

Gottheimer	McGarvey	Schrier
Green, Al (TX)	McGovern	Scott (VA)
Harder (CA)	McIver	Scott, David
Hayes	Meeks	Sewell
Himes	Menendez	Sherman
Horsford	Meng	Sherrill
Houlahan	Mfume	Slotkin
Hoyer	Moore (WI)	Smith (WA)
Hoyle (OR)	Morelle	Sorensen
Huffman	Moskowitz	Soto
Ivey	Moulton	Spanberger
Jackson (IL)	Mrvan	Stansbury
Jackson (NC)	Mullin	Stanton
Jacobs	Nadler	Stevens
Jayapal	Napolitano	Strickland
Jeffries	Neal	Suozi
Johnson (GA)	Neguse	Swalwell
Kamllager-Dove	Nickel	Sykes
Kaptur	Norcross	Takano
Keating	Ocasio-Cortez	Thanedar
Kelly (IL)	Omar	Thompson (CA)
Kennedy	Pallone	Thompson (MS)
Khanna	Panetta	Titus
Kildee	Pappas	Tlaib
Kilmer	Peltola	Tokuda
Krishnamoorthi	Perez	Tonko
Kuster	Peters	Torres (CA)
Landsman	Pettersen	Torres (NY)
Larsen (WA)	Pingree	Trahan
Larson (CT)	Pocan	Trone
Lee (CA)	Quigley	Underwood
Lee (NV)	Ramirez	Vargas
Lee (PA)	Raskin	Vasquez
Lee Carter	Ross	Veasey
Leger Fernandez	Ruiz	Velázquez
Levin	Ruppersberger	Wasserman
Lofgren	Ryan	Schultz
Lynch	Salinas	Waters
Magaziner	Sánchez	Watson Coleman
Manning	Sarbanes	Wild
Matsui	Scanlon	Williams (GA)
McBath	Schakowsky	Wilson (FL)
McClellan	Schneider	
McCollum	Scholten	

NOT VOTING—20

Blumenauer	Gallego	Phillips
Bowman	Garcia, Mike	Porter
Castor (FL)	Granger	Pressley
Chavez-DeRemer	Grijalva	Rodgers (WA)
Correa	Kelly (PA)	Waltz
Crow	Lieu	Wexton
Evans	Pelosi	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1401

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.

MIDNIGHT RULES RELIEF ACT

Mr. BIGGS. Mr. Speaker, pursuant to House Resolution 1616, I call up the bill (H.R. 115) to amend chapter 8 of title 5, United States Code, to provide for en bloc consideration in resolutions of disapproval for “midnight rules”, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. KEAN of New Jersey). Pursuant to House Resolution 1616, the amendment in the nature of a substitute recommended by the Committee on the Judiciary, printed in the bill, is adopted, and the bill, as amended, is considered read.

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

H.R. 115

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

*This Act may be cited as the “Midnight Rules Relief Act”.*

SEC. 2. EN BLOC CONSIDERATION OF RESOLUTIONS OF DISAPPROVAL PERTAINING TO “MIDNIGHT RULES”.

(a) IN GENERAL.—Section 801(d) of title 5, United States Code, is amended by adding at the end the following:

“(4) In applying section 802 to rules described under paragraph (1), a joint resolution of disapproval may contain one or more such rules if the report under subsection (a)(1)(A) for each such rule was submitted during the final year of a President’s term.”.

(b) TEXT OF RESOLVING CLAUSE.—Section 802(a) of title 5, United States Code, is amended—

(1) by inserting after “resolving clause of which is” the following: “(except as otherwise provided in this subsection)”; and

(2) by adding at the end the following: “In the case of a joint resolution under section 801(d)(4), the matter after the resolving clause of such resolution shall be as follows: ‘That Congress disapproves the following rules: the rule submitted by the \_\_\_ relating to \_\_\_; and the rule submitted by the \_\_\_ relating to \_\_\_. Such rules shall have no force or effect.’ (The blank spaces being appropriately filled in and additional clauses describing additional rules to be included as necessary).”.

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 1 hour equally divided and controlled by the chair and the ranking minority member of the Committee on the Judiciary or their respective designees.

The gentleman from Arizona (Mr. BIGGS) and the gentleman from New York (Mr. NADLER) each will control 30 minutes.

The Chair recognizes the gentleman from Arizona (Mr. BIGGS).

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, today, I rise in support of H.R. 115, the Midnight Rules Relief Act.

This is an important piece of legislation that will allow Congress to more effectively and efficiently oversee Federal agency rulemaking.

Under the Congressional Review Act, known as the CRA, executive agencies must report all promulgated rules to both Chambers of Congress. This reporting requirement allows Congress to properly consider Federal regulations before they take effect. The CRA gives Congress the ability to pass a joint resolution to prevent an agency’s rule from taking effect.

The CRA’s disapproval mechanism gives Congress a critical check on Federal administrative overreach. Currently, however, the CRA forces Congress to introduce a single, separate joint resolution for each agency rule it seeks to render unenforceable. This one-by-one limited joint resolution under the CRA slows Congress’ oversight of agency rulemaking.

Its inefficiency is most clear during the midnight rulemaking period of the last year of a President’s term, when executive agencies historically issue substantially more regulations than last year of a President’s term.

Mr. Speaker, H.R. 115 would make Congress’ oversight more efficient during this midnight rulemaking period by allowing Congress to introduce joint resolutions covering multiple agency rules during the final year of a President’s term.

