

Mr. PALLONE. Mr. Chair, I yield myself the balance of my time.

Let me just say I find it incredible that the Republicans want to just take away all ability of the Department of Energy to deal with efficiency standards not only for gas stoves, for electric stoves—remember, that this rule doesn't just apply to gas stoves or cooktops. It applies to electric stoves, as well.

Any fair reading of this legislation makes it clear, in my opinion, that not only are they banning and overturning this bill but overturning anything else that is within the sphere of efficiency for cooktops, whether they be gas stoves or electric stoves or anything of that nature.

Again, I think it is a huge overreach. I, of course, oppose the underlying bill as well, but it is a huge overreach to say that the Department of Energy can't deal with this efficiency issue when it comes to stoves of whatever type in the future because that is what their job is—to deal with these efficiency standards, and they have been doing it very effectively to save money and to be innovative.

Mr. Chairman, for those reasons, I would ask for support of my amendment, and I yield back the balance of my time.

Mrs. LESKO. Mr. Chairman, yes, indeed, the energy efficiency standards deal with both gas and electric stoves.

The problem is that it disproportionately would ban the majority of gas stoves, not electric stoves. That takes away consumer choice.

That is why I brought this bill to the floor, and that is why I oppose this amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. PALLONE).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. PALLONE. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

Mrs. LESKO. Mr. Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. RUTHERFORD) having assumed the chair, Mr. MOYLAN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1640) to prohibit the Secretary of Energy from finalizing, implementing, or enforcing the proposed rule titled "Energy Conservation Program: Energy Conservation Standards for Consumer Conventional Cooking Products", and for other purposes, had come to no resolution thereon.

REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT OF 2023

GENERAL LEAVE

Mr. MASSIE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 277.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 495 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 277.

The Chair designates the gentleman from Guam (Mr. MOYLAN) as Chair of the Committee of the Whole, and requests the gentleman from Florida (Mr. RUTHERFORD) to assume the chair temporarily.

□ 1943

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 277) to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law, with Mr. MOYLAN (Chair) in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall be confined to the bill and shall not exceed 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees.

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

The Chair recognizes the gentleman from Kentucky (Mr. MASSIE).

□ 1945

Mr. MASSIE. Mr. Chair, I yield myself such time as I may consume.

Even before America declared its independence, John Adams emphasized that a republic is a government of laws and not of men. That is what we are here to debate tonight.

Are we a government of laws or a government of the executive branch? Are we going to allow the executive branch to write the laws? Are we going to turn our Constitution on its head? Have we gone too far already? I would argue we have, and that is why we need the REINS Act, Regulations from the Executive in Need of Scrutiny. It provides that every major regulation that the administration seeks to promulgate has to come to Congress first, has to be passed by concurrent majorities in the House and the Senate and signed by the President. This is exactly what

our Founders prescribed. This is a bill about who makes the laws in our country, and it is about reclaiming our legislative power from the administrative state.

I think it is appropriate to read from our Constitution at this point. Article I, Section 1 of the Constitution says: "All legislative powers . . ." not some legislative powers.

"All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

Does it say it shall consist of a bureaucracy? It does not. All legislative powers are vested here and in the Senate. That is why we need to stop letting the executive branch make law.

Are they merely tweaking regulations? Are they determining the amount of sulfur dioxide that is acceptable to release from a power plant with civil infractions imposed if a company doesn't comply? No, they are making laws that put people in prison over in the administrative branch, and we are doing nothing about it.

We have atrophied. The power of Congress has atrophied. We are almost like ombudsmen to the executive branch now. This needs to change.

In the words of James Madison: "The accumulation of all powers, legislative, executive, and judiciary, in the same hands . . . may justly be pronounced the very definition of tyranny."

I am afraid that is what we have come to. Too many of our laws, civil and criminal, are now being written by the executive branch.

Here is what the REINS Act does, and here is why it is important. If a regulation that is passed by the executive branch or suggested by the executive branch has more than \$100 million of impact—that is a pretty high threshold. I would argue if it has any impact, we should be legislating it, but this is a compromise. If it has more than \$100 million of impact, it has to come here if it is going to become a law.

They do not get to write the laws, and so that is why we need the REINS Act.

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

HOUSE OF REPRESENTATIVES,

COMMITTEE ON THE JUDICIARY,

Washington, DC, May 31, 2023.

Hon. JODEY ARRINGTON,

Chairman, Committee on the Budget,

House of Representatives, Washington, DC.

DEAR CHAIRMAN ARRINGTON: Thank you for consulting with the Committee on the Judiciary and agreeing to be discharged from further consideration of H.R. 277, the Regulations from the Executive in Need of Scrutiny Act of 2023, so that the measure may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee, or prejudice its jurisdictional prerogatives on this measure or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will include the exchange of these letters in the Judiciary Committee's report to accompany this legislation and in the Congressional Record during consideration of this legislation on the House floor. I appreciate your cooperation regarding this legislation and look forward to continuing to work together on matters of shared jurisdiction during this Congress. Thank you for your attention to this matter.

Sincerely,

JIM JORDAN,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, May 30, 2023.

Hon. JIM JORDAN,
Chairman, Committee on the Judiciary,
Washington, DC.

DEAR CHAIRMAN JORDAN: I am writing regarding H.R. 277, the Regulations from the Executive in Need of Scrutiny (REINS) Act, which was ordered reported by the Committee on the Judiciary on May 24, 2023.

The bill contains provisions that fall within the jurisdiction of the Committee on the Budget. In order to expedite House consideration of H.R. 277, the Committee on the Budget will forgo action on this bill. This is being done with the understanding that it does not waive any jurisdiction over the subject matter contained in H.R. 277 or similar legislation and that the Committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that the Committee may address any remaining issues that fall within its jurisdiction. The Committee on the Budget also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation and requests your support of any such request.

I would appreciate a response to this letter confirming this understanding with respect to H.R. 277 and would ask that a copy of our exchange of letters on this matter be included in your committee report and in the Congressional Record during floor consideration of H.R. 277.

Sincerely,

JODEY C. ARRINGTON,
Chairman,
Committee on the Budget.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON RULES,
Washington, DC, May 25, 2023.

Hon. JIM JORDAN,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, DC.

DEAR CHAIRMAN JORDAN: On May 25, 2023, the Committee on the Judiciary ordered H.R. 277, the Regulations from the Executive in Need of Scrutiny (REINS) Act of 2023, reported to the House. As you know, the Committee on Rules was granted an additional referral upon the bill's introduction pursuant to the Committee's jurisdiction under rule X of the Rules of the House of Representatives over the rules of the House and special orders of business. The Committee has exclusive jurisdiction over several provisions related to expedited procedures for consideration of legislation in the House.

