

Mr. JACKSON of Illinois. Can any Member rise, Mr. Speaker, and move to suspend the rules and pass H. Res. 72 prior to the rule being called up?

The SPEAKER pro tempore. That is within the Chair's discretionary power of recognition. In addition, today is not a suspension day.

Mr. JACKSON of Illinois. Further parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may inquire.

Mr. JACKSON of Illinois. If a resolution can pass with unanimous support, is there any provision in the House rules that would allow the House to bypass 9½ hours of debate proposed in House Resolution 73, agree to House Resolution 72, and begin to consider other legislation dealing with job creation?

The SPEAKER pro tempore. The Chair cannot respond to hypothetical questions.

Mr. JACKSON of Illinois. Further parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may inquire.

Mr. JACKSON of Illinois. Is there any provision in H. Res. 72 that will create jobs?

The SPEAKER pro tempore. That is not a parliamentary inquiry.

Mr. JACKSON of Illinois. Further parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may inquire.

Mr. JACKSON of Illinois. Is it in order to ask unanimous consent to take from the Speaker's table H. Res. 72, ask for its immediate consideration, and for it to be adopted?

The SPEAKER pro tempore. The Chair is constrained not to entertain such a request.

Mr. JACKSON of Illinois. Further parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may inquire.

Mr. JACKSON of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's table H. Res. 72 and ask for its immediate consideration in the House, so that we can move on creating jobs.

The SPEAKER pro tempore. Under the announced policy of previous Speakers, as recorded in section 956 of the House Rules Manual, the Chair is constrained not to entertain that request.

Mr. JACKSON of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's table H. Res. 72 and ask for its immediate consideration in the House, so that we can move on creating jobs.

Isn't the appropriate response, Is there objection?

The SPEAKER pro tempore. Under the announced policy of recognition for such unanimous-consent requests, that request is not entertained.

# PROVIDING FOR CONSIDERATION OF HOUSE RESOLUTION 72, DIRECTING COMMITTEES TO REVIEW REGULATIONS FROM FEDERAL AGENCIES

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 73 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## H. RES. 73

*Resolved*, That upon adoption of this resolution it shall be in order without intervention of any point of order to consider in the House 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. The amendment recommended by the Committee on Rules now printed in the resolution shall be considered as adopted. The resolution, as amended, shall be considered as read. The previous question shall be considered as ordered on the resolution, as amended, to final adoption without intervening motion except: (1) nine hours and 30 minutes of debate, with 30 minutes equally divided and controlled by the Majority Leader and Minority Leader or their respective designees, eight hours equally divided among and controlled by the respective 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 one hour equally divided among and controlled by the respective chairs and ranking minority members of the Committees on Education and the Workforce and Small Business; and (2) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

## GENERAL LEAVE

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. SESSIONS. House Resolution 73 provides for a closed rule for consideration of H. Res. 72. It provides 9½ hours of debate, divided by the committees outlined in H. Res. 72, and provides the minority a motion to recommit with or without instructions.

Mr. Speaker, I rise today in support of this rule and the underlying bill. This legislation is simple, direct, and easy to understand. The text of the three-page bill was posted last week on the Rules Committee Web site. This legislation is an attempt and an effort to provide more transparency and ac-

countability in the government regulatory process, something that my colleagues and I have called for numerous times over the last two Congresses.

The legislation before us today calls for 10 House committees to review existing, pending, and proposed regulations and orders from agencies of the Federal Government, particularly with respect to their effects on destroying jobs and economic growth.

With the current high unemployment rate, it is essential we do everything reasonably possible that we can to look at and to reduce government rules and regulations that impede job creation and economic growth, that discourage innovation, hurt or harm global competitiveness, limit credit, create economic uncertainty, impose unnecessary paperwork and cost on small businesses, and that result in large-scale and often unnecessary unfunded mandates on employers.

That is exactly what this legislation would do, and we are on the floor today to talk about this as an important component of allowing America to get back to work and to highlight these rules and regulations that stifle not only investment but also job creation.

Every single Member of Congress understands and believes that regulations are needed to provide the rules, safety, and structures for this society to function properly. While regulations are important, they can also cross that fine line and can become too burdensome. It is essential to strike a balance to ensure that the imposed rules and regulations do not lead to higher costs and less productive societies.

□ 1230

The Federal Government creates an average of 4,000 final regulations each year with about 500 to 700 that are reviewed by the White House.

According to a recent report from the Small Business Administration, the total cost of Federal regulations has increased to \$1.75 trillion a year from the U.S. economy; \$1.75 trillion is what this burden is on the free enterprise system. Additionally, the study shows that regulatory and paperwork costs were found to be more onerous for smaller firms than their larger counterparts. More specifically, the costs of regulations per employee for firms with fewer than 20 employees is now \$10,585, a 36 percent difference between the costs incurred per employee by a larger firm.

This is absolutely outrageous. This is outrageous because small business is the backbone and the engine of our economy. It represents 99.7 percent of all employers. Small businesses, according to the Small Business Administration, have generated 64 percent of net new jobs over the past 15 years while employing over half of all private sector employees. One of the fastest ways to put Americans back to work, Republicans believe, is to limit the regulatory expenses that these small firms have to comply with simply to satisfy Federal Government regulations.

Regulatory burdens are hindering job growth. Regulatory burdens are hindering investment and innovation while eroding some of the most basic and fundamental freedoms in America. Congress and this administration must work together to do more than prevent harmful new regulations. They must also review, study, and eliminate unnecessary rules that are already on the books.

On January 18 of last month, President Obama signed an Executive order to provide a government-wide review of the rules already on the books to remove outdated regulations. In an op-ed placed in the *Wall Street Journal* last month by the President, he clearly states that “sometimes, those rules have gotten out of balance, placing unreasonable burdens on business, burdens that have stifled innovation and have had a chilling effect upon growth and jobs.” Mr. Speaker, I applaud and I appreciate the President for recognizing this, and I ask my colleagues on both sides of the aisle to understand what we are attempting to do today, and that is to support as best as we can not only the ideals that the President talked about but also a focus on these rules and regulations that stifle innovativeness, create costs, and ruin jobs in America.

Mr. Speaker, while the President is now taking a step in the right direction when it comes to regulation, in the last fiscal year alone the Obama administration unleashed 43 major new regulations that will cost America more than, new, \$28 billion annually. These costs will affect Americans in many ways, from raising the price of cars, where we buy food, where we eat, and every single one of these stands in the way of making the free enterprise more efficient and somehow does not help in creation of jobs.