My colleagues on the other side of the aisle may claim that this bill is only an attempt to slow down agency rulemaking or disincentivize Federal agencies from issuing rules on important issues, but that is incorrect. There are no provisions in this bill designed to slow down rulemaking. Rather, this bill would merely allow Congress to more efficiently exercise the oversight authority it already has and respond to the influx in agency regulations during the midnight hours of a President’s term.

Mr. Speaker, I urge my colleagues to support this legislation, and I reserve the balance of my time.

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

Mr. Speaker, despite the bill’s title, H.R. 115 is not really intended to address midnight rules, but rather is an effort by our Republican colleagues to advance their antigovernment, deregulatory agenda under cover of darkness.

This legislation may appear to be a modest change to the Congressional Review Act, but do not be fooled. It would enable the Republican-controlled 119th Congress to use a turbocharged CRA to nullify every rule issued by public agencies under the Biden administration for the entire year of 2024 in a single party-line vote.

Under the CRA, if a rule is overturned, agencies are forever prohibited from considering, without new congressional authorization, a “substantially similar” rule, an unreviewable, vague, and harmful standard that would undermine agencies’ statutory missions.

Doing away with dozens of rules at once, as the Republicans intend with this bill, would substantially weaken agencies’ ability to protect the public long into the future.

While historically the CRA has been used sparingly, after Donald Trump’s first inauguration in 2017, the Republican-controlled Congress used the CRA to repeal 16 rules issued by the Obama administration, an all-time high. Critical rules on teacher training, internet privacy protection, and the prevention of water pollution from coal mines, among many others, were all repealed over a few short weeks.

It seems that Republicans have even bigger ambitions for the next deregulatory spree as they pursue their unabashedly antigovernment agenda.

Rather than consider agency rules on their individual merits, they want to package as many rules as possible into a single resolution to eliminate them

all at once with little debate or deliberation over the merits of each individual rule. The results of this single vote could be catastrophic.

□ 1415

Right now, there are dozens of regulations at risk of summary execution, including rules that ensure the safety of bath seats for infants, implement the National Suicide Hotline Act, create dust-lead and lead pipe safety standards, update chemicals listed under the Toxic Substances Control Act, update heavy vehicle automatic emergency braking standards, and ensure all cell phones are hearing aid compatible, among others.

Why do Republicans feel they even need this power? Maybe it is because they realize that many of the agency rules that they constantly rail against are actually popular with the American people.

Taking a series of votes making it easier for corporations to pollute the environment or take advantage of the most vulnerable would likely not be well received. Better to overturn as many rules as possible in a single vote, reducing transparency and obscuring the consequences.

Make no mistake, whether those votes are held individually or en bloc, the American people will be the ones to bear the consequences. With Republicans in charge of the House, Senate, and White House, it is likely that every rule the Biden administration has issued in the last year will be on the chopping block, along with the protections those rules provide to our constituents' health, safety, and economic well-being.

In addition, striking down a bundle of rules at once means not only that each rule will not be considered on its own merits but also that months and years of agency time and taxpayer dollars, along with the expert analysis and public comments from industry, non-profit groups, and individual Americans, all will have been wasted.

Members on both sides of the aisle have recognized that midnight rule-making, if left completely unchecked, can lead to abuses by the executive branch, but true midnight rules are rarely issued, and there is already a lookback period under the CRA to address rules promulgated at the end of any congressional term.

If we are truly concerned about so-called midnight rules, we have other options to check them. For example, at the end of President George W. Bush's administration, I authored a bill that would delay implementation of rules issued near the end of a President's term, giving his or her successors a chance to review such rules and to determine if they should go forward.

I believe there are ways we could work together in a bipartisan manner to address this issue.

Where past efforts tried using a scalpel to address the problems associated with midnight rulemaking, today's Re-

publicans would instead use a machete, hacking away at the Biden administration's regulatory agenda and furthering their ideological goal of radically transforming our government.

None of this should be a surprise. H.R. 115 is a key plank of Project 2025, the blueprint for the incoming Trump administration. Project 2025 calls for "dismantling" the administrative state and argues that doing so must be "a top priority for the next conservative President." That is because, according to the document, "the only real solution is for the national government to do less."

To be clear, the "less" that they want to do refers to the important and expert work undertaken by the country's Federal agencies protecting consumers, workers, and the public from corporations and people that break the law.

We should reject any backdoor efforts that would eviscerate vital regulations, would open rules and protections to even more political interference, and could prevent agencies from ever working on similar issues again, all with just the most cursory examination by Congress.

Mr. Speaker, I urge all Members to oppose the Midnight Rules Relief Act, and I reserve the balance of my time.

Mr. BIGGS. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. CLINE).

Mr. CLINE. Mr. Speaker, I thank the gentleman from Arizona for introducing this important bill.

It is no surprise that House Democrats are once again standing against the wishes of the American people. The voters voted on November 5, and they voted for Donald Trump to be President. They are seeking to stop Donald Trump's administration from doing anything even before it starts.

Last week, it was judges. They didn't want the incoming administration to look forward and appoint judges to fill vacancies. Now, they don't want the incoming administration to be able to look backward and stop the flurry of last-minute regulations that are coming out of the Biden White House, midnight rules issued in the final days of a President's term.

The Democrats should listen to the voters. Their failure to listen to the voters is why, for the next 2 years, they are going to have a timeout. Their tantrums are not going to be listened to anymore because the voters have given them a timeout.

These midnight rules are rushed through without sufficient review, public input, or thorough consideration of their economic impact. They are politically motivated policies that may not reflect the will of the American people or the incoming administration.

This bill addresses the problem by extending the window for congressional review of regulations after an administration's final year. It is vital because it would allow Congress to undo the onerous rulemaking of the Biden admin-

istration here in the last days, the rules related to the Green New Deal, environmental regulations that heavily rely on renewable energy transitions and increase the cost of everyday products for Americans, or the rules promulgated by the ATF that significantly curtail the Second Amendment rights of law-abiding citizens.

