

tage now in the market, because now we have made them too big to fail under this legislation.

If we don't reform this, if we don't change our system in a way in which we get some commonsense regulations out there, it's not as though we're not competing around the world. Think for a minute about what's happening in Germany. Think about what's happening in Britain and Brazil and Singapore. They are competing against us because of the antibusiness environment we have created, and not only in terms of regulations that don't make sense many times. But I appreciate the opportunity to point this out.

Ms. WATERS. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. AL GREEN).

Mr. AL GREEN of Texas. Mr. Speaker, it has been said that the SEC has 3,800 employees, and this is correct; it does have 3,800 employees. But it also has to be said that they oversee 35,000 entities. It must also be noted that they have to police 11,450 investment advisers. It also must be said that they have to monitor 7,600 mutual funds. They have 5,000 broker dealers that they have to keep an eye on. And they also have 10,000-plus companies that they have to monitor. Yes, 3,800 employees, but they are overworked already and they are overwhelmed with what they have to do.

I might note, also, that if we go back to the 2008 levels, we're talking about over \$200 million in cuts to the SEC. The SEC needs help, not hurt. This piece of legislation, if it is implemented to its fullest thought intent, will indeed hurt the SEC.

Let's talk for just a second about who the SEC employees actually are. These are the first responders to possible financial disasters. They are the ones who have to catch the Madoffs of the world, as has been indicated. And I must add, also, that it was under the 2008 levels that Madoff was able to make off with about \$80 billion with his Ponzi scheme.

We need to protect the SEC. Let's make sure that we don't cut jobs in an effort to save the economy—and these are jobs that are actually needed. So let's not just cut any jobs. Let's make sure that we protect the jobs that are going to help protect the financial security of the United States of America.

□ 1830

Mr. HUIZENGA of Michigan. Mr. Speaker, I yield 2½ minutes to the distinguished gentleman from California, our subcommittee chairman of the international policy, Mr. MILLER.

Mr. GARY G. MILLER of California. This side hasn't forgotten what went on. We haven't forgotten about Madoff. But the problem is that some people have forgotten that, in 1998, a whistleblower first went to the SEC on Madoff and they did nothing—nothing. Repeatedly, individuals went to the SEC on Madoff and they did nothing.

Now, we can pass all the new regulations through Dodd-Frank we want to

pass. Madoff went to jail because he was a criminal. He violated the law. And you don't need 20 laws in place to punish a person for one act. We did it. Dodd-Frank goes far beyond that. It is 243 new regulations in the pipeline; 243 is scary.

Now, the SEC has failed in many ways. I know many of my friends on this side of the aisle heard me talk about mark to market principles for 4 years with the SEC. Now, mark to market means when the lender makes a loan, they have to mark the value on their books of what the product is worth at current market value.

For example, if 5 years ago a piece of property is worth \$20 million, they lent \$15 million, today it's worth only \$12 million, well, the SEC says we should lend no more than \$8 million. Now the loan comes up for renewal and the loan is performing, meaning the individual who owns the property is current on his payments. What the lender is required to do based on SEC requirements, because Federal regulators have no control over that because SEC sets the requirements, they can either set a \$7 million set-aside because the loan is overvalued based on the books, or they can say to the individual, You owe us \$7 million to reinstate the loan. In this economy, most people don't have the \$7 million.

Had we modified mark to market standards and looked at loans on realistic fortune principles in the future, most of these lenders today would be in business and many people would not have lost their loans and their product that they had under that loan.

We have done nothing through the SEC. In fact, the first time I asked the SEC Chairwoman in the hearing, and the question was 4 minutes long regarding mark to market principles, she looked at me and she said, I'll get back to you on that, Congressman.

Nothing to date has happened.

So to look at the SEC and say they are saints, they are doing their job and they are protecting the citizenry and the individuals out there, I can't say that. I would like to see these individuals held accountable for what they did not do. In 1998, had they moved with Madoff and done what they should have done, or in 2000 or 2002, a lot of investors would have more money than they have today, but they did not.

Just as our Nation is trying to recover, it seems like the Obama administration is doing nothing but making it harder for American businesses.

Ms. WATERS. Mr. Speaker, I yield 5 minutes to another member of the Financial Services Committee, the gentleman from North Carolina, Mr. MEL WATT.

Mr. WATT. Mr. Speaker, I came in in the middle of this debate, and I have been trying to figure out if the American people who may be watching this, and even my colleagues here on the floor, may even understand what this debate is about.

The original resolution talks about inventorying and looking at and evaluating regulations. I think that's a substitute for trying to figure out how to cut back on various agencies and their authority and what they are doing, and we don't want to lose sight of that. I think that is an honorable objective.

The problem is that this debate has wandered off into a discussion about whether the SEC effectively did what it was supposed to do with respect to Bernie Madoff. And when I hear my colleague, Mr. MILLER, say, well, this is about holding the SEC accountable for what they did not do, I don't know how you hold the SEC accountable for what they did not do by decreasing their ability to regulate an industry and by decreasing their budget. Those two things don't compute with me. I just am having a big problem internalizing this.

You have an agency here that has a \$1 billion annual budget. It has responsibility for policing and monitoring all of the things that Mr. GREEN talked about in his debate. But on a gross level, 8.5 billion shares of stock are transferred every day, so \$1 billion a year. We are supposed to monitor and control 8.5 billion shares a day transferred and transacted, and here we are talking about, well, let's take authority from the SEC and let's take money away from the SEC to do what it's supposed to do.

Friends, that does not compute, and the American people know that it does not compute.

Now, the underlying resolution says that you are supposed to find ways to identify how these regulations impact and limit access to credit and capital. Well, imagine what is going to happen with investors in this country if the SEC isn't available to regulate the transactions, 8.5 billion transactions a day. And you are going to say, Okay, we want your capital, but we are not going to do anything to protect you as an investor. We are going to let Bernie Madoff do whatever he wants to do, because we are getting ready to limit the number of regulations the SEC can impose on Bernie Madoff, and we are getting ready to limit their budget to enforce the regulations that they have.

Friends, that does not compute. It does not compute with Members of this House, and, I will tell you, it will not compute with the American public.

This is a simple debate: Do you allow the private sector to do whatever they want to whenever they want to in whatever circumstances they want to so that we can be back in another economic chaos like we had for the last 2 or 3 years, or do we have some reasonable regulations and reasonably fund the ability of the regulators to enforce those regulations? That's what this debate is about.

I don't know what Mr. MILLER was talking about. I don't know how this relates to Fannie and Freddie. It doesn't. Everything in our committee seems to relate to Fannie and Freddie.

But this is about how we are going to regulate these stock transactions. And if you reduce their budget and reduce their ability to regulate, I guarantee you, we will be out of control. It does not compute.

Mr. HUIZENGA of Michigan. Mr. Speaker, I yield 2 minutes to the distinguished freshman from Ohio (Mr. STIVERS).