Because of your willingness to consult with my committee regarding this matter, I will waive consideration of the bill by the Committee on Rules. By agreeing to waive its consideration of the bill, the Committee on Rules does not waive its jurisdiction over H.R. 277. In addition, the Committee reserves its authority to seek conferees on any provisions of the bill that are within its jurisdiction during any House-Senate conference that may be convened on this legislation. I ask your commitment to support any re-

quest by the Committee on Rules for conferees on H.R. 277 or related legislation.

I also request that you include our exchange of letters on this matter in the committee report to accompany H.R. 277 and in the *Congressional Record* during consideration of this legislation on the House floor. Thank you for your attention to these matters.

Sincerely,

TOM COLE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, May 25, 2023.

Hon. TOM COLE,
Chairman, Committee on Rules,
House of Representatives, Washington, DC.

DEAR CHAIRMAN COLE: Thank you for consulting with the Committee on the Judiciary and agreeing to be discharged from further consideration of H.R. 277, the Regulations from the Executive in Need of Scrutiny Act of 2023, so that the measure may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee, or prejudice its jurisdictional prerogatives on this measure or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will include the exchange of these letters in the Judiciary Committee's report to accompany this legislation and in the *Congressional Record* during consideration of this legislation on the House floor. I appreciate your cooperation regarding this legislation and look forward to continuing to work together on matters of shared jurisdiction during this Congress. Thank you for your attention to this matter.

Sincerely,

JIM JORDAN,
Chairman.

Mr. NADLER. Mr. Chair, today, we are considering a bill that would require both houses of Congress to vote to approve, and for the President to sign, a motion of approval for any major rule in progress from our executive branch.

We are considering this bill just a week after a splinter group of the far-right Republicans voted down a rule and held our legislative calendar hostage all to prove a point about a debt ceiling that already has passed Congress and has been signed by the President.

Even before this radical move, I had no doubt that the REINS Act would grind to a halt the most impactful actions by our regulatory state. Now, after seeing what just a handful of Members will do just to make a point, I am certain that we cannot let bad measures like this one move forward.

The REINS Act would frustrate the purpose of government and put our constituents in harm's way.

Even if the underlying policy behind the REINS Act was a good idea, which it emphatically is not, I would still argue against it because it is unconstitutional. By allowing the regulation to be blocked from being implemented if even one Chamber declines to pass an approval resolution, the REINS Act is essentially a legislative veto, which the Supreme Court has already held to be unconstitutional.

The goal of this legislation, quite simply, is to stop the regulatory process in its tracks, regardless of its impact on public health and safety.

The bill purports to give Congress control of the rulemaking process, but Congress already has this power and it exercises it in a number of ways. Congress can delegate authority to agencies with specificity, thus limiting the scope of the agency's authority. It can impose restrictions on rulemaking through appropriations. It can influence rulemaking through oversight activities. If all of these measures are insufficient, we also have the blunt tool of the Congressional Review Act, which allows Congress not only to overturn a rule but also to bar the agency from ever passing a substantially similar rule.

The REINS Act is not only redundant, it also creates insurmountable procedural hurdles that would stall the approval of rules of major impact, rules that would be highly beneficial to the public's health and safety.

It is important to remember why we have regulations in the first place. Congress sets broad policies but we delegate authority to executive agencies because we do not have the expertise to craft technical regulations ourselves.

Who here knows how many parts per billion of arsenic should be allowed in our drinking water? Is 10 the proper amount? Should it be 5 or 15? None of us here knows the answer, but the dedicated professionals at our Federal agencies, many of whom have decades of experience and vast technical expertise, undertake a careful process with numerous procedural safeguards to protect our health and safety.

The recent smog and pollution much of the East Coast experienced last week as a result of the Canadian wildfires is a great example of why we need an informed regulatory state to act on our behalf. Decades ago, many cities had similar levels of pollutants in the air, clogging our lungs and causing harm to our children and the environment as we saw last week.

Thanks to expert-informed policies like those regulations instituted under the Clean Air Act, we rarely have days like we saw last week when our most vulnerable citizens must take shelter inside to avoid breathing the air.

Regulations ensure that our air is safe to breathe, our water is safe to drink, our food is safe to eat, and the lifesaving medications we depend on are safe and effective.

I feel much better about leaving regulatory decisions to the careful study of agency experts rather than to Members of Congress who want to substitute their judgment, subject to the whims of politics.

Mr. Chair, I urge my colleagues to join me in opposing this dangerous bill, and I reserve the balance of my time.

Mr. MASSIE. Mr. Chair, I yield myself such time as I may consume.

We now have had a sneak preview of what the next hour of debate is going

to look like. The other side is going to argue that we need to give up more power to the executive branch.

I think our constituents would be appalled. They sent us here and they say we are not effective enough, yet the other side of the aisle is going to say, oh, we need to give the power to the executive branch.

We have also heard here already tonight that this bill, which would restore our Constitution, they say may be unconstitutional. They are referring to a Supreme Court case that has nothing to do with this bill, *INS v. Chadha*, which said you can't have a legislative veto. That bill that they were ruling on ran afoul of the Constitution because it didn't require passage in both Chambers and a signature by the President.

The REINS Act requires passage in both Chambers and a signature by the President, so their claim that it is unconstitutional is absurd because this is what is required to restore the Constitution.

Their claim that the REINS Act is redundant because we already have the Congressional Review Act is equally as absurd. There have been over 90,000 rules passed by the executive branch since the Congressional Review Act was passed. Only 20 of those have been able to be repealed by this Chamber and the Senate.

This is not a substitute for the Congressional Review Act. It is not redundant. This is what is required. It is what is missing right now in our constitutional structure from what our Founders intended.

Mr. Chair, I yield 3½ minutes to the gentlewoman from Wyoming (Ms. HAGEMAN), who is also a member of the Subcommittee on Regulatory Reform.

Ms. HAGEMAN. Mr. Chair, the power of the administrative state to impose radical and unpopular policies that could never be passed by Congress violates the separation of powers established by the Constitution and is a failed business model for running this country.

Section 1 of Article I of the U.S. Constitution grants all legislative powers to Congress. Over time, however, Congress has excessively delegated its constitutional charge while failing to conduct appropriate oversight and retain accountability for the content of the laws it passes.