The President will have to take a step back from some of the major bills that he signed last year, and I believe he can do that by employing the ideas that he had in this op-ed. He can do something about it, and that is join Republicans who today are attempting to work with the President. If the President is serious about reducing regulatory burdens impacting every American, we can do this job together. Fifteen of the 42 regulations proposed last year were from the Frank-Dodd financial regulatory bill. Another five stemmed from the ObamaCare bill, and 10 others come from the Environmental Protection Agency, or what is known as the EPA, including the first mandatory reporting of greenhouse gas emissions.

The annual compliance costs constitute only a part of the economic burden of regulations on business. Many of these new rules curtail the purchase of new equipment, conversions of industrial practices, and are about revising data collection and reporting procedures. One example is the new restriction on short sales from the Frank-Dodd bill that requires the Se-

curities and Exchange Commission to make modifications to computer systems and surveillance mechanisms for gathering and managing this information that will cost over \$1 billion. Mr. Speaker, that defies balance and I think ultimate accountability of what the regulations should be about.

Mr. Speaker, we have an opportunity today to direct our committees to take the first step in reining in Big Government, reducing our deficit, and encouraging job growth and economic prosperity. This simple bill is three pages long, and it shines the light on the regulatory process and provides the necessary transparency and accountability on Federal agencies that has been lacking for years.

My Republican colleagues and I remain committed to putting America back to work through creation of new jobs. This legislation is a way to be a part of that good start. I encourage all my colleagues to vote “yes” on the rule and “yes” on the underlying resolution.

I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I rise in opposition to H. Res. 73, the rule providing for consideration of H. Res. 72, which directs certain standing committees to inventory and review existing, pending, and proposed regulations and orders from agencies of the Federal Government, and I yield myself such time as I may consume.

The resolution isn't objectionable in and of itself. We all agree that regulations that do more harm than good should be eliminated. The President has said that, Democrats have said that, and Republicans have said that. And the rules of the House already require committees to carry out this sort of oversight. So I question, Mr. Speaker, why my friends on the other side of the aisle insist on spending 9½ hours debating a resolution that is entirely redundant. We're committing the same offense that Republicans claimed to abhor about government: wasting time, effort, and taxpayer dollars.

Devoting 9½ hours to this exercise is squandering yet another opportunity. We could be using this time to pass legislation that will create and retain jobs right here in this country instead of telling the committees of jurisdiction to continue to do what they are already mandated to do. What's next, Mr. Speaker? Nine-and-a-half hours of debate instructing the House to close for Thanksgiving or Christmas?

Republicans marched into the majority over a month ago vowing a laser-like focus on job creation, and they've done nothing towards that end since. Today's debate is yet another reminder that Republicans care more about their lockstep, anti-government ideology than they do about getting down to the business of improving the lives of hard-working Americans.

Democrats did offer to improve today's rule by adding language instructing the committees to make job creation legislation their highest priority

and for such legislation to be considered under an open amendment process. In other words, Mr. Speaker, Democrats made the effort to work in agreement with Republicans on this matter and to ensure that this body emphasizes legislation to create jobs and improve the American economy, but the Republicans said “no.” They said “no” to working with Democrats. They said “no” to prioritizing job creation. They said “no” to fulfilling their promise for an open and transparent legislative process.

My friend from Texas (Mr. SESSIONS) declared at the end of last year that, and I quote him, “Open rules will make a triumphant return to the House floor,” unquote, and that all Members, and I quote him again, “will have a chance to fully contribute in this legislative process.”

□ 1240

The House has been under Republican control for 5 weeks. In that time, we have voted on 11 bills. None of those bills went through their respective committees and none of those bills had actual open rules. One had a modified open rule. That's not very triumphant in my opinion, Mr. Speaker.

It is already the second month of this Congress and Republicans are still dodging a real debate on real legislation that will create real jobs and improve the American economy. And Republicans are still refusing to address exactly what these cuts will mean to the lives of the American people. Which regulations do Republicans propose to get rid of? The ones for clean drinking water? The ones preventing financial abuse on Wall Street? I was here, Mr. Speaker, along with my friend on the other side of the aisle when Republicans assumed control and that we did not provide the necessary regulation at the Securities and Exchange Commission. I for one thought when a friend of ours who served with us went to be the chair of the Securities and Exchange Commission that finally we would get some regulations there. We did not get regulations. What we got—and there's no secret about this, no finger to point at anybody—the simple fact of the matter is by not having adequate regulation of Wall Street, this country came to the brink of disaster in November of '08. Do they want to get rid of the ones that protect against massive oil spills and mine collapses?

So far this year, Republicans have moved to repeal health care, they've moved to restrict a woman's right to choose, and they've moved drastically to cut spending for a huge range of essential government services that ensure public safety, economic opportunity and national security. It seems the Republicans want to use their majority to settle old scores. But I don't think that's what the American people have in mind as a national priority.

Republicans seem to think that if we spend 9½ hours debating a resolution

that simply remarks on what House committees are already doing, they will suffice to convince the American people that Republicans have a plan for improving the economy.

It is clear that this resolution is really about demonizing Federal regulations. But the Republicans ignore the benefits of regulations, the importance of protecting existing jobs, and the necessity of leveling the playing field to ensure economic growth and prosperity for all Americans. If our constituents had the choice of whether to spend this time practicing our rhetorical skills or actually passing meaningful legislation that creates more jobs, I believe they would vote for jobs. Let's get back to what the American people need from us, and that is to improve the American economy.

Mr. Speaker, I urge my colleagues to vote against this rule.

I reserve the balance of my time.

Mr. SESSIONS. I yield myself such time as I may consume.

Mr. Speaker, I appreciate the words of my friend the gentleman from Florida. I would like to state that the bills we have done in the Rules Committee during these 12 bills have been about original jurisdiction by the Rules Committee, which is what this bill is. This bill is a jurisdictional issue where the Rules Committee, through the legislation that my name sits on as the chief sponsor, is directing other committees to have hearings, to be part of an open process, to do the things that will be necessary not only for minority participation but any Member who chooses in these committees to come and have their voices heard, for hearings to be held, for thoughtful people across this country to come and provide us information about the way they see the regulatory burdens that are being placed upon them. If someone thinks that what we are doing today is all about trying to stifle regular order, it's completely the opposite. Nine-and-a-half hours of debate, which is unheard of for a three-page bill, is all about regular order and is exactly what I've been arguing for for years. That's what the Republicans are delivering today on the floor of the House of Representatives.

Notwithstanding that the gentleman brought up some good ideas about job creation, I would like to just put it into some bit of context. Today what we are trying to do is to gather steam behind rules and regulations that stifle the ability for the free enterprise system to employ people. But in the larger scheme of things, our friends on the other side are upset because what we as Republicans are going to do is to find a way to live up to our campaign promises to cut spending during the year by \$100 billion.