Mr. STIVERS. Mr. Speaker, I thank the gentleman for yielding.

Our focus this Congress should be on supporting job creation. I would like to refocus this debate a little bit, because I support a pretty simple proposition when it comes to regulation, and that is the benefits of regulation should exceed the costs.

Last week, in Worthington, Ohio, I heard from over a hundred small business owners at a local chamber of commerce. They are worried about uncertainty. They are worried about limited transparency in this current regulatory environment, and it causes them to slow down on job creation and it stifles our economy.

Over the past couple of weeks, the House committees have had hearings on jobs, including the Financial Services Committee, that talked about job growth. We discussed the need to compare the benefits of the costs of regulation to those benefits even with the independent agencies. Experts suggested that we review overly burdensome and duplicative regulation, which hurts access to capital and job growth.

I believe the Office of Management and Budget should be required to analyze the tradeoffs between proposed regulations and what they have on affecting job creation, economic growth, innovation, and competitiveness.

We must ensure that our new Federal regulations don't interrupt consumers' ability to obtain credit, or prevent small businesses from adding jobs or hindering economic growth.

□ 1840

Ms. WATERS. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. MEEKS), who also serves on the Financial Services Committee.

Mr. MEEKS. I thank the gentlelady from California.

You know, I have been listening to the debate in my office, et cetera, and I agree with my colleague MEL WATT. Sometimes we get confused, I think. Maybe if we can just break this down to the common denominator.

I used to be a prosecutor, and I asked the following question: If a burglar breaks into your house and steals your life savings, do you then go to the police department and ask the police department to have the investigator or someone there so you can try to find out who did it or put in measures to prevent it from happening again, because you ask him to look to see how they broke into your house, what they did, how can you fix it? Or do you say, we don't need a police department. Forget having the police department,

so that other people's homes can be broken into also. That is really what we are talking about here.

So in the aftermath of the largest crisis of our lifetime, a crisis that not only wiped out trillions of dollars worth of investments and savings but led to the exposure of what we talked about, the Ponzi schemes and crimes perpetuated against the American people, it is imperative that we don't handcuff the people who can look and put in preventive measures and make sure that we don't have this catastrophe again.

The amount of money that the SEC and the CFTC are requesting, \$160 million, is less than we spend a day in petroleum marketplaces, in Baghdad or Kabul. We all agree, in this argument comes in, everybody knows that government needs to tighten its belt. But indiscriminate cutting across the board is not only absurd, it is dangerous. Reducing funding for the SEC and the CFTC is irresponsible and will lead to additional Madoffs in the future. I think that we owe the American people much more than that.

What we are simply talking about here is making sure that those individuals whose responsibility it is to make sure that we don't get in this predicament again, that people don't lose their life savings, have the resources that are necessary to do it. That is what we are talking about.

So I would urge that we not cut, but give the amount of money that is requested by the SEC and the CFTC, because I think that is what the American people would expect of us as being Members of the People's House, taking care of them and making sure that their life savings are protected.

Mr. HUIZENGA of Michigan. Mr. Speaker, I yield 5 minutes to the distinguished freshman from Illinois (Mr. DOLD).

Mr. DOLD. Mr. Speaker, I am a small business owner. I own and operate a business. I employ just under 100 people. For me, that is 100 families. One of the reasons that I am here today is I decided the government was making it harder and harder for me to put the key in the door and open up my business every day, and it should be quite the opposite.

We need regulation. I am going to agree with my colleagues on the other side. We need regulation, but it has to be smart regulation. H. Res. 72 finally gives the American public, employees, consumers, businesses, and families a bright light at the end of what is a very dark and long regulatory tunnel. And while we agree that many regulations are there to safeguard the American public, this resolution will simply require that House committees review these government regulations.

While doing so, each committee will identify each regulation's effects on jobs and economic growth, and, more specifically, ask certain sets of fundamental questions, including, will the proposed regulation impede private

sector job creation? That is the number one goal right now, to try to create jobs. Will the proposed regulation discourage innovation and the entrepreneurial spirit? Will the proposed regulation harm economic growth and investment? Will it harm America's global competitiveness? Will the proposed regulation limit access to credit and to capital? Will it create economic uncertainty?

Unfortunately, for years, many in the Congress and regulators have simply ignored these questions, with devastating results for job creation.

Mr. Speaker, in our global marketplace we must ask, analyze, and debate the questions contained in this resolution if we are serious about creating an environment where private sector jobs are created.

Unfortunately, in the past we had multiple massive bills with thousands of pages of legislative text written and jammed through the Congress without meaningful debate, without transparency, and without opportunity for most Members to actually read and to analyze the mountain of legislation, creating countless regulations, rules, studies, and commissions. How can we possibly expect businesses to invest scarce capital in new equipment, in new research, in development, in new product lines, in new marketing programs, maintaining existing jobs and new initiatives, when our regulations are paralyzing businesses and entrepreneurs with a tremendous amount of uncertainty?

I hear back in my district all the time from those that are trying to create jobs. A good example of the regulatory environment is a small business in the 10th District back in Illinois, Learning Resources, whose sole mission is to provide better resources for teachers and students to learn more easily.

Learning Resources has suffered along with its current employees, and I would argue potential employees and their families, because of undue burdensome regulations. Their regulatory compliance costs have increased ten times, 1,000 percent, in just the last 5 years, even though the company has not had any safety issues or any problems during that time or the years prior to. With unduly burdensome regulations, jobs have been lost, business expansion opportunities have been cut short, employee benefits have been shaved and consumer prices have been artificially inflated.

The Small Business Administration estimates that a total regulatory compliance cost imposed on American businesses amounts to over \$1.75 trillion each and every year. This is nearly twice as much as all individual income taxes collected each year. This takes away from productive investment and growth.

We live, Mr. Speaker, in a global marketplace where businesses and capital are mobile, where businesses and jobs gravitate to where they are most

welcome, where customers can easily choose to buy goods and services from businesses based anywhere in the world. We want those businesses and those jobs here in the United States. We want businesses to innovate. We want them to make sure they are welcome here in our borders. We have to create, however, an environment where they can grow and they can thrive.

H. Res. 72 is good for individuals, for families, for employees, for businesses. It is good for our government, and it is good for our Nation, and I would respectfully urge my colleagues on both sides of the aisle to support its passage.

Ms. WATERS. Mr. Speaker, I yield 3 minutes to the gentleman from Connecticut (Mr. HIMES), who also serves on the Financial Services Committee.

Mr. HIMES. Mr. Speaker, we have on this side spoken tonight at some length about a dangerous and poorly thought out effort on the part of the majority to underfund and gut the financial services regulatory apparatus that was established in the 1930s, which, yes, failed us in the last couple of years. And let's be clear: There is a legitimate tension between the amount of regulation which creates stability and confidence in a system and that which puts undue burden on the vigor of the private market. But this effort is wrong-headed.