It is about ensuring transparency and accountability in our regulatory process. It is about giving the American people a voice through their elected Representatives—note, their elected Representatives—preventing regulatory overreach by the vast bureaucracy and protecting our economy from last-minute policies that could have a lasting impact on taxpaying Americans.

Mr. Speaker, I support this important legislation and encourage my colleagues to as well.

Mr. NADLER. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Illinois (Mrs. RAMIREZ).

Mrs. RAMIREZ. Mr. Speaker, I thank Ranking Member NADLER for yielding.

We are in the people's House, and we often say that democracy is built on checks and balances, but my Republican colleagues seem to have no respect for the fundamental separation of powers.

H.R. 115 is a bald-faced attempt to expand the power of Congress in order to abuse the power of Congress. Let me say that again: H.R. 115 attempts to expand the power of Congress so that it can then abuse the power of Congress.

While a process to address specific agency rules may have been finalized in the late hours of an outgoing administration, there are already systems in place to address it.

Republicans want to have the power to go back 60 legislative days—think about that; that can take us as far as May—and bundle dozens or even hundreds of agency rules into one single resolution. Then, they want to go as far as forbidding the agency from issuing any rules that are substantially the same in the future.

We are seeing today exactly what Republicans plan to do in the next 2 years. While leading the most unproductive Congress in U.S. history, they also want to expand their power so when they do take action, when they finally take action, they can inflict the maximum damage on rules and policies that benefit working people, working Americans.

Therefore, Mr. Speaker, at the appropriate time, I would like to offer a motion to recommit this bill back to committee. If the House rules permitted, I would have offered the motion with an amendment to this bill to send the bill back to the Judiciary Committee and exclude any rule that was noticed more than 6 months prior to when the rule was finalized.

Mr. Speaker, I ask unanimous consent to insert the text of this amendment into the RECORD immediately prior to the vote on the motion to recommit.

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

There was no objection.

Mrs. RAMIREZ. Mr. Speaker, I hope my colleagues will join me in voting for the motion to recommit.

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

Let's just address the previous speaker first of all. We already have a 60-day legislative lookback in the law. We are not changing that. That is apparently an objection that my colleague had.

We already have in the law that a substantially similar rule cannot be introduced if the Congress says no-go on it. Apparently, that is what my colleague's beef is. That is already the law.

What we are allowing now is for Congress to actually look at more than just a piece-by-piece, one here, one there, maybe you get a dozen to 18. You really don't ever get much more than that in a congressional lookback in the CRA.

Let's review what the Biden administration has done. The rules that they have promulgated in the last year alone have an economic impact of \$1.4 trillion on the economy. There are individual bills in this packet here. This is just for the last little bit, the lookback period. There are 68, and that is with 30 days to go. There are 68 of them in here that I am holding up.

One of my favorites is the \$45 billion boondoggle that they have got here. It is a rule, and \$45 billion is the impact on that one. Let me see if I can read it. It is the national primary drinking water regulation for lead.

Here is the deal: It doesn't get looked at under the Democrats' concerns, but it does under ours. Why do you need to look at it? It just seems to be common sense that if you are going to have a \$45 billion rule, maybe we ought to get to look at that.

We are going to come together to actually be able to effectively and efficiently put together these rules in a package. They are going to be marked up. They are going to be heard. If we think that it is justified, we get a chance to vote on it. Members can make their amendments to it. They can do everything else that we can have in the process, but the current methods that we are doing right now slow this down so much that we effectively review just a handful of rules, literally, of the dozens and dozens and hundreds of rules. Like I say, there have been 68 in the last little bit here that this administration put through.

When my colleagues across the aisle start talking about this rule or that rule, I challenge them to go through here and tell me how many of these rules they have even looked at. Are they aware of what is even in these rules? Are they aware of how much they are going to cost? Are they aware of the impact that it has on the working individual or an industry or the American people as a whole? No, they don't have that.

Mr. Speaker, it is imperative that we pass this bill. I am going to leave it there. I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, first of all, I ask unanimous consent to include in the RECORD a letter from more than 250 organizations representing workers, consumers, and the environment opposing H.R. 115.

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

There was no objection.

DECEMBER 16, 2024.

HON. MIKE JOHNSON,  
*Speaker, House of Representatives,*  
*Washington, DC.*

HON. HAKEEM JEFFRIES,  
*Democratic Leader,*

*House of Representatives, Washington, DC.*

DEAR SPEAKER JOHNSON AND DEMOCRATIC LEADER JEFFRIES: The Coalition for Sensible Safeguards (CSS) and the undersigned organizations strongly urge you to oppose H.R. 115, the Midnight Rules Relief Act of 2023.

H.R. 115 would amend the Congressional Review Act (CRA) to allow simultaneous disapproval of dozens of regulations finalized near the end of presidential terms using a single joint resolution. The bill also would create unnecessary confusion about whether rules issued outside of the lookback period can be swept in. The effect of this bill would be to greatly expand the CRA's anti-regulatory force by amplifying the harmful impact of the CRA's "salt the earth" provision, which bars agencies from issuing new rules that are substantially the same as the rules that are repealed. It would also make it easier for narrow majorities of lawmakers to repeal recently completed safeguards without the due consideration and deliberation that Congress should employ before taking such drastic steps. As such, the operation of the bill would significantly constrain agencies' authority to carry out their statutory missions to protect the public.