The REINS Act is critical to Congress reclaiming its rightful authority and responsibility to legislate. The purpose of this act is to increase accountability for and transparency in the Federal regulatory process.

By requiring a vote in Congress, the REINS Act will result in more carefully drafted and detailed legislation, an improved regulatory process, and a legislative branch that is truly accountable to the American people.

The REINS Act is drafted to address what is often referred to as the non-delegation doctrine, which is a judicially created concept that has resulted in a dramatic shift in power

from the legislative branch to the executive branch and is flatout unconstitutional. It is what has allowed regulatory agencies to adopt regulations and even guidance documents that may impose economic costs of billions of dollars on certain industries and businesses and ultimately on the American people without any congressional oversight or involvement at all.

As an example, a few years ago, the USDA issued guidance requiring cattle to have radiofrequency ID ear tags for tracking purposes. This would have imposed a \$2 billion cost on the cattle industry, yet the ranchers had no input and Congress never passed such a law.

The current state of affairs has empowered unelected bureaucrats to legislate without any accountability whatsoever while allowing Members of Congress, your elected Representatives, to abdicate their most important constitutional responsibility, the responsibility to write the laws.

The REINS Act requires Congress to affirmatively approve agency rules with an annual economic effect of \$100 million before they become effective.

Prior legislative attempts to rein in the administrative state have been insufficient. The result is that the administrative state has continued unabated, imposing unwanted, unwise, unlawful, and unconstitutional policies with impunity.

What do I mean? In 2021, Congress passed just 143 laws, while Federal agencies issued 3,257 rules. The REINS Act would require affirmative congressional approval of major agency rules before they take effect. It does nothing more than require Congress to do as our Founding Fathers expected, to legislate, and it promotes electoral accountability.

I cannot fathom why anyone would oppose such accountability and course-correcting of this legislative ship. Please put America and your constituents first. Please hold Congress accountable for legislating, and please vote "yes" on the REINS Act.

Mr. NADLER. Mr. Chair, I reserve the balance of my time.

Mr. MASSIE. Mr. Chair, I include in the RECORD a cost estimate for H.R. 277 prepared by the Congressional Budget Office.

AT A GLANCE, H.R. 277, REINS ACT OF 2023, AS ORDERED REPORTED BY THE HOUSE COMMITTEE ON THE JUDICIARY ON MAY 24, 2023

	By fiscal year, millions of dollars—		
	2023	2023–2028	2023–2033
Direct Spending (Outlays)	a	a	a
Revenues	a	a	a
Increase or Decrease (-) in the Deficit Spending Subject to Appropriation (Outlays)	a	a	a

a. CBO has no basis to estimate the budgetary effects of enacting H.R. 277.

Increases net direct spending in any of the four consecutive 10-year periods beginning in 2034? a.

Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2034? a.

Statutory pay-as-you-go procedures apply? Yes.

Mandate Effects:
Contains intergovernmental mandate? No.
Contains private-sector mandate? No.
The bill would:

- Require the Congress to affirmatively approve any major rule issued by a federal agency for it to take effect

- Establish special Congressional procedures and timelines for enacting a joint resolution of approval for major rules

- Require the Government Accountability Office to study how many rules are in effect across the federal government and to estimate the economic cost imposed by those rules

Estimated budgetary effects would mainly stem from:

- Changes in the number and content of major rules that federal agencies would issue in the future

Areas of significant uncertainty include:

- The number and content of major rules that federal agencies would issue in the future, including the economic costs and benefits of those rules

- Decisions made by the Congress about whether to approve those rules

BILL SUMMARY

Under current law, a final federal rule can take effect unless the Congress enacts a joint resolution of disapproval. In contrast, H.R. 277 would require the Congress to enact a joint resolution of approval before any major rule could take effect. Thus, under H.R. 277, new major regulations issued by federal agencies would depend on future legislation.

ESTIMATED FEDERAL COST

CBO and the staff of the Joint Committee on Taxation (JCT) cannot determine the budgetary effect of making all future major rules subject to Congressional approval, but we expect that, in the absence of subsequent legislative action affecting those rules, enacting H.R. 277 would have significant effects on direct spending, revenues, and spending subject to appropriation.

BASIS OF ESTIMATE

For this estimate, CBO assumes that the bill will be enacted in August 2023.

BACKGROUND

The Congressional Review Act (CRA) of 1996 requires federal agencies to submit final rules to the Congress and the Comptroller General before they may take effect. Final rules may be annulled by the Congress if a joint resolution of disapproval is enacted into law. H.R. 277 would amend current law to require instead that the Congress enact a joint resolution of approval before any major rule may take effect, thereby making implementation of major rules contingent on future Congressional action.

The CRA defines a major rule as one that the Office of Management and Budget finds has resulted in or is likely to result in:

- An annual effect on the economy of \$100 million or more;

- A major increase in costs or prices for consumers, individual industries, federal, state, or local government agencies, or geographic regions; or

- Significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises in domestic and export markets.

H.R. 277 would establish special Congressional procedures and explicit timelines for enacting a joint resolution of approval for major rules. Under the bill, if a joint resolution of approval is not enacted within 70 legislative (or session) days of the Congress receiving the major rule and an accompanying report from a federal agency, the rule would

not take effect. Further, the Congress could not reconsider a joint resolution of approval relating to that rule in the same Congress. However, a major rule could take effect for one 90-calendar-day period without Congressional approval if the President determines, via an executive order, that it was necessary for one of four reasons: (1) to respond to an imminent threat to health or safety, (2) to enforce criminal laws, (3) to protect national security, or (4) to implement an international trade agreement.

Historical data show that federal agencies published 78 major rules in 2022, and 93 major rules, on average, over the past five fiscal years. Major rules published in recent years include ones that established emissions standards for motor vehicles, set Medicare payment rates, and increased the minimum wage for federal contractors. However, looking to recent major rules as a way to estimate the number or scope of future major rules that would be affected by H.R. 277 may not be a good guide to what would happen under the bill because agencies might change the number of major rules they issue or implement policies differently if the bill was enacted.

Because major rules are issued to implement current law, the budgetary effects of anticipated rules are reflected in CBO's baseline projections. For example, annual rules establish new payment rates for a variety of Medicare services that reflect changes in the price indices used for those services under current law. Those rules often result in an increase in payment rates and thus an increase in spending, which are incorporated in the baseline.