Let's look at the SEC. The mission of the SEC is to protect investors. The notion that we should gut the funding of the SEC is anti-free market, it is anti-jobs and it is anti-growth, because we must protect those investors who take their savings and write a check and put it in the mail to a company in some town they have never visited, in a fund that they don't fully understand, because they know that there is a cop on the beat.

The families who write those checks, that is not just money. That money is a college education, it is a secure retirement, and they do it because they have faith. They have faith that there is a cop on the beat, that whoever takes that check is closely watched, that they are responsible and prudent. This is the fundamental aspect of our vigorous economy—that families and pension funds invest. We have efficient and vigorous capital markets because of faith.

Let's look at the lessons that have been learned in the last couple of years. It wasn't that the SEC was somehow complicit in what happened.

□ 1850

Yeah, they fell asleep at the switch. They didn't perform any better than a myriad of other organizations. But, if anything, the lesson is that the SEC was outgunned, underfunded, and needed help. And the effort of the majority now is to further underfund and gut that agency. It's particularly wrong-headed because the SEC pays for itself. In fiscal year 2012, the SEC will be budget-neutral. Why do this? Why risk the faith of the investors that are at the very heart of our system?

We hear a lot about uncertainty; there's so much uncertainty. Imagine the uncertainty for American families and pension funds and savers and small businesses if they need to send that check without knowing that there's a cop on the beat.

Mr. Speaker, we've seen this movie before. When the SEC was established in the 1930s, the Republicans at the time said this would be the end of capitalism. It would be the end of the free market. It would crush the U.S. economy. Instead, putting in place a well-balanced and vigorous regulatory apparatus led to 60 years of the most aggressive and intense economic growth human history has ever seen—because people had faith in the system.

Ms. HAYWORTH. Mr. Speaker, may I inquire how much time we have remaining?

The SPEAKER pro tempore. The gentlewoman from New York has 9 minutes remaining, and the gentlewoman from California has 5 minutes remaining.

Ms. HAYWORTH. Thank you, Mr. Speaker.

I yield 2 minutes to the gentleman from Virginia (Mr. HURT).

Mr. HURT. I thank the gentlelady for yielding.

I rise today in support of House Resolution 72.

The greatest challenge facing this new 112th Congress is our responsibility to support policies that foster an environment of economic certainty and that will provide businesses in Virginia's Fifth District and across this Nation with the confidence necessary to hire and expand once again.

It was refreshing to spend last week meeting with constituents and businesses in the Fifth District. People and businesses continue to struggle, and it is clear that job creation remains the top priority for the people that I represent. As I have talked to these same job creators and constituents over the past years, it is equally clear that access to capital is the lifeblood of Main Street business. It is also clear that the overregulation represented in Dodd-Frank will make it increasingly difficult for capital to be available so that our small businesses can succeed and hire new employees.

My constituents believe that we must rein in the size and scope of the Federal Government by removing unnecessary regulations for our job creators. House Resolution 72 will begin this process in a deliberative and thoughtful manner as it directs our committees to review Federal regulations and assess their negative impacts on our economy.

As a member of the Financial Services Committee, I look forward to working with the chairman and my colleagues as we conduct a close review of the regulations that are hindering job creation and economic growth for the people of the Fifth District and our Nation.

I urge a "yes" vote on House Resolution 72.

Ms. WATERS. I reserve the balance of my time.

Ms. HAYWORTH. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. HUIZENGA).

Mr. HUIZENGA of Michigan. Mr. Speaker, I rise today in support of House Resolution 72, which would direct the Financial Services Committee to conduct an inventory reviewing existing, pending, and proposed regulations that impede job creation and economic growth. Once again, my colleagues on the other side of the aisle are afraid of the answers that they will find when we shine the light of truth on what these regulations do.

As Members of Congress, we need to work with job creators to help create an atmosphere in our country that will foster job growth, particularly within the small business community. Simply put, the private sector, not the public sector, creates prosperity. We don't need more government or a bigger one. Last year alone, the executive branch issued more than 3,000 new rules and regulations which their own Small Business Administration reports will cost businesses over a trillion dollars.

Both sides of the aisle agree that small businesses are the backbone and the engine of the economy and provide more than two-thirds of all American jobs. As a small business owner, I know firsthand how Federal regulations can choke small businesses. The average small business with less than 20 employees faces an annual cost of \$10,585 to comply with a myriad of Federal regulations per worker they employ. For my small gravel company that employs two full-time workers, including a gentleman who's worked for my grandfather, my father, and myself, that equates to more than \$21,000 that I have to spend towards compliance—money that I could be using to invest in much-needed new equipment.

Last month, the Bureau of Labor Statistics reported that the national unemployment rate fell from 9.6 percent to 9.4 percent. This drop is due largely to people who have simply stopped looking for work. In some areas of my district, the Second District in Michigan, that number is nearly double the national average.

I believe there are some universal principles of successful businesses that Congress could work on to help grow our economy again. For government, that means creating an atmosphere for success through a reasonable tax and regulatory environment.

Ms. WATERS. Mr. Speaker, I would like to engage my colleague, Mr. HIMES, in a colloquy for the balance of our time.

I appreciated the comments that you made just a few minutes ago, but you alluded to the length of time that we have organized the SEC and some protections and what happened, the kind of growth we had, but now things have changed somewhat and the oversight responsibility is a little bit more complicated and a little bit more difficult.

What did you mean by that?

Mr. HIMES. I thank the gentlelady from California for that question.

If you look at when these regulatory bodies were established in the 1930s and you look at the volatility and the growth that happened in the next 60 years, volatility was way down and growth was way up, and the American middle class took hold because they had confidence in the system. They knew that their investor dollars would be protected.

Then we began in the early nineties, policymakers from both sides of the aisle, to dismantle that regulation, to take the referee off the field. And so we find ourselves where we are today—uncertainty, a financial crisis meltdown—at the very moment when the technology, the flash trading, the complicated securities are bewildering in their complexity.

Now is exactly the wrong time to be gutting the SEC. We do that and people lose their confidence.

Ms. WATERS. I want to ask you, is it true that the average investor—I'm not just talking about the big institutional investors, but the average investor understands the complication of this? Do they expect that we understand it and we're going to regulate it, we're going to watch out for them? What does the average investor know about the system?

Mr. HIMES. The average investor, the mom and pop, the widows and orphans funds, they're not necessarily financially sophisticated. They need somebody looking over the shoulder of those that are selling them stock, selling them bonds.

The institutional investors that you're talking about, of course, in many instances, are exempt from regulations by the SEC. They're deemed to be sophisticated, so they can participate in private placements. They can use 144(a) or reg D to make investments.