Now some people say, oh, that's not enough amount, or it's too big of an amount because it will mean all these draconian cuts across the government. Well, I would remind this House that \$100 billion is a small part of the \$3,000

billion spending plan that the Congress has already given to government—\$3,000 billion—and what we are talking about not just today and not just over the past few weeks but taking \$100 billion and trying to take that as a burden off the American people. The reason why is because 30 percent of all government spending today or more ends up as debt, meaning that we have to borrow it from somebody else.

"But this is so important, we've got to make sure we do it." Well, Republicans disagree. We think not only a review of regulatory process but a review of spending is important in Washington. Mr. Speaker, I refer to what might be a sheet of paper that was in print described as Obama Announces Review of Government Regulations. Within this paper, there is a paragraph, a short paragraph that I would like to read which perhaps embodies exactly why we are here today:

"Business leaders say government regulations, including those being written for health care overall and financial reform, have hurt job creation at a time of high unemployment."

In fact, the Department of Treasury describes where we are as chronic unemployment for today and our immediate past for as far as the eye can see. Last year at some point even the longest projection by this government showed no net new job creation. That is what Republicans have inherited. We intend to be serious about what we're doing, and we intend to make sure that the American people see this for what it is, and that is an opportunity by Congress to work on the issues that they're demanding.

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#### OBAMA ANNOUNCES REVIEW OF GOVERNMENT REGULATIONS

President Barack Obama said on Tuesday he would order a government-wide review of regulations with the goal of eliminating those that hurt job creation and make the U.S. economy less competitive.

In an op-ed piece in *The Wall Street Journal*, Obama said some government regulations have placed "unreasonable burdens on business—burdens that have stifled innovation and have had a chilling effect on growth and jobs."

He said he would require that in the future government agencies "ensure that regulations protect our safety, health and environment while promoting economic growth."

The president has recently ratcheted up efforts to soothe relations with the business community, after alienating corporate America through rhetorical attacks against Wall Street and an agenda heavy on regulation.

Business leaders say government regulations, including those being written for the healthcare overall and financial reform, have hurt job creation at a time of high unemployment.

"It's a review that will help bring order to regulations that have become a patchwork of overlapping rules, the result of tinkering by administrations and legislators of both parties and the influence of special interests in Washington over decades," Obama wrote.

Noting that small businesses create most new jobs in the economy, he said he would direct the government to make a greater effort to reduce the burden regulations place on them.

While vowing to eliminate rules that are "not worth the cost, or that are just plain dumb," the president said his administration wouldn't shy away from writing new rules to address obvious gaps in government oversight.

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

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 2 minutes to my good friend, the distinguished gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Speaker, I would suggest that we need more jobs and less speeches. And what we will get from this bill on the floor is more speeches and no jobs.

It is very disappointing in the current economic context that what we bring to the floor for 9½ hours is a bill that simply instructs the committees to do what we've already instructed them to do. This is already in the rules, it's already required, we all agree on it. What are we doing here wasting 9½ hours? If we just produced a thousand jobs an hour, we could have produced 9,500 jobs. Instead, we're going to produce 95 speeches. That's not what we need.

If you want to look for waste in government, take a look at this bill: 9½ hours down the tube doing something we're already doing. We had a hearing yesterday in the Commerce Committee. We're already talking about these regulations.

But let me give a warning to people about what happens when the Republican Party wants to look at regulations. You know the first thing they did, they're trying to repeal the Clean Air Act. They're trying to gut the Clean Air Act which is the guardian angel for the air that our kids breathe.

□ 1250

You know, they have introduced a bill, and we had a hearing yesterday. The first hearing we had was to pass their dirty air act. They have a dirty air act that would gut the ability—that would eliminate in total the ability of the Environmental Protection Agency to regulate harmful gases, carbon dioxide, ozone, and a host of other dangerous chemicals.

Now, can you believe that? Their dirty air act will eliminate the ability of the EPA to do things to try to prevent our kids from having aggravated asthma attacks. Their dirty air act would eliminate the ability of the EPA to deal with dangerous gases that exacerbate the respiratory problems of our senior citizens.

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

Mr. HASTINGS of Florida. I yield the gentleman an additional 30 seconds.

Mr. INSLEE. If you think I'm just blowing smoke here, go take a look at their bill. Their bill doesn't try to fix the regulation. It absolutely eliminates in total the ability of the EPA. The EPA was started under a good Republican, Richard Nixon, and it is a sad story that the first bill out of the box

they want to go backwards on clean air.

Mr. SESSIONS. Mr. Speaker, I am joined by the chairman of the Rules Committee, and I will tell you that he is so pleased that we have not only this bill that has been brought to the floor, but he is so pleased that we are taking the time to speak about the facts of the case. And one fact is that the first bill that we took up was the bill to repeal ObamaCare. It had nothing to do with the Clean Air Act. It had everything to do with a bill which has caused an amazing number of regulations.

And I would like to quote, if I can, a fact that, since the passage in March 2010, the Patient Protection and Affordable Care Act, which is known as ObamaCare, has added 6,123 pages of regulations, and the Federal Register has printed those just over the last 9 months. Secondly, according to a September 2010 report from the Small Business Administration, total regulatory costs amount to \$1.75 trillion annually, which is nearly twice as much as all individual income taxes collected last year. That means that the ability for a person to have to fill out all of their paperwork, the cost of that is twice what we even collected in taxes. There is a balance here that's been overrun.

#### HOUSE REPUBLICANS: IDENTIFYING AND REMOVING ONEROUS JOB-DESTROYING REGULATIONS

This week, House Republicans are bringing a resolution to the floor directing the committees to inventory and review federal agency rules and regulations that may unfairly harm the ability to create jobs and grow the economy.

While the nation suffers from 21 straight months of unemployment at 9 percent or higher, President Obama and congressional Democrats have doubled down on their strategy to burden job creators with more government red tape.

With the U.S. economy struggling and American families hard pressed to pay their bills and put food on the table, the costs of federal regulations have never been more significant. The fact is that federal regulations increase the cost of doing business and destroy jobs.

Undue and archaic government red tape takes money out of the hands of families and businesses. Agencies should not be authorized to heap billions in new added costs on the economy without reducing another burden elsewhere.

#### JOB-CRUSHING REGULATIONS—BY THE NUMBERS

During the Democrats' leadership of Congress, unemployment skyrocketed from 4.6 percent to 9 percent as the economy has lost more than 6.8 million jobs.