Under the Balanced Budget and Emergency Deficit Control Act of 1985 (Deficit Control Act), which governs the contents of the baseline, actions that are contingent on future Congressional action are generally not included in CBO's projections. H.R. 277 would amend that Act to require that CBO continue to assume that any planned major rule will go into effect, unless the rule has already been issued and the Congress has not enacted a resolution of approval within the specified 70-day period. (Without that provision amending the Deficit Control Act, H.R. 277 would result in baseline projections that did not reflect the budgetary effects of major rules.)

Under H.R. 277, CBO's baseline projections would continue to include the budgetary effects of major rules even though future Congressional action would be necessary to approve them. For example, if H.R. 277 is enacted, baseline projections would continue to reflect the assumption that payment rates and related federal spending for Medicare providers would rise over time, even though raising those rates would require future Congressional action. Accordingly, a Congressional resolution of approval for a major rule raising such rates would be estimated as having no cost relative to CBO's baseline projections. (CBO's subsequent baseline projections would be updated to exclude the budgetary effects of a proposed rule if the Congress does not approve it.)

DIRECT SPENDING

To assess the budgetary effects of H.R. 277, CBO considered the costs and savings that would be realized if anticipated major rules do not take effect. The consequences would vary tremendously because the budgetary effects of different rules vary considerably.

Preventing some major rules from taking effect would result in costs to the federal government, while preventing others would result in savings. On net, CBO estimates that enacting H.R. 277 would probably have a significant effect on direct spending (more than \$500,000), but we cannot determine the mag-

nitude or direction of those changes for any year or over time.

Many major rules that occur routinely under current law are related to the government's health care programs, in particular Medicare. For example, some rules establish annual updates to payment rates for services provided by hospitals, skilled nursing facilities, and other Medicare providers. Enacting H.R. 277 would freeze payment structures for those providers at current levels pending future Congressional actions. Similarly, payment rates (such as the annual benefit amount for each person) under some other federal programs might also be frozen under the bill in the absence of future Congressional actions. CBO cannot estimate the net effect of all such changes.

REVENUES

Enacting H.R. 277 also would affect tax revenues, and JCT expects that preventing regulations from going into effect could reduce collections of revenues in some cases and increase collections in other cases. JCT cannot determine the sign or magnitude of the possible effects on revenues.

SPENDING SUBJECT TO APPROPRIATION

H.R. 277 also would affect programs funded through the annual appropriation process. However, CBO cannot determine the magnitude of such effects. For example, if major rules issued by the Environmental Protection Agency could not take effect, spending by the agency would decline, assuming future appropriations were reduced accordingly.

The legislation also would require the Government Accountability Office (GAO) to quantify the number of major and nonmajor rules in effect as of the date of enactment, and to estimate their total economic cost. Using information from GAO about the cost of similar studies, CBO estimates that completing that requirement would cost less than \$500,000.

UNCERTAINTY

On net, CBO estimates that enacting H.R. 277 would likely have a significant effect on direct spending and revenues, but we cannot determine the magnitude or direction of those changes for any year or over time.

The budgetary effects of enacting the legislation are highly uncertain principally because CBO cannot predict:

The number and content of major rules that federal agencies would issue in the future,

Decisions made by the Congress about whether to approve those rules, or

The economic costs and benefits of those rules, including their effects on the federal budget.

PAY-AS-YOU-GO CONSIDERATIONS

The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. Pay-as-you-go procedures apply to H.R. 277 because enacting the legislation would affect direct spending and revenues. However, CBO and JCT cannot determine the magnitude or direction of those effects.

INCREASE IN LONG-TERM NET DIRECT SPENDING AND DEFICITS

CBO cannot determine the magnitude or direction of the budgetary effects of H.R. 277. As a result, CBO cannot determine whether the legislation would increase net direct spending by more than \$2.5 billion or on-budget deficits by more than \$5 billion in any of the four consecutive 10-year periods beginning in 2034.

MANDATES

H.R. 277 would impose no intergovernmental or private-sector mandates as defined

in the Unfunded Mandates Reform Act. However, by requiring major rules to be approved by a joint resolution of the Congress the bill could affect public and private entities. Those joint resolutions could delay or halt the implementation of major rules that could slow reimbursements to public and private entities or change regulatory requirements followed by those entities. CBO has no basis for estimating the magnitude of those effects because of the uncertainty about the number and content of regulations affected, but the costs and savings to public and private entities could be significant.

ESTIMATE APPROVED BY

PHILLIP L. SWAGEL,
Director, Congressional Budget Office.

Mr. MASSIE. Mr. Chair, I yield 2 minutes to the gentleman from Florida (Mr. RUTHERFORD).

Mr. RUTHERFORD. Mr. Chair, like my good colleague here from Kentucky, I rise today to remind this Chamber that our Founders put Congress in charge of writing our laws, not unelected bureaucrats at Federal agencies.

Yet, since taking office, President Biden has signed more than 100 executive orders and insidious rules fast flowing from executive branch agencies creating miles of red tape and running up American taxpayers' tab by \$1.5 trillion.

My constituents back home are struggling to make ends meet, and it is a direct consequence of this administration's misguided policies and their insidious rulemaking. It is past time that we put a stop to the President's abuse of executive power.

Last fall, House Republicans made a commitment to our constituents that this Congress would hold the government accountable. This week, with the REINS Act, we have an opportunity to show the American people that we are keeping that commitment.

The very first bill I cosponsored 6 years ago when I first came to Congress was the REINS Act. The REINS Act stops Federal agencies from legislating by fiat by requiring Congress to approve all major rules before they can be enacted.

This bill returns Congress' Article I legislative authority back to where it belongs, and it will protect hardworking, taxpaying Americans.

The REINS Act is a strong start, and I urge my colleagues to vote "yes."

□ 2000

Mr. NADLER. Mr. Chair, I reserve the balance of my time.

Mr. MASSIE. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. MCCLINTOCK), my good friend who serves on the Judiciary Committee.

Mr. MCCLINTOCK. Mr. Chairman, this bill presents a question that is fundamental to the central architecture of our Republic: Who is to make law?

This has been pointed out, and the Constitution is very clear on this: "All legislative powers herein granted shall be vested in a Congress of the United States."

What about that passage do my friends on the other side of the aisle not understand?

The Founders wanted it to be hard to make laws so that society isn't smothered by them. They wanted every voice in the land to be heard through their elected representatives and be accountable and answerable to the people.