But our individual investors who are so important to this economy need somebody looking over their shoulder and protecting them from snake oil salesmen and deception and poor disclosure.

Ms. WATERS. We heard on several occasions here today the tremendous oversight responsibility given all of the capital markets that have to be monitored, that have to be regulated. What do we need to do to make the SEC stronger? We've gone through this meltdown. We've have gone through this crisis. The American people expect something to happen. What do they need in order to be good overseers, good cops?

Mr. HIMES. In a more complicated and sophisticated financial world, the SEC must be faster. It must be more efficient. It must hire people who really understand the markets. It must be more robust, and it should be held accountable. One thing it should not be and cannot be is underfunded and weak, which is what the proposal of the majority would do to it.

Ms. WATERS. Thank you very much.

Mr. Speaker, at this point I would yield the balance of my time to the gentlewoman from New York (Ms. HAYWORTH).

The SPEAKER pro tempore. Without objection, the gentlewoman from New York will control 1 additional minute.

There was no objection.

□ 1900

Ms. HAYWORTH. I yield myself 2 minutes.

Mr. Speaker, in New York's 19th District, our employers and small businesses and community banks tell me costly regulations are crushing economic growth by discouraging investment and expansion, by creating uncertainty in the marketplace, and by delaying hiring. We can all agree that some commonsense regulations are good, but excessive government rules and regulations are bad.

On the Financial Services Committee, we know, from reporting requirements in Sarbanes-Oxley to countless excessive new regulations in Dodd-Frank, the Federal Government is sending a message to our financial institutions—an industry vital to my home State of New York. The message is: you aren't welcome here.

The United States is currently the financial capital of the world. Our capital markets must be vibrant, and we must foster an environment that promotes growth and attracts enterprise. If we fail to do that, we will see an exodus—and that threat is very real—to nations like Singapore and China, which appreciate the opportunity a healthy financial industry brings.

What a shame, because the American people want to go back to work. They want jobs. Burdensome, costly, and unnecessary regulations must be eliminated; and we must trust and empower our enterprises and our entrepreneurs and our small businesses and community banks and our employers. By supporting the resolution, we will start America on the path to creating jobs and prosperity for our citizens in New York 19 and our Nation. They deserve it.

Mr. Speaker, I yield the balance of my time to the gentleman from Alabama (Mr. BACHUS).

The SPEAKER pro tempore. The gentleman from Alabama is recognized for 4½ minutes.

Mr. BACHUS. Mr. Speaker, what we are talking about is the size of the Federal Government and the size of our regulations.

In the last 4 years of our Democratic Congress, which took power in January of 2007—and I will remind everyone that that was prior to the financial crisis—our national debt doubled in that period of time. In other words, we have incurred more debt in the past 4 years under a Democrat Senate and a Democrat House and in the last 2 years under a Democrat President than we had in the 220 years before. We are talking about a record national debt of

\$14 trillion. We are talking about a growth in the size of the Federal Government which in 10 years will absorb every dollar and every dime and every penny generated by our economy.

Now think of such a thing—every dollar being spent by the Federal Government.

You have to ask yourself: With record deficits and record debt, don't we have too much Federal Government? Don't we have more government than we can afford? Don't we have more government than we need?

So I think it is entirely fitting for us to look at each government program and ask ourselves: Is there a benefit from this program? Is there a cost to this program? Does it eliminate jobs?

If you will go through a list of comments that people have made to these regulations, you will see comment after comment after comment: this regulation will cost my business this much money. This regulation will cost this much money. I won't be able to create a job.

So the government is spending record amounts of money. Yet it's adding to the cost, not only to the taxpayers, but to the cost for them to earn a living themselves.

Our Secretary of Defense, a member of the administration, has warned—he said that this country's dire fiscal situation and the threat it poses to American influence and credibility around the world will only get worse unless the U.S. Government gets its finances in order. He actually says that our financial situation is affecting our credibility, and that's absolutely true. Didn't we see Japan's sovereign debt downgraded recently? Standard & Poor's has said, if we don't act, our debt will be downgraded.

We talk about foreclosures. If our credit rating goes down, can you imagine the wave of foreclosures, the wave of job losses? We talk about foreclosures. What causes foreclosures? Most of it is job loss. We have testified here today—and we will tomorrow—that this regulation will cost jobs. You talk about foreclosures. Regulations that cost jobs cause foreclosures. It's that simple. We talk about the State and local governments not having tax revenue. When people lose their jobs, they don't pay the State; they don't pay the city; they don't pay the Federal Government. They can't. Yet we continue to add cost and job-killing regulations.

Admiral Mullen, our own chairman of the Joint Chiefs of Staff, said this: Our national debt is our biggest national security threat.

What does it take for us to finally realize that we are putting our country in jeopardy? We for 224 years have lived and enjoyed an independent democracy, a Republic, but we are threatening that by our inability to say "no," by our inability to say "no" to more Federal Government.

Ladies and gentlemen, the answer is not growing government. It's turning the private sector loose.

Mr. HASTINGS of Washington. I yield myself such time as I may consume.

Mr. Speaker, gasoline prices are rising, and we have near double-digit unemployment. The Obama administration should be doing everything within its power to spur economic growth and to create new jobs. Unfortunately, they have not.

This administration has chosen to impose regulation after regulation and policy after policy on American businesses that impede their potential growth and thus impede our economic recovery. Many of these regulations delay or flat out prevent Americans from responsibly developing our own natural resources. They block access to American energy; they block access to American minerals; they block access to American water supplies; and they block access to American forest products.

By their actions, this administration is jeopardizing our economic competitiveness. This jeopardy is making America more reliant on foreign countries to meet our everyday needs.

Mr. Speaker, I don't believe Americans are content with locking up our valuable resources.

□ 1910

I don't believe Americans are content with sending American jobs overseas, but that's exactly what these regulations and policies are doing.

President Obama says that he wants to eliminate regulations that are strangling businesses. That's noble, but this appears to be one more example of his rhetoric not matching his actions. The rules and regulations imposed by the Obama administration have allowed the Federal Government to insert itself in places that it's never been and, frankly, doesn't belong. Let me give you several examples.

First, burdensome regulations are being used to restrict access to American energy production on public lands, both onshore and offshore. Last year, new rules were imposed for onshore lease sales that have significantly decreased energy production throughout the intermountain West. Offshore, the administration continues to impose a de facto moratorium on drilling in the gulf and has yet to issue a single deep-well permit since last April. President Obama's de facto moratorium has put thousands of Americans out of work.

These regulations are not only impeding oil and natural gas production but also renewable energy such as wind and solar. Why? Because these regulations will restrict renewable energy development to only a tiny, tiny fraction of our public lands.

Second, the Obama administration is aggressively pursuing sweeping new changes to mining regulations. These regulations—Mr. Speaker, let me repeat this—these regulations, by their own admission, will cost thousands of American jobs and decrease American energy production in 22 States.