The proposed legislation is based on a fatally flawed premise—namely, that regulations which are proposed or finalized during the so-called "midnight" rulemaking period are rushed and inadequately vetted. In fact, the very opposite is true. In recent months, the Biden Administration has finalized regulations that increase overtime pay to put more money in the pockets of working families, limit carbon emissions from polluters to fight climate change, increase fuel efficiency standards to make cars cleaner, protect workers from harmful "non-compete" clauses in employment contracts, block companies from taking advantage of consumers with "junk fees," put new limits on toxic "forever chemicals" that poison communities across the country, and many more. Unlike CRA resolutions, which can sprint through Congress in just a few weeks, many of these regulations that will benefit the American public had been in the regulatory process for years.

In July 2016, Public Citizen released a report that compared rulemaking lengths for rules finalized at the end of the term or during the presidential transition period to those that were finalized outside of this period. The results were noteworthy. The report found that rules issued during the presidential transition period spent even more time in the rulemaking process and received even more extensive vetting than other rules.

Prominent administrative law experts have also concluded that the concerns regarding these regulations are not borne out by the evidence. For example, in 2012 the Administrative Conference of the United States

(ACUS) conducted an extensive study of regulations finalized near the end of previous presidential terms and found that many end-of-term regulations were "relatively routine matters not implicating new policy initiatives by incumbent administrations."

ACUS also found that the "majority of the rules appear to be the result of finishing tasks that were initiated before the Presidential transition period or the result of deadlines outside the agency's control (such as year-end statutory or court-ordered deadlines)." ACUS concluded that "the perception of midnight rulemaking as an unseemly practice is worse than the reality."

Supporters of H.R. 115 have presented no persuasive empirical evidence supporting their claims that regulations were rushed near the end of presidential terms. Likewise, they have supplied no evidence that such regulations did not involve diligent compliance with mandated rulemaking procedures. In reality, compliance with the current lengthy regulatory process prevents agencies from finalizing new regulations efficiently, and thus earlier in presidential terms.

In the end, it is difficult to overlook the tragic irony at the heart of H.R. 115. It would empower Congress to use the Congressional Review Act (CRA)—a process that is rushed, nontransparent and discourages informed decision-making—to block rules that have completed the long journey through the rule-making process.

Unlike the CRA's expedited procedures, agency rules are subjected to myriad accountability mechanisms, and, for each rule, the agency must articulate a policy rationale that is supported by the rulemaking record and consistent with the requirements of the authorizing statute. In contrast, members of Congress do not have to articulate a valid policy rationale—or any rationale at all—in support of CRA resolutions of disapproval. Quite simply, they can be, and often are, an act of pure politics. H.R. 115 would make the situation even worse. It would, in effect, demand that all members of Congress have adequate expertise on all of the rules that would be targeted by a single disapproval resolution. Such a scenario would be highly unlikely.

It would also risk encouraging members to engage in "horse trading" to add still more rules to the disapproval resolution until enough votes have been gathered to ensure the resolution's passage. Surely, this approach to policymaking cannot be defended as superior to that undertaken by regulatory agencies.

Public Citizen, which co-chairs CSS, is actively tracking the CRA resolutions introduced in the 119th Congress. At least 50 rules are vulnerable to repeal through the CRA, and another 52 would be vulnerable if finalized before the end of the current administration. In the current Congress, 22 out of at least 109 CRA resolutions have faced votes on the House or Senate floor. The targeted rules protect small businesses, workers, consumers, students, veterans, investors, people of color, clean air, clean water, renewable energy, wildlife, gun safety, among others.

Further, instead of empowering Congress to bundle CRA resolutions, Congress should investigate if the Government Accountability Office's (GAO) role in evaluating whether agency actions are rules, and therefore subject to the CRA, is an appropriate authority for the U.S. Comptroller General given that the CRA provides GAO with no authority whatsoever to make such determinations. This review overrides an agency decision that the particular action was not a rule and gives members of Congress the ability to request a determination that could lead to a resolution of disapproval under the CRA.

CSS agrees that the CRA is in dire need of reform, but instead of expanding its harmful effects, as the Midnight Rules Relief Act of 2023 would do, we encourage the Committee to evaluate proposals that would limit those effects. One such measure is H.R. 1507, the "Stop Corporate Capture Act." Among its many real and meaningful reforms to strengthen the regulatory process, the Stop Corporate Capture Act would address one of the most problematic aspects of the CRA by eliminating the "salt the earth" provision discussed above. Critically, the Stop Corporate Capture Act would also create a fast-track reinstatement process for rules that were the subject of resolutions of disapproval.

We look forward to assisting the Committee in ensuring that our regulatory process is working effectively and efficiently to protect the American public.

CSS strongly urges opposition to H.R. 115, the Midnight Rules Relief Act of 2023.

Sincerely,

Accountable.US; AFL-CIO; American Bird Conservancy; American Federation of State, County and Municipal Employees (AFSCME); Americans for Financial Reform; Animal Welfare Institute; CalWild; Center for Biological Diversity; Center for Economic Integrity; Center for Food Safety; Center for Progressive Reform; Center for Responsible Lending; Christian Council of Delmarva; Citizen Action/Illinois; Coalition for Sensible Safeguards; Consumer Action; Consumer Federation of America; Consumer Federation of California; Consumers for Auto Reliability and Safety; Earthjustice.

Economic Action Maryland Fund; Economic Policy Institute; Endangered Habitats League; Endangered Species Coalition; FOUR PAWS USA; Friends of the Earth; Government Information Watch; Greenpeace USA; Impact Fund; Interfaith Center on Corporate Responsibility; Kettle Range Conservation Group; Large Carnivore Fund; League of Conservation Voters; National Association for Latino Community Asset Builders; National Consumers League; National Health Law Program; National Wolfwatcher Coalition; National Women's Law Center; Natural Resources Defense Council; Oceana.