The modern regulatory state takes these powers from the people and gives them to unelected bureaucrats. An unelected agency writes the law, and then it enforces the law that it has written. If it accuses you of violating its law, you have to answer to the agency in a court run by that agency without a jury, and the agency keeps the fines that it assesses on you. Is there any more profound threat to a democracy than that?

Ten times more laws are written by the regulatory agencies today than by the people's representatives. Americans now have 10 times the chance of being hauled into an administrative law court for breaking an agency regulation than they have of being charged with a statutory crime where they have the full protection of the Bill of Rights.

The REINS Act starts to put this genie back in the bottle by requiring that regulatory acts that impose more than \$100 million of costs to the American public must be enacted by the elected Congress. That means if you don't like that law, you can hold your elected representative directly accountable. That is what a democracy is, a government that answers to the people.

Opponents of this bill tell us that we must defer to the experts. That is not a democracy. That is an oligarchy. We have just endured the folly of experts—lockdowns and mandates the experts told us would slow the spread of COVID. We now have study after study documenting that their measures not only failed to protect us but did incalculable damage to the economy and to the education of our children, and needlessly cost lives through delayed health screenings and treatments, drug and alcohol-related deaths, and increased suicide rates. No representative voted for these measures. The regulatory state simply imposed them.

Experts are there to advise us from every perspective. It is then the responsibility of elected representatives on behalf of the people to sort through their perspectives and advise and chart a course that takes into account all the issues at hand and be accountable and answerable to the people for those decisions.

Mr. Chair, this bill starts us back toward that democracy.

Mr. NADLER. Mr. Chairman, I will note that we have letters representing over 180 public interest organizations, health experts, and labor unions opposed to the REINS Act because of the harm this bill presents to our country's health and welfare.

Mr. Chair, I include in the RECORD the letters of opposition.

MARCH 9, 2023.

DEAR SENATOR/REPRESENTATIVE: The following undersigned organizations representing the public health, medical and patient advocacy communities, write to you to state our strong opposition to S. 184 and H.R. 277—the Regulations from the Executive in Need of Scrutiny Act of 2023 (REINS Act), and we ask you to oppose this harmful legislation.

The REINS Act is a threat to public health. It would add major roadblocks to health-protective regulations by requiring Congress to approve all "major" rules issued by federal agencies within a 70-day window. This includes public health rules from the Centers for Medicare and Medicaid Services, the Environmental Protection Agency and the Food and Drug Administration, among other federal agencies that protect the health and safety of American citizens. Under the REINS Act, the default would be Congress blocking important and critical protections including clean air, public health, safety and healthcare measures that have already been authorized by current law.

The REINS act would unilaterally weaken the implementation of public health and safety safeguards that require the promulgation of significant rules that benefit millions of Americans. These include rules that are statutorily required to prevent deaths, illness and injury and to protect the public health. Additionally, the REINS Act would give Congress the power to prevent a "major" rule from being effectively implemented simply by taking no action. This step delays safeguards and means that agencies would not only have to reckon with a significantly longer time frame to pass any meaningful rules, but also that the health and safety of the public would remain in limbo and under threat. As we've tragically witnessed in East Palestine, Ohio, federal rules are imperative to ensuring the health and safety of the public.

The REINS Act would also hinder the ability of federal agencies to act and respond to threats swiftly and effectively. While there are some exceptions that allow a rule to be implemented for one 90-day period without Congressional approval—it is not enough.

The REINS Act is a threat to our nation's health. We urge you to oppose the REINS Act and other similar legislation.

Sincerely,

American Lung Association, Allergy & Asthma Network, Alliance for Nurses for Healthy Environments, ALS Association, American Heart Association, Asthma and Allergy Foundation of America, Campaign for Tobacco-Free Kids, Climate Psychiatry Alliance, Cystic Fibrosis Foundation, Health Care Without Harm, Hemophilia Federation of America, National Association of Pediatric Nurse Practitioners, National Environmental Health Association, National Organization for Rare Disorders, Physicians for Social Responsibility.

AMERICAN FEDERATION OF
GOVERNMENT EMPLOYEES, AFL-CIO,
Washington, DC, May 23, 2023.

Hon. JIM JORDAN,
Chairman, House Judiciary Committee,
Washington, DC.

Hon. JERRY NADLER,
Ranking Member, House Judiciary Committee,
Washington, DC.

DEAR CHAIRMAN JORDAN, RANKING MEMBER NADLER, AND MEMBERS OF THE COMMITTEE: On behalf of the American Federation of Government Employees, which represents over 750,000 federal and D.C. government workers across the country, I write to urge you to oppose the following legislation being considered for markup in the House Judiciary Committee this week.

Please oppose H.R. 277, the "Regulations from the Executive in Need of Scrutiny (REINS) Act of 2023," introduced by Representative Kat Cammack (R-FL). This bill would require Congress to approve any federal rule or regulation the Office of Management and Budget determines to have an economic impact of \$100 million or more according to before it is imposed on the American people.

Federal agencies should have delegated authority to ensure regulations keep the American public healthy and safe. Government regulations foster job growth and ensure that workplaces are healthy, safe, and accountable. Federal agencies, in conducting rulemaking, are simply implementing programs and regulatory systems that were already approved by Congress and signed into law. Involving Congress in the details of these processes will result in paralysis, the politicization of rulemaking, and poorer outcomes for the health, safety, and wellbeing of the American public.

Please oppose H.R. 357, the "Ensuring Accountability in Agency Rulemaking Act," introduced by Representative Ben Kline (R-VA). This bill would require that any agency rule promulgated under notice and comment procedures must be issued and signed by an individual who was appointed by the President and confirmed by the Senate. This bill would paralyze the functioning of agencies during periods when they have acting heads, and could further complicate and politicize the confirmation process for agency heads.

Unnecessary restrictions on government rulemaking will no doubt restrict the process and prevent the full force of oversight to ensure the American people have a strong and productive government supported by federal workers who are valued and respected.

Sincerely,

JULIE N. TIPPENS,
Director,
Legislative Department.

UNITED STEELWORKERS,
March 10, 2023.

Statement for the Record of Anna Fendley, Director of State and Regulatory Policy, The United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union (USW) for the House Committee on the Judiciary's Subcommittee on the Administrative State, Regulatory Reform, and Antitrust hearing on "Reining in the Administrative State: Reclaiming Congress's Legislative Power"

The United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union (USW) is North America's largest industrial union representing 1.2 million active and retired members. We welcome the opportunity to comment and submit this statement on the subject of today's hearing.