Third, the Obama administration has reversed a long-standing legal agreement and moved to establish a new "wild lands" policy that will further restrict public access to multipurpose public lands. This backdoor approach will prohibit many popular forms of recreation and severely restrict job-creating, energy-producing activities. By creating de facto wilderness, the administration is circumventing Congress' sole authority to establish wilderness areas.

Fourth, the President has signed an Executive order establishing a new National Ocean Policy and Council that could severely restrict recreational and commercial use of our oceans. This policy establishes mandatory marine spatial planning, otherwise known as ocean zoning. The reach of this policy may stretch far inland, extending to potentially all rivers, tributaries, and lands that drain into the ocean.

Fifth, the Environmental Protection Agency has allowed questionable science to be used to impose regulations that could end the use of vital farm crop and tree protection products. This will cost jobs and adversely impact trade of our agricultural products.

And last, Mr. Speaker, but certainly not least, the Obama administration has supported withholding valuable water from communities in California's San Joaquin Valley, prioritizing the needs of a 3-inch fish over thousands of workers and their families. This Government and manmade drought caused hundreds of thousands of acres of fertile farm land to dry up, and that has resulted, Mr. Speaker, in an unemployment rate that exceeds 40 percent in that area.

So this is just one example of how the implementation of the Endangered Species Act, which I might add hasn't been reviewed for almost 20 years, is being used to block or delay job-creating projects. Mr. Speaker, the goal of the ESA was to conserve key domestic species, but today, unfortunately, it's being used by special interest groups to file lawsuits and drain resources away from the real recovery efforts of those species.

The National Environmental Policy Act, or NEPA, and other environmental regulations are going far beyond their original intent, and they, too, are being used to place unnecessary and costly burdens on economic development projects throughout the country. NEPA has become a tool for litigation, sometimes resulting in decades worth of delays before a project can move forward.

The list of burdensome regulations and policies go on and on, and what I have described just scratches the surface. American businesses are struggling to keep their doors open. Rural communities who depend on these resources are feeling their livelihoods threatened. And American families, many of whom are already finding it difficult to make ends meet, are paying more for everything from gasoline to fruits and vegetables.

A clean, healthy environment is a priority for all Americans. But an equal priority is a Federal Government that sets sensible rules that provide clarity, certainty, and allow job-creating initiatives to move forward in a timely, efficient manner.

The Obama administration needs to exercise common sense. Spending more money and imposing new rules will not lead to economic recovery. Businesses and communities need relief from these top-down policies that are costing American jobs.

The Natural Resources Committee and all of its subcommittees will be conducting thorough oversight of the Obama administration policies, taking a close look at how and why decisions are made. So, Mr. Speaker, I fully support this resolution, and Republicans on the Natural Resources Committee are committed to promoting policies that will reduce spending, strengthen the economy, and create American jobs.

I reserve the balance of my time.

Mr. MARKEY. I yield myself 5 minutes.

This is a very important debate because it goes right to the very heart of what is needed in order to ensure that we provide the proper protections for families across our country, from the despoliation of the environment and all the public health and safety and environmental catastrophes that then can affect American families.

I have here a picture of the Deepwater Horizon in flames as it's about to go to the bottom of the ocean. This is what happened because of deregulation. This is what happened when regulations are not applied and enforced in a way that ensures that the public health and safety is protected, the greatest environmental disaster in the history of the United States, devastating the lives of 11 men and the livelihoods of millions of people in the Gulf of Mexico. This is the legacy of what happened during the Bush administration, a ticking timebomb that exploded across our country, leading to this environmental catastrophe.

The same thing, by the way, is true in our financial marketplace where, in the Bush years, they turned a blind eye to obvious problems with derivatives, obvious problems with chicanery inside of the financial marketplace, a ticking timebomb that exploded, that has wreaked havoc on millions of Americans, losing their home, their jobs.

When George Bush left office, the Dow Jones industrial average at 6,400, 6,400, after 8 years in office. That's what George Bush left in office, by turning a blind eye to the kinds of regulations that it needed there to protect the lives of families. Today, with Barack Obama on the job, with a Securities and Exchange Commission doing its job, the Dow is now over 12,000, almost doubled, because people have confidence in the regulations. They can trust their money in the stock market once again. That's what happens when

regulations are there to protect ordinary people.

Now, what is their proposal? Their proposal is to take the Environmental Protection Agency and to turn the Environmental Protection Agency into every polluter's ally. They're going to bring a bill out here onto the House floor that says they're going to repeal the ability of the EPA to improve the fuel economy standards of the vehicles which we drive, to ensure that regulations are on the books that we have renewable fuels that we develop here in the United States, not imported from OPEC.

The result of that bill that they're going to bring out here on the House floor in the next 2 weeks? Some 5 million barrels of oil per day that otherwise would be backed out, that we would not import from the Middle East, will now have to be imported. At \$100 a barrel with 365 days in a year, we're talking about \$162 billion a year that the American consumer will have to send to the Middle East because they do not want to regulate.

□ 1920

They do not want to ensure that the efficiency of the cars which people drive, the amount of pollution that comes out of those cars, they say, is too high a price to pay. While here as we watch Egypt explode, Tunisia explode, other countries in the Middle East on the verge of having the same kind of explosions, this kind of environmental, this kind of safety protection that we put on the books enforces the need for us to ensure that we do not allow for the repeal of these environmental and safety protections. That's what this debate is all about.

This is the same kind of war on the environment that we saw during the 8 years of the Bush administration. This is the result of that, ladies and gentlemen. And that's where they're going to take us if we have this wholesale destruction of this environmental and safety regime which has been put on the books in order to protect the American public.

At this point I ask unanimous consent that all time on the resolution be yielded back and that H. Res. 72 be adopted so that we can move on to consider legislation to create jobs in our country, which is really what we should be debating out here on the House floor.

The SPEAKER pro tempore. Does the majority manager, the gentleman from Washington, yield for the purpose of that unanimous-consent request?

Mr. HASTINGS of Washington. I do not.

The SPEAKER pro tempore. The gentleman does not yield for the purpose of that request.

Mr. MARKEY. Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the chairman of the Indian and Alaska Native Affairs Subcommittee,

the gentleman from Alaska (Mr. YOUNG).

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. I thank the gentleman.

I have a prepared statement here and I'll probably use some of it. I can't help but answer the gentleman from Massachusetts, who has never supported at any time, has never supported in any way, any energy development in this country. He was against nuclear power many years ago. He is still against it. He was against solar power and then since it is wind power in his State. And he's against, very frankly, any fossil fuel development. And depending on his so-called make-believe wind power, make-believe solar power, in the meantime, we're buying oil from overseas. And you know that.