With 243 expected rulemakings from the Democrats' permanent bailout of Wall Street law, and the inestimable number of regulations to come from ObamaCare's government takeover of healthcare, the President's newfound concern for the regulatory burdens facing employers does not match his actions over the past two years.

The Obama administration has not shied away from flexing its regulatory muscle since taking office. A recent study by the Heritage Foundation found that an unprecedented 43 major regulations were imposed in fiscal year 2010 with a total economic cost of

\$26.5 billion, the highest total since at least 1981.

Since passage in March 2010, the Patient Protection and Affordable Care Act (ObamaCare) has added 6,123 pages of regulations and Federal Register notices in just its first nine months.

According to a September 2010 report from the Small Business Administration, total regulatory costs amount to \$1.75 trillion annually, nearly twice as much as all individual income taxes collected last year.

#### WHO IS PAYING FOR THIS REGULATORY BURDEN? AMERICA'S SMALL BUSINESSES AND AMERICAN WORKERS

The cost of regulations is felt even harder by America's small business owners, the engine of our nation's economy. According to the Small Business Administration, the average small business with less than 20 employees faces a cost of \$10,585 in federal regulations each year per worker they employ.

Businesses with fewer than 20 employees spend on average 36 percent more per employee than larger firms to comply with federal regulations. These small employers represent 99.7 percent of all businesses and have created 64 percent of all new jobs over the past 15 years.

The cost of federal regulations to small businesses must either be passed on to the consumer or workers, either in the form of lower wages or a shortage of jobs that would have been otherwise paid for with money spent complying with federal regulations. Imagine if small businesses could put the \$10,000 they spend on federal regulations directly back into new jobs.

I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 3 minutes to the gentleman from New Jersey (Mr. ANDREWS), my good friend. (Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. I thank my friend from Florida for yielding.

Mr. Speaker, as we meet this afternoon, there are 15 million Americans who are unemployed, and for them, this is another day of searching the Web or the want ads to try to find a job they've been unable to find after months of diligent searching. So what is the Congress of the United States doing about this? We are wasting yet another opportunity to work together, Republicans and Democrats, to create an environment in which small business people and entrepreneurs can create jobs for our country, the way we did work together at the end of last year and passed legislation that 80 Senators voted for, 270-some House Members voted for across party lines.

The majority says that this process will somehow help to create jobs. It is important to understand what this resolution really says. It says, in response to the 15 million unemployed people we have in this country, let's have a bunch of politicians have a bunch of meetings they were already scheduled to have; right? So their response, Mr. Speaker, is let's spend 9½ hours debating a bill that says a bunch of politicians should have a bunch of meetings they would have had anyway to talk about the problem.

You know, if we called 911 to report a fire in our home, we wouldn't be very

happy if the fire department said, "We are going to immediately have a meeting to decide whether to put the fire out at your house." We would expect the fire company to come put the fire out at your house.

The majority is not putting on the floor regulations they want to repeal. That would be a worthy debate. We should have that. What they are doing is saying let's, for 9½ hours, talk about whether to have a bunch of meetings to talk about the problem.

In the last 5 weeks, there has not been one word in one bill or 1 hour of debate about a plan to create jobs for the American people. So now we are going to spend 9½ hours talking about whether to have a series of political meetings.

Why don't we put on the floor and argue the pros and cons of a plan to put our people back to work building schools and bridges and highways? You can be for or against that, but it's a real plan that would actually put people back to work.

Now, the majority says that they do want to create jobs by cutting spending and reducing the deficit. But of course the very first bill they passed increased the deficit by more than \$1 trillion over the next 20 years. Then they ran on a promise—a promise—to reduce the current year's budget by \$100 billion, but 2 days ago, the Appropriations Committee reported out a bill that reduces it by \$32 billion.

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

Mr. HASTINGS of Florida. I yield the gentleman an additional 30 seconds.

Mr. ANDREWS. The American people are placing a 911 call to Washington that says this country needs help. It needs a real plan to produce real jobs for the American people. What they are getting from the majority once again is wasted words, wasted time, wasted opportunities.

Yes, looking at regulations is a good thing to do. We support that. But, Mr. Speaker, there is a difference between analysis and paralysis. The majority is giving us paralysis. All talk, no jobs. The right vote on this resolution is "no."

Mr. SESSIONS. Mr. Speaker, I appreciate the gentleman from New Jersey (Mr. ANDREWS) coming down to the floor. I would like to let him know that we are doing 9½ hours of debate, and at the end there will be an opportunity for a motion to recommit with or without instructions that has been lacking for the previous 4 years by my colleagues on the other side, that they extended to us. So you will have every single opportunity, if you want, just to use your brainpower and put together that great jobs bill that you want to talk about.

But I would say to the gentleman, we have chosen to talk about the things which stifle jobs, and we believe that as we talk about these that a lot of the American people will get it. For instance, if you lived out in the country—I will just bring up one example.

The EPA has issued a draft policy doubling the stringency of the standard by which dust is regulated—dust. Now, the Speaker would understand dust because he is from a rural State. I understand dust from some perspective, being from Texas. But the EPA regulates dust, and they are going to issue a draft policy—or already did—that doubles the stringency of the standard. Many farming activities kick up dust: tilling the field, operating a feed lot, driving farm vehicles, even dusty roads.

Mr. ANDREWS. Will the gentleman yield?

Mr. SESSIONS. I yield to the gentleman from New Jersey.

Mr. ANDREWS. I thank my friend.

I think we can have a very worthy debate about whether that rule is a good one or a bad one. Why aren't we having that debate? Why don't you just put on the floor a bill that says let's repeal that rule and have a debate? Why aren't we doing that?

Mr. SESSIONS. Well, that's a good point. I don't think the gentleman was up in the Rules Committee yesterday to hear this, but the Rules Committee has original jurisdiction on this bill. We are sending this bill, when passed on the floor, to 10 committees, asking them to look at specifics, and dust will be one of those issues. It will be in front of a committee, probably the Agriculture Committee. Perhaps it could be in front of the Resources Committee, where they will look at what this proposed ruling is.

Mr. ANDREWS. Will the gentleman yield?

Mr. SESSIONS. I continue to yield to the gentleman.

Mr. ANDREWS. It still seems to me to be all windup and no pitch, that if you really believe that that regulation should be repealed, why don't you put a bill on the floor that repeals it and let's do something rather than just talk about it.

Mr. SESSIONS. Reclaiming my time, the answer is because this floor is the wrong place to do it, and we need to do it in reverse order. We need to go—and I know this is a new concept to a lot of people on your side. We are going to send it to the committees. We are going to let there be hearings about it. We are going to let the Democrats and the Republicans have an opportunity—for instance, the gentleman from Minnesota, Mr. COLLIN PETERSON, as the former chairman of the Ag Committee, will have an opportunity in working with Mr. LUCAS, the chairman of the Ag Committee now, on who those witnesses will be who are experts.