We strongly believe that the Administrative agencies play critical roles in implementing the laws that Congress passes through regulations. Regulations are imperative for protecting public health, welfare, and safety, as well as our shared environment. For our members, regulations allow them to work and live in safer, cleaner, more prosperous communities across the country. Regulations also help level the playing field among businesses and encourage innovation.

Legally, Congress grants federal agencies authority to promulgate and enforce regulations where necessary using their policy, scientific, and technical expertise. The current rulemaking process requires that professional experts work diligently to collect and process complex information. Additionally, agencies must solicit and incorporate input

from a broad range of interested stakeholders when designing new rules.

For example, USW members who work in oil refineries and chemical plants and their communities are protected by strong process safety management regulations. Our members who work in gas utilities and on pipelines are protected by regulations from the Pipeline and Hazardous Materials Safety Administration (PHMSA). Steelworkers who make steel for automobiles have more job security because fuel economy rules incentivized their employers to innovate and invest in making stronger, lighter steel. These are just a few examples of the benefits to USW members.

It is also imperative to note that the current regulatory process isn't perfect. However, legislation like H.R. 277, the Regulations from the Executive in Need of Scrutiny Act of 2023 (REINS Act), represents an extreme threat to public health and safety. This legislation would obstruct the ability of federal agencies to enact rules by inappropriately injecting congressional dysfunction and political considerations into the regulatory process. H.R. 277 would require both houses of Congress to approve every major regulation within 70 session or legislative days before it can take effect. By doing nothing or through partisan gridlock, Congress could stop all major regulations from being finalized, including those that are not controversial. Thus, this risks blocking agencies' efforts to fulfill their statutory mandates to pursue public protections and significantly wasting federal government resources.

We believe that improving and strengthening the regulatory process is critical to ensuring that our federal agencies are transparent, accountable, and effective at delivering strong regulatory protections for consumers, workers, public health, and the environment. That is why we encourage the Subcommittee to evaluate legislative proposals that provide a roadmap for reforming the regulatory process, such as the "Stop Corporate Capture Act", which is being reintroduced for the 118th Congress today. This legislation would reduce special interest influence on the rulemaking process, increase transparency around federal agency decision-making, clear procedural bottlenecks that delay regulatory protections, empower the public to hold agencies accountable for enforcing the rules, and build a foundation for consideration of social equity in the rule-making process.

The American people and American businesses need smart and sensible regulations to ensure that all players in our economy are held to the same standards. We stand ready to assist the Subcommittee in its important work to ensure that our regulatory process is transparent, assessable, and protective of the public. Thank you.

Mr. NADLER. Mr. Chair, I reserve the balance of my time.

Mr. MASSIE. Mr. Chair, I yield such time as she may consume to the gentlewoman from Florida (Mrs. CAMMACK), the sponsor of the REINS Act.

Mrs. CAMMACK. Mr. Chairman, I rise today in strong support of my bill, H.R. 277, the REINS Act, the largest regulatory reform bill in American history.

I know that sounds pretty major, but the REINS Act is actually a common-sense bill that would require every new major rule costing more than \$100 million to be approved by Congress before going into effect. I know that sounds

radical to some, but actually, it is quite a bit of common sense.

This is a bill that every single Member of this body should support to rein in a largely unchecked bureaucracy that is undermining the role of the very body in which we have the honor to serve. Every single Member in this Chamber should honor and support government transparency, government accountability, and empowerment of their constituents.

Mr. Chair, I know that not everyone in Washington wants more power for the people. In fact, during his first 2 years in office, the President added more than \$300 billion in new regulatory costs to the economy. That burden was left on the backs of we the American people.

Additionally, the American Action Forum found that new rules in his first 2 years of office required 193 million hours of compliance paperwork. Mr. Chair, 193 million hours to comply with new regulations from nameless, faceless bureaucrats who are accountable to no one, certainly not the American people.

To really drive home how wild government has grown under the Biden administration, think about this: Since the beginning of his time as President, Biden has added an average of 1,641 pages to the Federal Registry every single week. That is astonishing.

According to the Foundation for Government Accountability, regulations cost Americans \$2 trillion every year in compliance costs, economic losses, and other expenses. Those costs are due to ever-increasing regulatory actions that lack proper accountability by Congress.

It is now time for Congress to reassert its role by placing new checks on the regulatory actions and the regulatory regime that negatively impact Americans in all walks of life across the country.

Our constituents deserve to have their voices heard and be able to hold those in the Federal Government making decisions that have impacts on their daily lives and businesses accountable. Under the ever-growing regulatory state, that is not the case. Rather, nameless, faceless bureaucrats are making decisions and creating new regulations that have impacts to our day-to-day lives.

In the case of this bill, these new regulations that have an impact of more than \$100 million would be subject to coming back to Congress.

When I talk to my constituents about this bill, they cannot believe how vast the regulatory regime truly is. Members of this body who argue against this bill are, in fact, arguing against their own self-interest and the role of Congress in our political system.

In Federalist No. 51, James Madison states: "Ambition must be made to counteract ambition." Right now, the ambitions of the executive branch down the street have far exceeded

those of the regulatory branch. This has gone on for 100 years, regardless of the party that is in the White House.

When it comes to regulations, I quite frankly don't care who is in the White House. I will come down to this floor in this Chamber every single Congress and fight for this bill because we in Congress must do what the Founders of this Nation and the Framers of our Constitution expected us to do—provide a proper, equal check to the executive and judicial branches of the government.

Look no further than the Federal Register to determine the volume of regulations being proposed or finalized every single year. These are actions that Congress has no say in prior to going into effect and having the force of law. We are the lawmakers, not the folks down the street.

The current Congressional Review Act process to disapprove of administrative actions is after the fact, going after regulations and actions after they have gone into effect. It is a useful tool but one that is not particularly effective. It is inadequate to match the size of the administrative branch and the number of regulations that are being proposed and finalized.

Here are just a few examples of executive actions that could have been prevented if the REINS Act had been in effect: student loan forgiveness and loan repayment pauses, which could cost us in excess of \$1 trillion; the Biden oil and gas lease sale ban; the unilateral increase in SNAP benefits through new agency standards that increase spending on the program by 25 percent, totaling more than \$115 billion in 2022 alone; the expansion of subsidies for ObamaCare, costing more than \$45 billion with a b, leaving people with less care, worse care that is, in fact, more expensive; new climate risk disclosure requirements for publicly traded companies, including the companies that they do business with, putting an undue administrative burden on small mom-and-pop shops. The list goes on and on.