The EPA, very frankly, is part of the problem. I am the chairman now of the American Indian and Alaska Natives and their lands can't be developed because of EPA. The Navajo Nation had a coal plant. They had the coal. They had the financing. And the Obama administration says, no, you can't do that through the EPA, through the Fish and Wildlife, et cetera, and they lost the financing for a coal project because they don't believe in coal. We have a trust relationship to the American Indians. And to have other agencies within the government say, "No, you can't do it, you stay right where you are" is wrong. They have the highest potential of energy of any land mass in this Nation and they're precluded from development because of regulations.

EPA just came out—I mentioned this earlier today—with a new concept of a regulation for dairies. This is your government, the Obama administration. And, by the way, thank God for George Bush. They're still blaming him for everything. But if I remember correctly, Horizon was done under the Obama administration. If I remember correctly, it was his Minerals and Management agency that wasn't doing their job. There were enough regulations in place. They weren't doing their job. If I remember, that's correct. George Bush was out of office.

But EPA now comes out with a new regulation under the oil spill liability where we develop oil that the moneys will be put aside for a cleanup, of which I support, but there are new regulations because they want to regulate the dairies of our Nation today. Mr. and Mrs. America, keep in mind, they want to regulate the dairies today because there's fat in the milk. Fat in the milk. And they want to have each cow be charged \$600 per lifetime of that dairy, put aside in a fund to clean up spilt milk. That's your EPA and regulations. Remember, the term "don't cry over spilled milk" is going to cost you money now. That's the government regulations. I can go on and on what they've done to American Indians. They don't allow them to develop

their resources. There's a paternalistic type of society they have today. And I'm saying here as chairman, we are going to develop those resources in the nations that they are. That's our responsibility as a Congress. And to preclude that because of actions of regulatory agencies is dead wrong.

I am asking my colleagues to remember this. Every committee should be looking at every regulation. You want to balance this budget?

The SPEAKER pro tempore (Mr. CULBERSON). The time of the gentleman has expired.

Mr. HASTINGS of Washington. I yield the gentleman an additional 15 seconds.

Mr. YOUNG of Alaska. By the way, 1,600,000 laws on the books today were never voted on by anybody. Not ever voted on. It costs \$1.01 trillion a year to implement those regulations. You want to balance the budget? Eliminate those regulations and you can balance it in 13 years. We could have industry again.

I'm just saying this is a good idea. Let's pass it.

Federal policies and regulations stand in the way of economic progress and free enterprise for all Americans, but the problem is especially bad in Indian Country.

Indian reservations have the highest rates of unemployment and poverty of any comparable areas in America.

These statistics are astounding when you consider that tribes own an estimated ten percent of the Nation's energy potential.

But so many tribal lands lie vacant and unused.

The problem is that development of Indian land is based on outdated, paternalistic Federal laws and policies.

Let me describe a few examples of these laws and policies.

We have the Long-Term Leasing Act . . . a 56-year-old statute that restricts most Indians from leasing their property for more than 25 year terms. In some cases this has prevented tribes from constructing new homes.

There is the National Environmental Policy Act, a law routinely used to delay and stop the use of lands reserved exclusively for tribes under solemn treaties with the United States.

The Endangered Species Act has become the weapon choice by special interests seeking to harm tribal development.

And then we have the Environmental Protection Agency, the Fish and Wildlife Service, and the Bureau of Indian Affairs. One of the first acts of the Obama Administration was to have these agencies stop the Navajo Nation from building and operating a 1,500 megawatt power plant on its reservation.

The project would have created thousands of good jobs on a reservation with 50 percent unemployment, generating \$1.5 billion over 30 years for the tribe's treasury.

Thanks to our government, the tribe is not allowed to create jobs for its citizens or produce power for millions of consumers.

This is wrong.

Tribes are caught in a Catch-22. They have over 50 million acres of land pursuant to treaties and Acts of Congress, but the catch is they can't use them without permission of Washington, DC.

Tribes are suffering from 19th-century Indian policies, and the result is a continuing Great Depression across many reservations.

Fortunately, a number of tribes have taken control of their resources from Washington, DC. They have proven to be outstanding stewards of their lands while providing huge energy resources needed by the country.

The Subcommittee on Indian and Alaska Native Affairs is going to study the accomplishments of these tribes. We will consider changing outdated laws and policies that stand in the way of tribal economic development.

I look forward to the Subcommittee making progress—on a bipartisan basis—to create more tribal opportunity, and more tribal freedom from outdated Federal laws.

These sort of harmful regulations are not unique to Indian Country. For example, my Alaska fishermen are faced with similar crippling stupidity.

EPA now requires fish processing vessels operating in the Bering Sea to take water samples which are then tested at such a high resolution level that the tests cannot be performed by any labs in Alaska. The samples have to be sent out of Alaska at great expense.

To make matters worse, the test are required to be so precise and to such an unrealistic resolution level that if a technician has mercury amalgam fillings, his breath could alter the result.

In another instance, EPA is requiring complex seafood processing permits and gear for Alaska's small freezer troll fleet.

These folks only catch about 1,000 pounds of fish a day. They have 45-foot fishing boats and one or two deck hands—they fish with hook and line and clean their fish immediately. They toss fresh fish heads right back into the waters they came from—one at a time, and EPA wants them treated like a big factory ship. This is preposterous!

Again, this Committee will examine these issues and take steps to remove these foolish regulations that are stopping the production of new wealth.

Mr. MARKEY. Mr. Speaker, I yield 5 minutes to the gentlelady from California (Mrs. NAPOLITANO).

Mrs. NAPOLITANO. Thank you, Mr. MARKEY.

Mr. Speaker, I'm listening to the debate, and I can relate to a lot of what is being said.

I am going to speak to the issue of water and the role it plays in our local economies. We've been working steadfastly with my colleagues on the other side, although sometimes I don't think they buy into some of the issues that we're trying to push forward, the water recycling, water conservation, water efficiencies that create, not paper water, that is paper on ledgers, but real water that create jobs because of what it does in the local communities.

When we refer to the ESA, I sat through many a hearing with Mr. Pombo on the Endangered Species Act and I can tell you that protecting domestic species is one of the ideals that we have in this great country of ours. Species. Fish. Species. Man. When is our turn? That's one of the things that we look towards to protect the Amer-

ican public, the ability for us to ensure that whatever is delivered to them, whether it is food, transportation, water, anything, that it is going to be safe not only for people but for other species.

The Bureau of Reclamation's WaterSMART grants and title XVI projects, which is water recycling, are locally initiated and fully supported and are an important part of our water supply solution. These projects create in our areas and have in the past many jobs which allow communities to sustain their economic growth while producing potable water, or water for agriculture, through real efficiencies, conservation and water recycling.