□ 1300

I don't think we have enough intellectual content because we don't spend time on farms, I don't, to where I can make an accurate decision. But if I review the transcript and listen to what happens in the committee of jurisdiction, regular order, like the 10 other committees, then it gives us a chance

to realistically understand, study, talk about, and receive feedback.

Mr. ANDREWS. Will the gentleman further yield?

Mr. SESSIONS. I yield to the gentleman from New Jersey.

Mr. ANDREWS. I appreciate his courtesy.

The gentleman just makes a very good point about the importance of hearings before legislation takes place. How many hearings have there been on the renewal of the Patriot Act?

Mr. SESSIONS. Reclaiming my time, Mr. Speaker, and I do appreciate the gentleman. This House of Representatives, after 9/11, debated to the fullest extent not only the issues of the Patriot Act, but we have had continuing hearings and dialogue on that. There's a requirement that these be looked at, and we intend to make sure that there's a full debate on this.

Mr. Speaker, I do appreciate the gentleman engaging me. I would also make my point that the economic impact of the regulation of dust that it will have on farmers, that it will have on people who live in rural areas, is enormous. And this is part of that overall cost. It's not a hidden cost; it's a real cost that makes us unproductive and costs consumers a lot of money. And this is the kind of discussion we're going to have.

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

Mr. HASTINGS of Florida. Mr. Speaker, would you be so kind as to tell both sides the remaining amount of time?

The SPEAKER pro tempore. The gentleman from Florida has 17 minutes remaining; the gentleman from Texas has 9 minutes remaining.

Mr. HASTINGS of Florida. Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rules to provide that immediately after the House adopts this rule, it will bring up H.R. 11, the Build America Bonds to Create Jobs Now Act.

To explain that further and to explicate as she so desires, I am pleased to yield 1 minute to the distinguished gentlewoman from California (Ms. PELOSI), the minority leader.

Ms. PELOSI. I thank the gentleman for yielding and thank him for his leadership in calling up H.R. 11, the Build America Bonds, later.

Mr. Speaker, it's very interesting to watch this debate because what you see here is that we are talking about jobs. The American people want us to create jobs now. And what you see on the floor of the House now today and tomorrow is a make-work project.

The Republicans have no job initiatives; so they need to fill time, and they're filling time with a resolution that we all recognize the committees have the jurisdiction to do, and some of the committees already have.

We should subject every dollar, every initiative to the harshest scrutiny to make sure it fills its purpose, that we bring common sense to what we are

doing. But we don't need to spend 10 hours on the floor of the House because we have no job proposal on the side of the Republicans and make it look as if this is a job creation bill.

This is a make-work product for Republicans who are without an agenda for job creation. However, we hope they will join us in renewing the Build America Bonds to build America to create jobs now.

In every district nationwide, our constituents, many of them struggling without a paycheck, tell the same story. They're waiting for us to create jobs, to focus on jobs and economic growth before we do anything else. Today I rise to echo their call and urge my colleagues on both sides of the aisle to act in the best interest of America's families and put people back to work.

In his State of the Union address, President Obama encouraged us to do what it takes to out-innovate, out-educate, and out-build the rest of the world. In that statement he continued his job-creating initiative. From day one, President Obama has been a job creator. We had to dig our way out of a deep recession, but, nonetheless, the Recovery Act created or saved over 3 million jobs, and other initiatives like Cash for Clunkers and other initiatives that this Congress took, working with President Obama, spared us an even worse unemployment rate.

Now, that isn't good enough if you don't have a job. And it isn't good enough for us who are responsible for creating them. And that is why the effort that the President started at the beginning of his administration, reiterated in his State of the Union address, starts with creating more jobs here at home, and in this Congress there should be no higher priority. Yet, the Republican leadership has not met that challenge.

Since taking charge of the House more than 1 month ago, they have yet to propose a single jobs bill. They have yet to unveil a concrete plan, and Americans are still waiting.

This week is no different. Instead of focusing on job creation, this Congress is spending 10 hours on the floor, a filler, as concrete evidence of the fact that they have nothing else to fill the time with, directing our committees to conduct oversight, a very appropriate instruction. The committees are already doing that.

These committees don't need a partisan resolution in order to start their work, and this House does not need a long floor debate that only diverts us from our purpose, which is to create jobs.

Instead, we should focus on investments that work, that create jobs, that build America and grow our economy. And that is why we are proudly putting forth the Build America Bonds to Create Jobs Now Act. This legislation would leverage public dollars probably 40 to 1: For every public dollar spent, \$40 of investment to strengthen the private sector and spur job creation at

home by supporting projects to rebuild schools and transit projects.

Last week we had a hearing on this subject following the President's State of the Union address and his pronouncements about innovation, education, infrastructure, et cetera. We had a hearing on infrastructure to which the Build America Bonds directly relates. A representative of the Society of Civil Engineers told us that our country has trillions of dollars of deficits; that our roads and bridges get D's and C minuses in terms of their safety and effectiveness.

In addition, our water projects, some of them are ancient, made of brick and wood, and that's a health problem.

In terms of innovation for the future, our investments in infrastructure such as broadband are also essential to the growth and creation of jobs in our country. And so there's every reason for us to do this in the best of times. But we're not in the best of times. And so in this not good time, as far as jobs are concerned, it's absolutely essential that we make a decision as a Nation to put forth the greatest social initiative ever, job creation.

The initiative to Build America Bonds and leverage dollars for encouraging the private sector has the support of mayors, governors, and local businesses. It is good for taxpayers, using Federal investments, to unleash billions from private businesses in our neighborhoods. That's why Governor Martin O'Malley came to testify for this, and Mayor Nutter of Pennsylvania, giving us their direct experience on what a difference the Build America Bonds initiative, which was in the Recovery Act, makes, and which needs to be renewed.

Most significantly, Build America Bonds keeps our promise to stay focused on jobs, and it helps put Americans back to work.

Both parties agree that we must stay focused on reducing our deficit, and that's exactly what Build America Bonds do. You cannot achieve the goal of deficit reduction unless you invest in growth and job creation. Vigorous oversight is critical to that effort, and Democrats remain committed to doing our part. We are ready to eliminate waste, fraud, abuse, duplication, and obsolescence in our budget, and we would subject every dollar, taxpayer dollar, to the harshest scrutiny.