P Street; People Power United; Physicians for Social Responsibility; Public Citizen; Public Justice Center; Resource Renewal Institute; RESTORE: The North Woods; Rise Economy; Southern Environmental Law Center; Team Wolf; Texas Appleseed; Tzedek DC; United Auto Workers (UAW); United Steelworkers (USW); Vermont Public Interest Research Group; Virginia Citizens Consumer Council; Womxn From The Mountain; Wyoming Wildlife Advocates.

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

Mr. Speaker, the gentleman from Arizona says the Biden administration has enacted rules that will cost \$1.4 trillion. Over what period of time, he doesn't tell us, and I don't know whether it is correct or not, but I am sure, in terms of the budget, the Democratic and Republican staffs of the Appropriations Committee are looking at them very carefully every year.

He picked one as an example, \$45 million to protect against lead poisoning. Lead poisoning is a real problem. It leads to mental deficiencies in children. If there is a \$45 million rule to deal with this, that sounds fine to me.

The real question is, maybe we ought to examine that rule. Maybe, as Mr. BIGGS said, there is something wrong with that rule. Maybe we ought to re-

peal that rule, but we have the procedure to do that in the current law.

What this bill seeks to do is to say: Don't look at that law. Take 25 rules and put them together so that you can't examine any one of them, and in one vote, we will get rid of 25 rules. Maybe some of them are good rules, and maybe some of them are bad rules, but no one is going to get a chance to debate them because we have one vote, one bill.

That is what this bill does. This bill says to combine all the CRAs into one CRA vote. CRAs are a proper exercise of congressional power. It helps us control the executive, whether it is Democratic or Republican. Nobody argues against a CRA—well, maybe a particular CRA, but no one argues against the idea of a CRA. A CRA ought to be looked at individually. We ought to look at the merits of the CRA, maybe debate it on the floor. Maybe Republicans support it and Democrats oppose it, or maybe the other way around. Maybe it splits not along partisan lines. Maybe it is very clear that we want to do it, but we ought to look at it.

□ 1430

This bill says take 25 CRAs and have one vote so that we can't look at the merits of the individual CRAs, and with one vote, we may be doing immense damage to the health, safety and welfare of the American people, or not. We have no way of knowing because we can't study the CRAs individually.

This bill is pernicious because it combines everything into one vote and denies us the ability to look at the merits of each. Therefore, it ought to be defeated.

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

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

Mr. Speaker, when I first got to Congress, I was sitting in the Senator from Utah MIKE LEE's office, and I said, hey, I don't understand this. You have got a stack on your desk here of about 4 inches, and yet you have a 13-foot tall stack of documents right next to it. What does that symbolize?

He said, the 4 inches are the total number of laws passed by Congress in the last year. The 13 feet is the total number of rules and regulations promulgated by administrative agencies. That is what we are facing.

When my colleague says, hey, we can look at 25—do you know what the high recently has been? It has been 17 in a year, 17 individual ones. Guess what? My bill doesn't say you can't look at these. In fact, it does the opposite. It encourages us to look at the rules. If they are good, they will stand. If they are not good, they will fail. That is what Congress is supposed to do. Another colleague would say, we are trying to expand Congress' power.

No. The Founders were clear. In the Constitutional Convention it isn't

three separate coequal branches. It is three separate but unequal branches.

The legislative branch is supposed to be the most powerful. That is why it got funding. That is why the House is supposed to do the funding because we are the people's House. We are ostensibly closest to the people in the Federal Government.

They don't want you to look at the rules promulgated by unelected bureaucrats. They want you to just blithely go ahead with it. That is the problem.

So when my colleague stands up and says, well, I don't know the cost. Maybe that cost is \$45 billion. Maybe BIGGS is right, maybe he is wrong. I don't know what is in the regulation. Maybe it is good, maybe it is not.

The essence of that argument is that we really shouldn't look at it. Really? Don't look at the law?

That is not what we are saying. We are saying, indeed, look at the regulation, and let's get as many regulations as we possibly can and look at them. That is what we are trying to do.

Let me give you one right now. This is another one right here. If you happen to be fortunate enough to buy a piece of property, no matter how large or how small, and you can pay cash for it—and oddly enough, I was able to buy a couple of acres of property not long ago—it was actually a long time ago, about 25 years ago now, back before property blew up in cost in my area—well, if I were to pay cash now, that transaction is going to be heavily regulated, and it is going to cost the economy and cost taxpayers \$2.2 billion.

By the way, these aren't BIGGS' numbers, these are the Biden administration's numbers. When the Biden administration's number says we imposed \$1.4 or \$1.37 trillion on our regulations, that is not me talking. That is the Biden administration admitting that their regulatory impact is \$1.4 trillion.

Maybe we should look at that. Let me just add this: This notion that, gee, we need to look at these one at a time, and if we only get through 16 or 17 that is really odd because—it is ironic, actually. Tomorrow probably or the next day, you are going to see an omnibus, a short-term omnibus, come to the floor. They are calling it a CR, but it is really a short-term omnibus. In that bill are loads and loads of spending, loads and loads of policy.

Guess what? They are all going to vote for it. They just don't want you to look back at the rules that this administration has put into place.

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

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

Mr. Speaker, another rule on the chopping block is to update heavy machinery emergency brakes.

Does my colleague also want to roll back this rule, a rule that will save lives?

If the will of the people is truly that we roll back these lifesaving measures,

my colleagues should have the bravery to vote down each rule individually. Then you can tell your happy constituents that you voted for lead poisoning, and you voted for not implementing a national suicide hotline.