Let us not forget the ridiculous Federal regulations like fines and fees for Good Samaritans who untangle whales from fishing nets.

One of the most ridiculous ones under title 21 of the U.S. Code makes it a Federal crime to sell spaghetti thicker than 0.11 inches in diameter. I couldn't believe it when I actually read this. It is a Federal crime.

When you start digging into the impact that that has, think about this, Americans consume, on average, 6 billion pounds of spaghetti a year. It is a \$30 billion industry in the United States alone, and we have a regulation on the books to monitor the size of spaghetti, like we don't have anything better to do.

Some of these regulations sound silly, but I promise they have a very real impact. They drive up costs and ultimately cost us, the American people, money.

Recently, a nationwide poll was conducted in which Republicans, Democrats, and Independents from all across the country of all demographics were educated on the REINS Act and then asked their opinion on it. The majority of Republicans, Democrats, and Independents all favored the REINS Act.

In fact, this poll found that more Democrats than Republicans were in favor of this policy. Seventy-two percent of Democrats were in favor, and 71 percent of Republicans were in favor of it. I sent this very poll to every single Republican and Democrat with a personalized letter before this debate here tonight.

There is no excuse for not knowing about this poll and the fact that their constituencies support more accountability and transparency in this Chamber. I just can't wrap my head around why, as a Member of Congress, you wouldn't want people in your district to be empowered to know that you are exercising your Article I authority as a Member of the people's House instead of playing partisan games and chasing political narratives that are nonexistent.

Just last week, I had a meeting with homebuilders from my district who were in town for their annual fly-in. In fact, 35 percent of the cost of new homes being built in Florida is due to regulations. That is insane. For first-time home buyers, you are now paying 35 percent more, not just because of inflation, not just because of a broken supply chain, but because of Federal regulations.

You can find examples in every single sector across this great country. That is why I encourage all of my colleagues to talk to local stakeholders and understand how regulations affect their constituents and impact the costs of goods, energy, services, heck, the cost of living. Talk to individuals in any sector, and they will tell you that there are burdensome regulations that are killing them.

It is our job to step in. You will hear the negative impact. You will understand that Congress did not explicitly approve these regulations.

That is why if you are a Republican, Democrat, Independent, or heck, just an American who believes in the rule of law, who believes in our Constitution and wants more transparency and accountability in the government, you will vote for this bill and support this bill.

Mr. NADLER. Mr. Chair, I reserve the balance of my time.

Mr. MASSIE. Mr. Chairman, I yield 5 minutes to the gentleman from Florida (Mr. POSEY), my good friend.

Mr. POSEY. Mr. Chairman, I thank the gentleman from Kentucky for yielding today.

Today, the issue is rules reform. Let's answer some commonly asked questions about agency rules.

Question number one: What is a rule? To be clear, rules were made by unelected, unrecalable, unaccountable bureaucrats.

Question number two: Why do agencies write rules? It has been said on the floor, and even by an expert commentator on C-SPAN, that Congress created agencies to write rules. Wrong. Congress created agencies to implement laws passed by elected people, not create new laws outside of their delegated authority.

Question number three: Most people back home think Congress makes all the Federal laws. Is that true? Wrong. For every law elected representatives make, unelected, unrecalable, unaccountable bureaucrats can make 1,000 or more new rules enforceable as laws. Last time I checked, there were 170-some volumes of Federal code that were actually passed by elected representatives. The laws known as rules made by unelected, unrecalable, unaccountable bureaucrats could fill this Chamber.

□ 2015

Question number four: Can an American citizen end up in court or in prison for violating a rule made by an unelected, unrecalable, unaccountable bureaucrat? The answer is yes. It is estimated that if a citizen is called into Federal court, it is 100 to 1,000 times more likely to be a result of violating a rule made by an unelected person than a law.

Question number five: Are there any further restrictions on unelected, unrecalable, unaccountable bureaucrats' ability to write rules enforceable as laws that can end up putting American citizens in court or in prison? Yes. Currently, unelected, unrecalable, unaccountable bureaucrats who write a rule with an impact of over \$100 million, as you heard earlier, have to write a cost-benefit analysis.

Question number six: Does that mean that they can write a rule with an impact of less than \$100 million without doing one? Sure. It seems like it is okay to write rules as enforceable as laws that negatively affect Americans if the cost is estimated to be only \$99,999,999.

Question number seven: Do agencies always perform cost-benefit analyses as required if the proposed rule has a \$100 million or greater impact? The answer is no. Some unelected, unrecalable, unaccountable bureaucrats, unfortunately, are also arrogant, petulant, and defiant. One study revealed one rule had an \$80 billion negative impact, but the agency had refused to do the required study saying, you, meaning Congress, can't make me, and we couldn't.

Not all Federal rules writers are guilty of bad behavior, for sure. We have many employees who add great value to the process, but we must establish needed guidelines for those who exceed and abuse legislative intent and authority.

I could go on for hours, but my time is limited, so I urge my colleagues to support this legislation to regain authority for lawmaking back from

unelected, unaccountable, unrecalable bureaucrats by supporting this much-needed legislation reform.

Before I yield, I would like to say that I collected Federal Registers for the last 4 years of the last administration. Instead of throwing them in the trash like most people do because we can't act on them, I started building a stack in the corner. My office became a tourist attraction. I had people from almost every State come into my office and want to have their picture taken before the stack of rules implemented by unelectable, unrecalable, unaccountable bureaucrats.

How big do you think that stack got to be after 4 years? A lot of people say probably over my head. Actually, it was seven stacks over 10 feet high, over 70 linear feet of rules, longer than the entire amount of laws passed in this country since its founding.

Mr. Chairman, I thank the gentleman again for yielding.

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

Mr. Chairman, at the appropriate time, I will offer a motion to recommit this bill to committee. If the House rules permitted, we would have offered the motion with an important amendment to the bill. The amendment would have ensured that vulnerable groups like veterans and their health will not be harmed by the politicization and delay of critical executive branch rules under the REINS Act.

Mr. Chairman, I include in the RECORD the proposed text of the amendment.

Mr. Nadler moves to recommit H.R. 277 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendment:

Add at the end the following:

SEC. 6. EFFECTIVE DATE.

This Act and the amendments made by this Act shall not take effect until the date on which the Secretary of Veterans Affairs certifies to Congress that implementation of this Act, and the amendments made by this Act, will not delay the provision of benefits or health services to veterans by the Secretary of Veterans Affairs.