□ 1310

We are prepared to make tough decisions to get our fiscal house in order, but we will not sacrifice key investments that are helping our economy grow, our small businesses expand. And we need to make more investments in small business, not less, and help our workers find jobs.

We said from the beginning of this Congress Democrats will measure every effort by whether it creates jobs, strengthens the middle class, and reduces the deficit. The resolution before us today does none of the above.

I think it's interesting just to make a contrast between the first month of this Republican majority and our first days here in the Congress. Most of what we proposed is along the line, some of it signed by President Bush in a bipartisan way.

H.R. 1 enacts the 9/11 Commission recommendations. This is 2007. The 9/11 Commission recommendations had not been enacted by the Republican Congress. We know our first responsibility is to keep the American people safe. H.R. 1, now the law of the land.

Raise the minimum wage. Economic fairness. It hadn't been raised in over a decade of Republican rule, and we raised the minimum wage and it became the law. Making college more affordable, which is now the law of the land. We also had the Energy Independence Act as part of our Six for 06, much of which is signed into law by President Bush at the end of that Congress and his term.

A couple initiatives did not become law. One of them was to remove the subsidies we give to Big Oil to give them an incentive to drill. Big Oil, which has made \$1 trillion in profit over the last 10 years, does not need billions of dollars in taxpayer money to have an incentive to drill for oil.

And so on this side, H.R. 1, instead of enacting the 9/11 Commission recommendations, lowering the minimum wage, making us more energy independent, making college more affordable, H.R. 1: repeal the health care bill. No prospect of success in doing that, no hearings leading up to it; but, nonetheless, a filler for the floor, red meat for those of the health insurance industry, which opposes giving leverage to America's patients and consumers by saying that they will not be deterred from having coverage because they have a preexisting medical condition, or keeping kids on their parents' policies until they are 26 years old. That's what they wanted to repeal. Again, red meat for the industry, for the special interests, no jobs for the American people.

In the weeks ahead, we must renew our focus on job creation. Let's vote on bills that grow our economy through innovation, public-private partnerships, and tackle unemployment head on. Together, we can help Americans create jobs, rebuilding America in a very green way; and the technologies we will develop will make us and keep us number one, investing in transportation and manufacturing and clean energy and new technologies and industries and in small businesses.

As my colleague Mr. HOYER reminds us every minute: If we make it in America, America's families can make it in America. Let's set our path on doing that, instead of frivolously using 10 hours that are unnecessary, but they are for only one purpose: you have nothing else to offer.

Today, we can keep our recovery on track and put Americans to work. I urge our colleagues to vote "no" on this resolution, not that we don't think

we should subject regulation to scrutiny, but because we think we shouldn't waste the public's time on this when it's already being done in committee and we should be having a debate, a lively debate, on what the best approach is to create jobs, grow the economy, reduce the deficit, and strengthen the middle class.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from California, my friend, Ms. SANCHEZ.

Ms. LORETTA SANCHEZ of California. I thank my colleague from Florida. And, Mr. Speaker, I urge my Republican colleagues to focus their priorities on saving and creating jobs, instead of spending 10 hours debating what Congress already has the power to do. We already have the power of oversight over the Federal agencies. And if 10 hours were not enough to debate this, imagine the 54 hearings already scheduled by the Republicans to focus on redebating the health care reform. Americans remember, we debated that for almost 2 years, but they took the vote on getting rid of the health care reform before they are ever even doing the 54 hearings.

Listen, we do oversight. Actually, a legislative and authorizing committee like the ones I sit on, be it Homeland Security or the Armed Services Committee, we already have the power to do that; and the Republicans hold the chairmanship. The chairman gets to decide what the committee does. Just tell your chairman, let's do oversight. It's really straightforward.

We don't have to spend 10 hours on C-SPAN telling the American people, oh, my gosh, we've got to pass a resolution telling the committees to do oversight. We already have that. We are already doing that. We have already got subcommittees. On Armed Services Committees, we have an oversight committee. I hope your chairman know what they're doing. They don't need a resolution telling them to do their job. Or do they? We need jobs. Americans want jobs. That's what we want. When I go home, we want jobs.

Build it in America. The Build America Bonds, I am a cosponsor of that. Mr. HASTINGS, I'm so glad you're going to bring that up. Let's pass that. For every dollar that we spend in that program, \$40 at the local, State, and private levels is used towards that.

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

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 2 minutes to my good friend, the distinguished gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. Let me thank the gentleman from Florida and as well my good friend from Texas on managing of this time.

Mr. Speaker, I know that there's a great opportunity to be redundant sometimes. And I would imagine that



any American would consider 9 hours of debating the authority of oversight, which is vested in all of our committees, to be redundant. But let me share just a few points of opportunity.

First of all, in the Homeland Security Committee, having served as the chairwoman of the Transportation Security Committee, we introduced H.R. 2200, which would heighten the security for the Nation's mass transit. Jobs being created, of course, but also securing the homeland. The idea of increasing the professionalism of TSA or TSO officers, again, providing enhanced training for jobs, but also in essence protecting the homeland. These are quick and ready issues that could be addressed in the time allotted for debating redundancy.

Let me also congratulate my good friend on the infrastructure bank, because infrastructure creates jobs, the high-speed rail that our President is announcing, hearings to be able to assess how we can move quickly on investing in high-speed rail to create jobs.

Or, for example, as one of my colleagues and I mentioned in a hearing as well, a number of our airlines are using overseas airline repair stations. Bringing those back to the United States would create and provide more jobs. Again, an action item that could be done through this Congress, creating jobs.

So my question is, When will we get to the discussion of how we rebuild America? When will we get to answering the question, why, in some of our cities, huge sink holes exist where trucks, buses, and cars fall into sink holes because of the lack of resources in infrastructure. When will we fix the flooding that goes on in this country to avoid natural disasters?

So let me thank you for this time, but I'm ready to go to work in creating jobs for America.

□ 1320

Mr. SESSIONS. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, thanks for the opportunity to be here today on this important bill. What I want to say to you is continually we need to make the point that this bill is all about referring to committees the opportunity for them to look at onerous rules and regulations.

I would like to bring up just one more burdensome regulation. Milk contains animal fat, and the EPA has suggested that milk storage could be regulated under the Clean Water Act as large oil tanks. It is estimated that it would cost U.S. dairy farmers thousands of dollars to come into compliance with such a regulation that would be exactly the same as large oil tanks. The EPA, only after congressional pressure, has signaled that it would finalize an exemption for milk. However, it has yet to do so and continues to drag its feet. Meanwhile, farmers are having to face what is a burdensome regulation.

Mr. Speaker, at this time I would like to yield 5 minutes to the gentleman from California (Mr. DREIER), the chairman of the Rules Committee.