Let me say this: The gentleman from Arizona gets it exactly backward. First of all, he says the cost of all of the regulations is \$1.2 trillion.

What are the benefits? Maybe they are far greater than that. We ought to know.

If you find a rule that you think is wrong, if you think the cost of this rule outweighs the benefits, fine, bring a CRA to the floor. That is not what this bill does. This bill says don't bring a CRA to the floor. Bring a combination of 25 or 30 CRAs to the floor so that you can't examine them individually.

Maybe some of them make sense. Maybe, in some cases, the regulation outweighs the benefits, or the cost outweighs the benefits. Maybe in another case, it is a different regulation, the benefits outweigh the costs. We should look at it as an individual CRA. That is why the CRA process was designed.

What this bill does is to upend that process by saying we are not going to look at the individual regulation. We are not going to look at the individual CRA. We are going to put 25 or 30 or 40 or 50 or 100 CRAs together in one vote with presumably an hour of debate on the floor. It is saying you can't look at the merits. That makes no sense.

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

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

Mr. Speaker, when the gentleman from New York says we ought to know what is in the rule, he doesn't know diddly crap about the lead pipe rule that he keeps referring to. He doesn't know diddly about any of these other rules. He has admitted that.

He doesn't know about them, doesn't know how much they cost, and he doesn't know whether they would have a good cost-benefit analysis. Guess what? Most of this body doesn't either.

What he is arguing is you really shouldn't look at it because this bill does not change regular order. It does not change regular order. That means somebody is going to be drafting this bill. It means somebody is going to debate this bill in a committee. It means somebody is going to debate it on the floor, and that means you are going to have an opportunity to look at these rules, and if it has benefit, you can amend it.

You can amend that bill to remove that from your CRA. That is the way to get this through. I do find it—I have got to mention it again—laughable to say you shouldn't combine 20 rules that are made by unelected officials who we haven't seen their rule, we haven't participated in their rulemaking process generically—that is normal—and then stand up here and tell us we shouldn't have that lookback.

We shouldn't do that, when awkwardly, those same folks are going to vote on a massive omnibus spending package in the next 48 hours. They haven't seen the language. You know why I know they haven't seen the language? I know because it isn't out yet. I haven't seen the language, but they are going to vote for it. They don't want you to know what is in these rules promulgated by unelected officials. That is the doggone shame of it all.

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

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

Mr. Speaker, if the gentleman wants to criticize the Republican leadership of the House for not bringing to the floor the 12 appropriations bills that they promised they would and that they should, and instead putting them all in one omnibus bill, I join him in that criticism. It is not the way to run the ship of state. I join him in that criticism of the Republican leadership of the House.

Let's go back to the lead paint. It costs \$45 million we are told. How much does it save in children not getting lead paint poisoning, in hospital costs? It saves a lot more, presumably.

We have agencies that Congress has established over the last more than a century, since World War I, since the Wilson administration, to make determinations that Congress can't.

How many parts per million of cadmium should be permitted in drinking water? I don't know, but the EPA makes that judgment. Now, if someone in Congress thinks the EPA made the wrong judgment, that it is costing more than it is worth, bring a CRA. That is why we have CRAs. Don't talk about the total cost of all regulations because the total benefit of all regulations is many times greater than that.

Certainly, if you are talking about looking at anything, bring a single CRA. This bill, again, says to Congress, don't look at what the administrative agencies have done. Don't look at whether it makes sense to have this regulation or not. Just take 25 or 35 or 45 CRAs, repeal 35 or 25 or 55 rules without having a chance to really look at any of them because someone in the Republican leadership decided that they should.

If this bill passes, Congress will not have the chance to examine any subject of a CRA. That is why this bill is so pernicious and ought to be defeated.

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

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

Mr. Speaker, we can walk around this barn all day long. When you say, look, we want you to do this on a single rule over and over again, that is not real. That is the way it has been. We don't know. Congress doesn't know.

That is why your constituents come up and say to you, hey, why is this going on? Why is now a financial ad-

viser going to be regulated very tightly to the tune of \$7.2 billion adjudicated by the Biden administration? Why is that?

Well, I don't know. Well, you are in Congress. Well, yeah, but it is a rule. You know, we put it on autopilot because we think the experts really are experts. Maybe they are. Maybe they are not. One thing this bill does is it says look at what the bureaucracy is doing. Look at what the fourth branch of government is doing here. Look at this.

If my colleague from New York says, hey, we don't know if something is good or bad, let me reiterate: We are not changing regular order. We are not changing regular order. Someone has to draft the bill. You are going to debate the bill. You are going to debate it in committee. You are going to debate it in rules. You are going to debate it on the floor. There will be opportunities to amend it. That is called regular order.

His criticism of our leadership for not bringing 12 bills, I am always there. I am always critical of it. This is probably the only thing that we have agreed on today so far. Well, his party did the same just a couple years ago, too. It goes back and forth.

There is a problem with that on both sides, but what I am encouraging and what this bill encourages is a real lookback, a real follow through on regular order, and a real understanding of what the rules are doing to the American people.

Some of them may be excellent. Some of them may not be so, but this is an opportunity to actually get Congress doing its job. Maybe that is why there is reticence to support this bill.

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

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

Mr. Speaker, this bill does exactly the opposite of what the gentleman from Arizona says. This bill does not give us the chance to look at a regulation and decide whether it makes sense.

This bill puts all the regulations together so that we can't look at them. We can't look at any one of them in particular because they are all together in one vote with one hour of debate on the floor.