Mr. NADLER. Mr. Chair, although the REINS Act will harm everyone, we must at least ensure that those who serve in our Armed Forces are not further harmed by this legislation.

Mr. Chairman, this legislation is just the latest effort by Republicans to dismantle and destroy the regulatory process, a process that protects our health and safety each and every day.

Regulations ensure that we have clean air to breathe, clear water to drink, and safe food to eat. They ensure that children's toys and cribs are safe, that medications are safe and effective, and that the planes, trains, and automobiles we depend on for transportation will keep us safe. They ensure that consumers are protected from fraud and discrimination, that workers are treated fairly, that veterans are fairly compensated for their service, and so much more.

However, Republicans want to stop this process in its tracks and put our health and safety at risk, just as they stopped our process of legislating last week, all to prove a point to leadership.

Mr. Chairman, I urge all of my colleagues to oppose this dangerous legislation, and I reserve the balance of my time.

Mr. MASSIE. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. TIFFANY).

Mr. TIFFANY. Mr. Chairman, it is good to join Representative MASSIE, once again, here tonight in regard to the REINS Act.

I want to share with everybody a real-world example of how the REINS Act could be used. I think back to the Boiler MACT issue, which was over a decade ago.

That was an administrative rule that was put in place administratively. It was not passed by the United States Congress. If the REINS Act would have been in place, we would have prevented the example I am about to give you.

There was a smokestack that had to be built on a paper plant in northern Wisconsin that cost \$10-plus million. It was meant to reduce emissions that were coming from that paper plant.

Do you know how much it reduced emissions, Mr. Chairman? Zero. No emissions were reduced as a result of them spending \$10 million as a result of this administrative rule, Boiler MACT, that was put in place.

Think about the ripple effect of that. That company had to spend \$10 million of their scarce capital on that. They wanted to do an expansion to be able to build an addition onto their plant that would make an advanced fiber that is being used on modern-day jets, commercial aircraft.

As a result of that, they had to go to Oneida County and get a loan in order to do the expansion on their plant. It put the taxpayers of Oneida County on the hook rather than them simply spending their scarce capital and being able to make this addition that created another 40 to 50 jobs.

That is the impact that we see as a result of the people's House not voting on something like this.

This is really simple. These are the ABCs of good government. The agencies should have to come back to the United States Congress to be able to do something—that is, to institute a rule that is going to cost more than tens of millions of dollars.

If this would have happened, if this would have been in effect, we would have not seen something like this previously.

Mr. MASSIE. Mr. Chairman, I thank the gentleman from Wisconsin for his comments, and I reserve the balance of my time.

Mr. NADLER. Mr. Chairman, I will not repeat myself. For all the reasons I gave a couple of minutes ago, this is a very bad bill. It is very dangerous legislation for the peace and health and

safety of the people of the United States.

Mr. Chairman, I urge everyone to oppose it, and I yield back the balance of my time.

Mr. MASSIE. Mr. Speaker, reasonable minds may differ about certain policies, but under the Constitution, we should all be on the same page about who should make law. Congress should make law.

Think about some of the laws that have been promulgated by the administrative branch, things that should have come to Congress. I got on an airplane a few years ago, and they said that Federal law requires that you wear a mask.

Do you know what I thought to myself? We never voted on that law. We should have voted on whether that should be a law or not. I would have voted "no."

It probably would not have passed, and if it had and our constituents decided it was too onerous, they could appeal to us, not some bureaucrat.

What are some other examples? The vaccine mandates that cost people their jobs. These were not laws passed by Congress. These were from the executive branch.

Then, tonight, we have just had two bipartisan votes to repeal executive branch rules, one on the pistol brace and one on stoves—bipartisan.

What does that mean? That means if they had tried to bring those as laws through Congress as the Founders had intended, they would have failed because there would have been bipartisan opposition to that.

We should be making the laws here. It is very simple. When unelected, unaccountable, unrecalable bureaucrats write the laws, then the laws become more numerous and more onerous. We should pass the REINS Act and bring the constitutional authority back to Congress to pass legislation.

Mr. Chairman, I urge adoption of the bill, and I yield back the balance of my time.

The Acting CHAIR (Mr. ROSE). All time for general debate has expired.

Mr. MASSIE. Mr. Chair, I move that the committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. VAN ORDEN) having assumed the chair, Mr. ROSE, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 277) to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law, had come to no resolution thereon.

APPOINTMENT OF MEMBER AND INDIVIDUAL TO CONGRESSIONAL AWARD BOARD

The SPEAKER pro tempore. The Chair announces the Speaker's ap-

pointment, pursuant to section 803(a) of the Congressional Recognition for Excellence in Arts Education Act (2 U.S.C. 803(a)), and the order of the House of January 9, 2023, of the following Member on the part of the House to the Congressional Award Board:

Mr. HUDSON, North Carolina

And, in addition:

Dr. Vipul Dev, Bakersfield, California

SUPPORTING CONGRESS' LEGISLATIVE AUTHORITY

(Mr. CLINE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLINE. Mr. Speaker, since our country's founding, the United States Constitution has granted Congress the legislative authority to decide major questions of nationwide policy.

Yet, since President Biden took office, his administration has continued his assault on America's economy with costly Federal regulations and executive overreach of power to advance his radical agenda.

In its first year alone, the Biden administration finalized liberal regulations that added more than \$200 billion in new regulatory costs. The Biden administration has acted unilaterally on several occasions to circumvent congressional approval to pass policies that advance its far-left agenda.

We saw this in the Biden administration's attempt to pass the unconstitutional student loan giveaway plan, putting taxpayers on the hook for others' heavy college debt. We saw this in the Biden administration's cancellation of pending oil and gas lease sales, hiking up energy costs for hardworking families. We saw this in the Biden administration's proposed ESG investment rule that would put seniors' hard-earned retirement savings at risk.

This is all unacceptable. American taxpayers deserve to know just how much the administration's executive orders will cost them before they go into effect.

As our Nation faces \$31 trillion in debt, Congress must pass the REINS Act. I urge my colleagues to support this important legislation.

STRIKING DOWN ATF'S UNCONSTITUTIONAL RULE

(Mr. ROSE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROSE. Mr. Speaker, today, I rise in support of legislation I am proud to originally cosponsor, H.J. Res. 44, which would strike down the ATF's unconstitutional pistol stabilizing rule.

Time after time, this administration has shown they show little to no regard for our God-given rights protected under the U.S. Constitution. That is why it is no surprise to see unelected agency bureaucrats pushing for this