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

Mr. DREIER. Mr. Speaker, it is true that this is all about creating jobs. Job creation and economic growth is our number one priority.

I have been listening to this debate over the last few minutes and have come to a really striking conclusion. My colleagues on the other side of the aisle seem to believe that Democrats believe that the government creates jobs, and we believe that the American people create jobs, and our goal is to get out of the way so that in fact that can happen. We want the government to get out of the way so that that can happen.

Now, my friend from Santa Ana earlier was talking about the fact that this institution has the ability to proceed with oversight to deal with these onerous regulations. Everyone seems to acknowledge that the regulations are great, but the fact of the matter is, in 2009, the Obama administration promulgated 59 major new regulations; in 2010 it was 61; and under the permanent bailout bill, it is projected there will be 218 new regulations dealing with 11 agencies that will be impinging on the ability for economic growth.

We know that the average cost per employee for small businesses, businesses with 20 or fewer employees, is \$10,585. That is the average per employee cost for businesses with fewer than 20 employees. That is a study that came out last September from Lafayette University. So it is obvious that we have been talking about this regulatory burden undermining the potential for job creation and economic growth. This is all about creating jobs, contrary to what so many of my friends on the other side of the aisle are making.

We had in our pledge—we said we are going to rein in the red tape. That is the priority we established last summer when we came forward with our Pledge to America, and I am very gratified to see that the President has followed through with his Executive order to try and deal with the regulatory burden.

We know that in *The Wall Street Journal* he penned a very important piece in which he recognized that this regulatory burden is very great and needs to be reduced, and, of course, we saw the President's speech before the United States Chamber of Commerce in which he talked about the problems of regulation and his priority of ensuring that we do that.

Why is it that we have this resolution? Let me say I greatly appreciate the fact that my good friend, the vice chairman of the Rules Committee from Dallas, Mr. SESSIONS, has authored this important resolution. Why? Because we believe that this institution, with the

strength of a strong, bold, bipartisan vote, saying to committees that we understand that when you have a \$10,585 per employee cost for small businesses with fewer than 20 employees due to regulation, that we need to have a laser-like approach on dealing with that regulatory burden. That is why we are here. That is why we are doing this.

So we believe that the signal that this resolution will send, Mr. Speaker, will go a long way toward letting the American people know, the marketplace know, that we are going to be committed in a bipartisan way to getting input from both Democrats and Republicans to try and rein in this regulatory burden that exists and undermines the potential for job creation and economic growth. So I think that we will have a strong bipartisan vote on the measure, and I urge my colleagues to vote for it.

I say that I look forward, as I have upstairs in the Rules Committee, to continuing my effort to reach out to Democrats, to working with them on thoughtful proposals that they have, because there are good ideas that come from both sides, and I believe that as we tackle the issue of regulatory reform that both sides will be able to participate.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in the Rules Committee, the chairman and two other Members cited repeatedly the January 18 article offered by President Obama that appeared in *The Wall Street Journal*. Interestingly, they leave out one section of what the President did, in fact, say. They do say, and I agree that he said in the article, "Sometimes those rules have gotten out of balance, placing unreasonable burdens on business, burdens that have stifled innovation and had a chilling effect on growth and jobs." That is where they stop. But the President in that article goes on: "At other times, we fail to meet our basic responsibility to protect the public interest, leading to disastrous consequences."

If you recall, Mr. Speaker, earlier I began by saying what a lack of regulation caused at the Securities and Exchange Commission. The President, in *The Wall Street Journal* article, says, "Such was the case in the run-up to the financial crisis, from which we are still recovering. There, a lack of proper oversight and transparency nearly led to the collapse of the financial markets and a full-scale depression."

Now, that began before Barack Obama was President of the United States. Most of us, especially those of us on the floor that are senior Members, were here in November when Secretary Paulson came here and cited with 3½ pages in his hands that the whole financial system of this country was about to collapse; and I, along with countless others, thought that that was the case, and we worked in a bipartisan fashion, I might add, to do what we could to shore it up.

"Over the past 2 years," the President said, "the goal of my administration has been to strike the right balance, and today I am signing an executive order that makes clear that this is the operating principle of our government."

Then what else do we need? Here is what we did one month ago, just one month ago. We approved the rules under which committees must, and I repeat, one, lay out a written plan for overseeing Federal regulations; and, two, conduct oversight through hearings and investigations and provide the American people a written report on the results of that oversight twice a year.

The rules even specifically tell committees to review, and I am quoting from the rules that we passed for the House of Representatives for the 112th Congress, they tell the committees "to review specific problems with Federal Rules, regulations, statutes and court decisions that are ambiguous, arbitrary or nonsensical, or that impose severe financial burdens on individuals."

□ 1330

Mr. Speaker, I find it passing strange, then, that we would come here today and say that we are doing something constructive and substantive for the membership. My friend Mr. SESSIONS said earlier that we're going to give every Member of the House of Representatives who so chooses during that 9½ hours an opportunity to speak out on the regulations and to have what they would offer to the committees for regulation oversight. But what he fails to say is that we're proceeding under a closed rule.

Now, it isn't that the American public always understands this Washington inside-baseball closed rule, open rule, modified rule. He was going to fix it, he says, by offering the Democrats a motion to recommit, as if that would then provide all the substantive input that Members could have. One of the reasons we have a Rules Committee is so that Members of the House of Representatives can come to the Rules Committee to offer amendments to proposals. The proposal that we are here on today is regulatory reform. Not one amendment was permitted nor will be permitted under this rule. We can come down here and talk all we want, but it won't change anything substantively about this rule. As I have indicated, Democrats are not opposed to conducting proper oversight. If there are superfluous or excessive regulations clearly of no benefit to the American people, then we ought to take a hard look at how best to eliminate them.

Mr. Speaker, may I inquire how much time I have remaining.

The SPEAKER pro tempore. The gentleman has 6½ minutes remaining.

Mr. HASTINGS of Florida. I yield 1½ minutes to the distinguished gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY of Virginia. I thank my good friend from Florida.

Mr. Speaker, we're more than 5 weeks into this Congress and the majority has yet to bring to the floor even a single bill aimed at job creation. Yesterday I asked, Where is the job creation agenda? The American people have said loud and clear job creation should be our top priority, and the Republicans have pledged a "laser-like focus" on the issue. Today they're planning 10 hours of meaningless debate to instruct committees to do oversight which they should be doing anyhow. Let me offer an alternative.