Let me give you an example of a rule that is on the chopping block. You have a rule ensuring that all cell phones—it is a new rule—that all cell phones are hearing aid compatible, a rule that requires cell phone makers to update their tech.

Does my colleague want to roll this back? What is the cost that my colleague would stomach to ensure our seniors can call and hear their family members and friends? That is just one regulation.

□ 1445

Maybe you think it costs too much money for the tech companies to satisfy grandma and grandpa, that they

shouldn't be able to talk to their grandkids or their family members by phone because it costs the tech companies too much money. All right. Make that case on the floor with a CRA. I will debate it because I think the opposite, but make that case on the floor with a CRA.

This bill says don't make that case on the floor with a CRA. Put all the CRAs together so you can't debate the merits of any one of them.

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

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

Here we go, Mr. Speaker. We are going to walk around the barn one more time. Let's go around that barn just one more time and say the same thing again.

My colleague and I are obviously diametrically opposed. He thinks that if this bill passes you won't look back, you won't specifically look at any iterated rule. I am telling you, nothing seems further from the truth than that to me because here is the deal: Somebody is going to have to draft that bill. They are going to have looked at some of these regulations. They then are going to bring it to the committee chairs, you are going to be sitting in a committee, and you are going to have a markup on this.

The gentleman from New York knows this because we both sit on the Judiciary Committee, and I sit on the Oversight and Accountability Committee, and we have almost indeterminate debates in markups. They go forever. Everybody gets 5 minutes for everything, for every amendment. If you have 25 rules sitting in there, guess what? You are going to have everybody in that committee probably taking 5 minutes a piece on all 25 rules and fully examining that rule and deciding whether they want to keep it in the CRA.

Right now do you know what happens? You might look at as many as 15 or 20 rules per Congress. That is it. We are talking literally hundreds and hundreds of rules that pass that are promulgated. Some may be great. Some may be bad. What this bill does is it encourages Congress to finally do its job.

I am all in on doing the 12 approps bills separately, but even with the 12 approps bills, you will have multiple lines that you are looking at, and you won't necessarily see all those lines.

It is time that we start looking at the rules and see what the administrative state is doing to Americans. That is the bottom line. They don't want that. They don't want that. That is a crying shame to me. It is a crying shame.

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

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

We are going around in circles, but let me just add one thing. We call this the Midnight Rules Relief Act, but it is a big midnight. It extends the entire

year, the last year of any President's administration. A whole year, that is hardly a midnight rule.

Again, if you want to look at the merits of a rule—and the gentleman says we have only like 20, 25 a year maybe or maybe we will have 250 next year, who knows. It depends on the politics. Debate the bill.

When a bill comes to the floor, there is 1 hour of debate. We are supposed to debate 25 CRAs in an hour. Some of them may be good, and some of them may be bad. Each CRA deserves its own consideration by those who support it and by those who oppose it.

This bill says, no, all together in one bill, so you can't really oppose or support any particular one of them. Take it or leave it on all of them, and you have no time for debate.

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

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

I am glad we agreed finally on the second thing, and that is we are going around in circles.

I want to make a couple quick points as I round the barn one more time. The most CRAs done in a year was in the 115th Congress. Mr. Speaker, 17, only 17—which by the way, that is the same year that MIKE LEE had 13 feet of regulations promulgated by the administrative state.

I just want to remind you what happens in the last year and why this is critical. Regulatory promulgation kind of goes at a flat line. Then that last year of a Presidency, of an administration, boom, it spikes up. It spikes up. That is the reality. That is why we have always had the 60-day lookback. If it extends now to the whole year, if it were to do that, you are going to be dealing with a spike.

I am just getting back to this point. If the most you have ever looked at ever is 17 in a year, then you don't know what the other hand is doing, the other hand being the administrative state.

I am just saying let's do it. Let's look at them, and let's make this work.

Mr. Speaker, I urge everyone to pass this bill, and I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, as we have both said, we are going around in circles, so I will say what everybody has been waiting to hear: I am prepared to close, and I reserve the balance of my time.

Mr. BIGGS. Mr. Speaker, I am also prepared to close, and I reserve the balance of my time.

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

Mr. Speaker, the gentleman from Arizona just said that the greatest number of CRAs that we have had in a given Congress is 17. Okay, I will take him at his word. Why not have 17 votes? Why not debate each for up to an hour so we know what we are doing? This bill says put them all together so we don't know what we are doing.

Mr. Speaker, this legislation is just the latest Republican effort to undermine the regulatory process. It would allow Donald Trump and his Republican enablers in Congress to wipe away dozens of lifesaving regulations and consumer protections in one single party-line vote under cover of darkness.

Mr. Speaker, I urge all Members to oppose this dangerous legislation, and I yield back the balance of my time.

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

Mr. Speaker, so you have thousands of regulations in 2024 promulgated, thousands, impacting us by \$1.4 trillion. The most CRAs you have ever had is 17, and we are told, oh, just trust the administrative state.

I can't do that.

My constituents can't do that.

Americans can't do that.

We are trying to come up with a reasonable approach to make this more workable, and that is what this bill is. That is what H.R. 115 is. It encourages Congress to do its job. That is why this is so important.

I urge my colleagues to join me and vote in favor of H.R. 115. Let's get this passed and let's make Congress the legislative branch it is supposed to be per the Constitution.

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

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 1616, the previous question is ordered on the bill, as amended.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

#### MOTION TO RECOMMIT

Mrs. RAMIERZ. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mrs. Ramirez of Illinois moves to recommit the bill H.R. 115 to the Committee on the Judiciary.