The Bureau of Reclamation created 62,000 jobs and supported through funding in 2009 through all their programming, including title XVI, and it has already awarded over \$93.2 million in Federal funding for 235 WaterSMART grant projects in 16 western States from 2004 to 2010. These projects will conserve approximately 705,000 acre-feet of water per year when fully constructed at an approximate cost of \$132 per acre-foot. Currently it runs anywhere from \$300 to \$1,500 in Arizona in some areas. Title XVI projects have produced an estimated 260,000 acre-feet of real, pure water in 2010.

Please, ladies and gentlemen, speak to your local water agencies; ask how critical projects in your communities, their funding, create jobs, local jobs, and create water so badly needed especially during times of drought, and Mother Nature does have drought cycles upon us in the United States. Real water and jobs are created through conservation, not by talk or conversation about regulation. We must support projects to conserve water, to conserve our communities and thereby create jobs.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Utah (Mr. BISHOP), the chairman of the National Parks, Forests and Public Lands Subcommittee.

Mr. BISHOP of Utah. Mr. Speaker, last year the Senate and House Western Caucus produced a document that was entitled the War on Western Jobs, in which we discovered 10 areas in which regulations from this administration and past administrations have created specific problems and specific loss of jobs to the West.

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The Bureau of Labor Statistics has said that the West has the highest regional unemployment for the past year; that, indeed, six of the top 12 States that had the largest decline in employment-to-population ratio since the recession began were found in the West. Three of the top five States showing the most stress were found in the West, and Washington's misguided policies were making the matter worse. Whether it was in the areas of energy

use, takeover of water, domestic energy mandates, prioritization of species, multiple use on national forests, overregulating, seizing Western lands, bureaucratic overreach, all 10 of those areas illustrate the problems that we face in the West.

In Western public lands, it is essential to have a resource management plan. It is an effort where professionals on the ground were able to come up—in the case of Utah after 6 to 10 years of planning—following the law, including the public process to come up with a policy and procedures for our plans, all of which have been turned upside down by arbitrary regulations coming out of the Interior Department here in Washington.

Let me give you simply two examples: an arbitrary decision that made a restrictive new regulatory framework for U.S. oil shale. The U.S. Geological Survey said in a 16,000-square-mile area of Utah, Wyoming, and parts of Colorado, they estimate at least 2 trillion barrels of oil shale—that is equal to what Canada is enriching themselves through their tar sands proposal—were available and experimental programs were moving forward until a regulation stopped it. The estimate: a potential loss of 100,000 jobs and \$1.9 trillion to the GDP of this country was lost in that particular project.

The day after the last day of our lame duck session, the Secretary of the Interior, using questionable authorities, created a new or announced a new wild land policy which, once again, stopped those management plans in their tracks.

The result of that, let me simply give you one example: one company in two counties of my State, having 300 high-paying jobs, that had been working for 3 years with leasing and environmental review process with the BLM, within hours of that wild lands announcement, special interest groups recommended the area they were working being managed as wild lands; and their leasing process was delayed indefinitely for a potential wild lands inventory, despite the fact that this entire area consists of 800 drill holes with cement casings, roads, man-made Earth berms, and every other sign of man that would be prohibited if it was a wilderness designation.

Local governments desperately need those management plans because they provide the consistency for business to understand that.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HASTINGS of Washington. I yield the gentleman 15 seconds.

Mr. BISHOP of Utah. Once again, in the West, thousands of jobs have been lost. Millions of dollars that should be going to schools on trust lands have been lost. Billions in capital investment have been lost because of this war on the West through regulation. It's time to end the war. It's time to help the people out. I look forward to this process.

Mr. MARKEY. Mr. Speaker, I yield 5 minutes to the gentleman from Arizona (Mr. GRIJALVA).

Mr. GRIJALVA. Mr. Speaker, let me thank our ranking member, Mr. MARKEY, for the opportunity.

This resolution is, quite frankly, an unfortunate use of our time. Rather than discussing jobs proposals, we are discussing a resolution that is telling ourselves to do something we are already doing, which is the regulatory review. The majority is intent on talking about what they perceive the unemployment problem to be while spending no time at all attempting to work on some real solutions.

In the New West—and the chairman of our subcommittee, Mr. BISHOP, mentioned that—there is high unemployment. I would suggest that we need to look deeper than the regulatory issues that he pointed out. The West leads the country in foreclosures. Those were the manipulations of banks and mortgage companies and shenanigans that Mr. MARKEY called. And as a consequence of that, we lead the Nation in unemployed construction workers. We lead the Nation in unemployed labor. And that is a deregulated industry. So I would suggest that if we are going to use unemployment as an example, we look at the root problem of where our unemployment is in the West.

The Republican majority on the Natural Resources Committee seems to think that American people have to choose between healthy, vibrant national parks, forests, and public lands or jobs. If you ask them for their ideas regarding job creation, what you hear is that we have got to roll back existing environmental protections and open up the ever-expanding areas of public lands to unregulated, destructive resource extraction. This is a horribly false choice created by those who care more about increasing the profits for oil, timber, and mining companies than really about creating jobs. This is a false choice because with a little bit of forward thinking, we can create jobs that will not only provide people with paychecks but will actually improve our environment and the economy and at the same time take care of our public lands.

We have heard many examples from Members on this side of the aisle, and we will continue to hear that today, and I am proud to try to do my part as well. Yesterday I reintroduced, with the senior member of our committee, Mr. MARKEY, the Public Lands Service Corps legislation, H.R. 587. This legislation passed the House last Congress, and I am pleased to reintroduce it.

At the same time that we are facing high unemployment, we also face huge backlogs of labor-intensive work needed on national park lands, forests, wildlife areas, historic sites, and Indian lands. Years of inadequate funding have put land management agencies far behind on the vital maintenance work while infrastructure continues to crumble.

Our legislation would provide opportunity through three Departments: Interior, Agriculture, and Commerce; provide service learning opportunities on public lands; help restore our natural, cultural, and historic resources; train a whole new generation of public land managers; and promote the value of public lands. This legislation will modernize the scope of the corps projects to reflect the new challenges, such as climate change and adding incentives to attract new participants, especially from underrepresented populations.

By providing job training, by providing opportunity, we are providing people with a chance to succeed. I would suggest that as we talk about legislation and we talk about jobs, that we talk about job creation and not merely talk about the need for jobs but talk about the specificity, what are going to be the mechanisms and the techniques to put people back to work.

To use the misery of unemployment in this community as a reason to give away our natural resources is cynical at best. It doesn't create jobs; it doesn't protect Americans; and it doesn't empower our communities or protect our very valuable and cherished public lands.

And to do so, this bill begs the question. It does not talk. It does not specify what we need to do. It merely reiterates an ideology that says, no regulation. We've seen that history. We have seen its consequences, and I urge a "no" vote on this.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from Colorado (Mr. LAMBORN), the subcommittee chairman of the Energy and Minerals Subcommittee.

Mr. LAMBORN. I thank you, Mr. Chairman.