Today I introduced H.R. 11, legislation to extend the successful Build America Bonds program—a jobs bill. During the last 2 years, \$4.4 billion from the Recovery Act leveraged \$181 billion in new bonds at the State and local levels. And \$181 billion is needed in construction, bridge, and road repairs—\$181 billion in job creation. My own State of Virginia issued \$3.3 billion of those bonds in 45 distinct projects, and Nationwide, hundreds of thousands of jobs were created. We can create hundreds of thousands more if we extend this program. So I ask my colleagues, if you're serious about job creation, support H.R. 11.

Mr. HASTINGS of Florida. Mr. Speaker, with all due respect to my colleague Mr. SESSIONS, as a matter of comity, it was pointed out to me by the chairman that I could have asked him. I was of the opinion that the Speaker would give the direction you did, and therefore I apologize to Mr. SESSIONS for that.

But Democrats now stand for the wholesale undertaking of what is necessary to provide essential public safety measures and crucial economic benefits. We will not stand for Republicans eliminating rules that prevent polluters from dumping toxic waste into drinking water resources. We will not stand for Republicans eliminating rules that prevent Wall Street greed from forcing people out of their homes. And Democrats will not stand for Republicans eliminating rules which ensure that Americans can purchase food at the grocery store without worrying about getting life-threatening illnesses.

While we won't object to Republicans wanting to debate the efficiency of Federal regulations, we do object to spending 9½ hours debating what everyone has already agreed to. House committees are already required to conduct oversight. They already examine Federal regulations. And they already promulgate legislation making changes to Federal law. Wasting this body's time debating this matter only serves to underscore that Republicans still have no plan for improving the economy and no interest, it does appear, in prioritizing legislation that will create jobs and best serve the American people.

In the 9½ hours this body will debate today and tomorrow this entirely unnecessary, inconsequential resolution, not a single regulation will be im-

proved, not a single law will be changed, and not a single job will be created. The American people watching know that this is simply a waste of time. They know it is nothing but empty rhetoric. And they know that a 9½-hour ideological rant is no replacement for the job-creating measures our Nation so desperately needs.

If we defeat the previous question, Mr. Speaker, as I announced earlier, I will offer an amendment to the rule to provide that immediately after the House adopts this rule, it will bring up H.R. 11, the Build America Bonds to Create Jobs Now Act.

I yield back the balance of my time.

Mr. SESSIONS. Mr. Speaker, Big Government is still alive and well on the floor today. Big Government is going to spend people's money from back home. Spending, spending, spending—all about the government.

Well, that's why the Republican Party is the majority party on the floor of the House of Representatives now, because the American people saw the effects of huge government, bigger government, and rules and regulations.

Mr. Speaker, you heard me earlier say that my Republican colleagues and I are committed to putting Americans back to work. We believe that what happens in Washington can aid and help the free enterprise system by telling the story, putting the spotlight, showing the light of day on the rules and regulations that are costing business \$1.7 trillion a year, which takes resources away from the activities that they would have of job creation and keeping our job growth, innovation, and our economy stable.

While small businesses are getting hit harder than any other firms in the United States, now is the time to provide that relief to these businesses so that they can reinvest in themselves, create jobs, and level out the economy. This Republican Congress remains committed to scaling back some of the 43 major regulations imposed in the last year by the Obama administration that would add \$28 billion annually.

Mr. Speaker, it's obvious to me that we must do better.

The material previously referred to by Mr. HASTINGS of Florida is as follows:

AN AMENDMENT TO H. RES. 73 OFFERED BY  
MR. HASTINGS OF FLORIDA

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 11) to amend the Internal Revenue Code of 1986 to extend the Build America Bonds program. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the Majority Leader and Minority Leader or their respective designees. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against



provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of the bill specified in section 2—of this resolution.

(The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Republican majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled

"Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. SESSIONS. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

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

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

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

#### PROVIDING FOR CONSIDERATION OF H.R. 514, EXTENDING COUNTERTERRORISM AUTHORITIES

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 79 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

##### H. RES. 79

*Resolved*, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 514) to extend expiring provisions of the USA PATRIOT Improvement and Reauthorization Act of 2005 and Intelligence Reform and Terrorism Prevention Act of 2004 relating to access to business records, individual terrorists as agents of foreign powers, and roving wiretaps until December 8, 2011. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary and 20 minutes equally divided and controlled by the chair and ranking minority member of the Permanent Select Committee on Intelligence; and (2) one motion to recommit.

The SPEAKER pro tempore. The gentleman from California is recognized for 1 hour.

Mr. DREIER. Mr. Speaker, I am happy to yield the customary 30 minutes to my good friend and Rules Committee colleague, the gentleman from Boulder (Mr. POLIS), pending which I

yield myself such time as I may consume.

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

Mr. DREIER. Mr. Speaker, 18 days from now, three key provisions of the Patriot Act are set to expire, leaving a gap in our national security framework. Today's underlying legislation would temporarily—and I underscore the word, Mr. Speaker—temporarily extend these provisions to allow for the development of a long-term solution, with the many questions that are out there.

□ 1340

With strong bipartisan support, the previous Congress simply passed a blanket 1-year extension without addressing any of the underlying challenges, questions and controversies. I am the first to admit that there are challenges, questions and controversies that relate to the Patriot Act. Unfortunately—and again, it was by a vote of 315-97 on February 25 of last year, Mr. Speaker—we went through that entire year. But guess what. Not a single hearing was conducted subsequent to the passage of that extension. Not a single hearing over the past year has been held.

I feel very confident that my colleagues who have joined me on the floor here from the Judiciary Committee—Mr. LUNGREN, who is here right now, Mr. SENSENBRENNER, who chairs the Crime Subcommittee, and Mr. GOHMERT—I mean, these gentlemen and I have just had a conversation, Mr. Speaker, in which they have made an absolute commitment that this Congress will not make the mistake that was made over the past year. Following this short-term extension, we will have a thorough oversight process in which the committees of jurisdiction will take a very close look at how we pursue the terrorists who threaten our homeland.

Now, everybody acknowledges that this is not only controversial, not only filled with questions and not only filled with challenges, but that it is very, very complicated. The individuals and networks who seek to do harm to Americans change and adapt every single day. Mr. LUNGREN and I were just having a conversation in which we were looking at the situation that existed a decade ago, right after September 11. The threat is much different today than it was 10 years ago, and that's why we need to recognize that they are constantly changing and adapting their tactics to try and undo the United States of America and the free world. Staying one step ahead requires a tremendous amount of flexibility, ingenuity, coordination, and of course the right law enforcement tools.

Just today, Secretary of Homeland Security Janet Napolitano said that the threat that exists today—and Mr. GOHMERT just showed it to me on his iPad; it's on the front of one of the