The material previously referred to by Mrs. RAMIREZ is as follows:

Mrs. Ramirez moves to recommit the bill H.R. 115 to the Committee on the Judiciary with instructions to report the same back to the House forthwith, with the following amendment:

Page 3, line 12, insert "except in the case of a rulemaking where the proposed rule was published more than 6 months prior to the publication of the final rule," before "a joint resolution of disapproval".

The SPEAKER pro tempore. Pursuant to clause 2(b) of rule XIX, the previous question is ordered on the motion to recommit.

The question is on the motion to recommit.

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

Mr. BIGGS. 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 are postponed.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or votes objected to under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

#### NEVER AGAIN EDUCATION REAUTHORIZATION ACT OF 2023

Ms. FOXX. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3448) to reauthorize the Director of the United States Holocaust Memorial Museum to support Holocaust education programs, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3448

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

##### SECTION 1. SHORT TITLE.

This Act may be cited as the “Never Again Education Reauthorization Act of 2023”.

##### SEC. 2. REAUTHORIZATION.

Section 4(a) of the Never Again Education Act (Public Law 116-141; 134 Stat. 638) is amended by striking “each of the 4 succeeding fiscal years” and inserting “each succeeding fiscal year through fiscal year 2030”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from North Carolina (Ms. FOXX) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentlewoman from North Carolina.

##### GENERAL LEAVE

Ms. FOXX. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to insert extraneous material on S. 3448.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

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

Mr. Speaker, I rise in support of S. 3448, the Never Again Education Reauthorization Act of 2023.

October 7 was the worst day in Jewish history since the Holocaust. S. 3448 will ensure that the lessons of history are not forgotten in these troubling times.

The bipartisan bill promotes tolerance by extending the United States Holocaust Memorial Museum’s mission to disseminate Holocaust education resources through fiscal year 2030.

In May 2020, Congress passed with overwhelming bipartisan support and President Trump signed into law the Never Again Education Act. This law authorizes \$2 million for the Holocaust museum to create and disseminate educational resources on how and why the Holocaust happened.

This year, the world celebrated the Allied victory of Normandy 80 years ago. We were reminded of what our heroes fought for and against. Unfortunately, we have seen an increase in anti-Semitic and other bias-based offenses on college campuses, demonstrating that the hate and bigotry that motivated the Nazis is still present in our society.

□ 1500

Mr. Speaker, expanding the presence of Holocaust education programs in schools will increase the knowledge of basic facts related to the Holocaust, and that is important.

More importantly, it will give schools optional resources to help provide students a greater understanding of the ancient scourge of anti-Semitism and provide them intellectual and moral tools to fight against it and to prevent genocide, hate, and bigotry against any group of people. I thank Representative BUDDY CARTER for authoring this bill in the House.

Mr. Speaker, I urge my colleagues to support this bill, and I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 3448, Never Again Education Reauthorization Act of 2023.

This bill reauthorizes the bipartisan Never Again Education Act through 2030 to continue providing educators with resources and training to teach important lessons pertaining to the Holocaust.

While Congress should not dictate school curriculum, this legislation maintains the balance of promoting important education while allowing school districts to govern themselves.

The bill reauthorizes the United States Holocaust Memorial Museum to support Holocaust education programs across the country that educators can, if they desire, access to better serve their classrooms.

Anti-Semitism is not a new problem, and we have seen such a disturbing rise in anti-Semitism that it must be addressed for the safety and dignity of all Americans. Congress must continue to take steps to ensure that Americans are educated on the dangers of anti-Semitism and the lessons of the Holocaust.

Passing this bill is critically important to combating anti-Semitism and ensuring schools maintain safe, productive spaces for all students.

As the ranking member of the Committee on Education and the Workforce, I have worked with the majority to ensure that the curricula introduced

are appropriate for students according to their grade level and following the guidance from the United States Holocaust Memorial Museum.

Mr. Speaker, I urge my colleagues to support the legislation, and I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia (Mr. CARTER), the sponsor of the House companion to the bill we are considering.

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentlewoman for yielding. I thank her for her leadership on this committee.

Mr. Speaker, I rise today in strong support of S. 3448, the Never Again Education Reauthorization Act. I am proud to lead this important bipartisan bill with Senator ROSEN, and I thank her for her work.

The bill before us today reauthorizes the United States Holocaust Memorial Museum’s program to disseminate Holocaust education resources through fiscal year 2030.

Since the horrific attacks of October 7, 2023, pervasive discrimination and bias against Jews has been on full display. The Anti-Defamation League reports more than 10,000 incidents of anti-Semitism in the United States between October 2023 and September of 2024. This is hateful, disgusting, and despicable.

Nowhere is this more visible than on college and university campuses where there was a staggering 321 percent increase of anti-Semitic incidents in just 1 year.

During that time, the American people watched anti-Semitic mobs rule over so-called elite universities including Columbia University, Harvard University, George Washington University, and many, many more. Not only were these demonstrations morally reprehensible but they also incited violence against Jewish students and staff.

Yet, as these mobs raged on campuses, the American people witnessed three Ivy League presidents refuse to unequivocally state that calling for the genocide of Jews would violate their institutions’ code of conduct.

Think about the example that sets for today’s college students. Three adults in a position of power believe calling for the genocide of Jews would be in line with their school policies.

Jewish students deserve better. We must speak out against hate and educate our students on the history of anti-Semitism to ensure that the horrors of the Holocaust are never repeated.

You have heard the saying: Those who don’t know their history are bound to repeat it. We must set a better example than that for our children, and the recent pro-Hamas demonstrations happening at colleges and high schools across the Nation are proof of that.

No one should be discriminated against because of their faith or their culture or their heritage. When we say never again, we mean it.