Mr. Speaker, under normal circumstances, the programs under the jurisdiction of the Energy and Mineral Resources Subcommittee bring in the second-highest revenue to the Federal Treasury, provide opportunities for American job creation, and contribute to our Nation's economic and national security. However, the Obama administration is crippling American energy and mineral production through restrictive new policies, rules, and regulations.

President Obama's de facto moratorium on offshore drilling in the Gulf of Mexico has left many thousands of people out of work. Since last spring, the administration has issued only a handful of new shallow water permits, and they have issued no new permits for deepwater leases. Why are no new permits being issued? The reason is simple: it's regulatory confusion. The administration is attempting to create new rules for oil and gas permitting and has repeatedly changed the rules and moved the goal posts on companies operating on both Federal lands and waters. Instead of thoughtful, reasoned

rulemaking that seeks public comments and engagement, the administration unilaterally directed the change of over 14,000 engineering requirements.

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The Louisiana Secretary of Natural Resources has said the changes would not enhance safety but, instead, “create a regulation with increased safety risks, mandates that cannot be met, and too many ambiguous and unenforceable requirements to count.”

This same regulatory uncertainty is happening all over the country. Take the Western United States. While the administration has announced that solar energy is one of its highest priorities, it has once again created tremendous regulatory confusion.

The new solar energy zones proposal, while potentially helping some solar development, has left dozens of major energy projects and many jobs with no regulatory path forward.

The regulatory confusion on Federal lands is even worse for onshore oil and gas production. Rule changes and regulations have cost billions in lost investments in the West. In my home State of Colorado, there’s been nearly a 90 percent drop, a 90 percent drop in new leases on Federal land.

A recent study by the respected Western Energy Alliance has documented \$3.9 billion in investment that was diverted from the West in 2010 because of red tape and overregulation by the Department of the Interior. The Western Energy Alliance estimates this lost investment could have helped create upwards of 16,000 jobs in the West. And these are high-paying jobs.

The administration is now examining how to impose Federal regulations for the first time on hydraulic fracturing on Federal lands. This proposal would duplicate State permitting and create an unnecessary obstacle for American energy development.

Finally, no discussion of burdensome regulations would be complete without addressing the administration’s war on coal. Nowhere is this effort more evident than their effort to rewrite current surface mining rules. The current rule was the result of years of environmental review, public comment and hearings, and responsible rulemaking. The administration is now purposefully limiting public comment opportunities and rushing forward with a rule that, by its own admission, will cost thousands of jobs.

Even worse, the Obama administration recently pulled a permit 3 years after it was approved for a coal mine that was already hiring people. What sort of confidence can anyone have in an administration and its regulatory environment when issued permits can be stripped away at whim?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HASTINGS of Washington. I yield the gentleman an additional 15 seconds.

Mr. LAMBORN. Mr. Speaker, to conclude, this resolution asks us to focus on the impacts of restrictive regulations just like these, and that is what we plan to do. We will focus on how we can clear away these regulatory hurdles to create a path for energy security, lower energy prices, help for balancing our budget, and, most of all, more high-paying energy jobs for Americans.

Mr. MARKEY. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. As I listen to this debate this evening, Mr. Speaker, I find myself wanting to focus on jobs, but what I just heard makes my blood boil.

I was the Deputy Secretary at the Department of the Interior while the rapers and pillagers of the public land wanted all regulations to disappear. They wanted to have open hunting for minerals, for oil, for gas and coal on all public lands.

And you talked a moment ago about the pulling of that permit for that coal mine. They would, in that permit, level the hills of Appalachia, flatten them, ruin the streams, destroy, destroy, destroy.

The regulations are there for a reason. They are there to protect the precious environment of America. And if it is your intent to do away with those regulations, then know this: You will have a fight on your hands.

You will have a fight on your hands when you try to do away with the regulations that protect the men and women on those drilling rigs from the extraordinary accidents that happen in deepwater drilling.

But, my purpose here tonight is different. My purpose here tonight is to ask why it is that the Republican majority has spent 5 weeks, 5 weeks leading this Congress, and not created one bill that creates one job, not one. Five weeks, zero jobs. You ran on jobs. Where are your job bills?

Your regulations are hiding—this whole debate is hiding something, because, as we speak, here you are in the process of figuring out how to cut \$100 billion out of the Federal budget for the next 7 months.

What does that mean? It means that national parks will close. It means that the clean water people that came to my office today will have no money, no money to build the sanitation systems and provide clean water for their citizens in the rural communities that you were just talking about.

What is this about? This is about hiding the ball. This is about wasting our time. When we ought to be talking about jobs, instead, you are hiding a \$100 billion cut that will displace hundreds of thousands of workers in the next 7 months. That’s what this is about.

We’re talking about hiding the ball when it comes to the men and women that maintain those very places you talk about out there in the great western lands.

You’re hiding the bill about the cuts you are going to make to education, for the teachers that will lose their jobs, for the janitors, for the bus drivers, for those people that are now employed that will lose their jobs as you attempt to put those cuts in place.

This is about jobs. The Democrats are talking about jobs. We’re talking about making it in America. We’re talking about those solar projects. Yes, we’re talking about who’s going to win the next energy, the next energy systems for this world. It’s not coal. It’s not oil. It’s the green renewable energy and nuclear. That’s what we’re talking about on our side. We’re talking about how we can do that.

And you’re talking about wasting 9 hours of precious time on this floor doing what you’ve already done. You’ve already issued the edicts of what you are going to do in this committee. I received it 2 weeks ago. You’re going to explore this; you’re going to review that. Two weeks ago you told me, a new member of this committee, what you intend to do, and now you’re wasting our time on this floor when we ought to be talking about jobs.

We ought to be talking about China getting ahead of us on tomorrow’s energy, wind, solar, solar thermal, all of those things. But no, no, we’re going to talk about what you’ve already done. You did it 2 weeks ago.

Why are you wasting our time when Americans want jobs, when Americans want solid legislation like Make It In America, using our tax money to buy solar and wind equipment that is manufactured in America? Why don’t we talk about that?

Why don’t we talk about using our money, our tax money that we pay every day at the gasoline pump, about American-made buses and trains?

But no, we’re going to talk about regulations. You already have told us what you’re going to do.

Let’s talk about creating jobs. That’s what we ought to be doing here. We ought not be wasting our time doing what you’ve already done. You’ve told us what you’re going to do.

And, by the way, if you think for a moment you can do away with those regulations that are protecting America’s precious resources and lives, know this: You’ve got a fight. You’ve got a fight that you lost in the 1990s. You lost it in the 2000–2008 period, and you will lose that fight because we are about creating good, healthy jobs in America that do not destroy the American environment.

Mr. HASTINGS of Washington. Mr. Speaker, after hearing the last gentleman, I yearn for these open rules we’re going to have.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind all Members to direct their remarks to the Chair.