

public companies to potentially have to calculate and report their total climate-related risks, including their emissions.

This proposed rule would upend the entire agricultural economy and impose a tremendous added cost to farmers who put food on our tables and subsequently to all of us who eat that food.

Congress never gave the Securities and Exchange Commission the authority to enact regulations regarding the environment or climate, but the Biden administration has been adamant about carrying out their progressive agenda nevertheless.

That is why we are working to put an end to out-of-control government and Washington bureaucrats by passing the REINS Act.

Madam Speaker, I urge all Members to join me in voting "yes" on this legislation so that Congress can go back to being the necessary check on these rogue officials just as our Founders intended.

HONORING THE LIFE OF OTTO WARMBIER

(Mrs. KIM of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. KIM of California. Madam Speaker, I rise to honor the life of Otto Frederick Warmbier, who died at the hands of the North Korean regime 6 years ago, on June 19, 2017.

Otto was a dedicated young man. He was a salutatorian of his high school and attended the University of Virginia. He was imprisoned and tortured by the brutal North Korean regime during a school tour.

He died just a few days after his release.

Otto experienced what no human being should ever have to go through. While he is no longer with us, his family carries on his legacy with their advocacy and strength.

As a proud Korean American and as chairwoman of the Indo-Pacific Subcommittee, I will always be a loud voice for global human rights and hold violators accountable.

Madam Speaker, we remember and honor Otto always. In Korean: "ul-neun Otto-leul yeong-wonhi gieok-hal geos-ibnida."

□ 1215

STOP ATF'S PISTOL BRACE RULE

(Mr. WILLIAMS of Texas asked and was given permission to address the House for 1 minute.)

Mr. WILLIAMS of Texas. Madam Speaker, I rise today because we are witnessing yet another attack on the Constitution by President Biden.

As of June 1, due to the reclassification of firearms attached with stabilizing braces, millions of law-abiding Americans are at risk of prosecution

by the Federal Government at a time in which trust in the justice system is at an all-time low.

There is no evidence that this rule would make Americans safer. In fact, it makes it more difficult to obtain a safety attachment, putting more lives at risk.

Historically, stabilizing braces were designed for disabled veterans, allowing them to safely participate in recreational shooting.

This is not just a threat to our rights but a direct attack on our veterans, who have selflessly put their lives on the line to protect this great country.

We have seen time and time again that, first, they come for your guns, and then, they come for everything else.

I am proud to have cosponsored this legislation to defend our God-given rights.

Under President Biden, Federal agencies such as the ATF have acted as lawmakers through the introduction of new rules and regulations.

Madam Speaker, it is time to rein in the President and bring lawmaking back to the people's House. I urge all of my colleagues to support this important piece of legislation. The future of America depends on you.

In God we trust.

CALLING ATTENTION TO RISE OF ANTI-SEMITISM

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

Mr. SANTOS. Madam Speaker, I rise to call attention to the concerning rise of anti-Semitism that is proliferating nationwide.

Last weekend, in Plainview, New York, my constituents were subjected to the intimidation of the Goyim Defense League, aka the GDL, a growing hate organization that propagates anti-Semitic rhetoric.

It pains me to report that the henchmen of the GDL descended on my district and distributed flyers that featured anti-Jewish propaganda images of the Star of David drawn onto the heads of Federal lawmakers.

As the Congressman for Plainview, I am speechless and appalled. For me, this is a sobering reminder that even in 2023, anti-Semitic incidents like this happen every day across the country.

It is critical that this body continues to support and stand with the Jewish community and Israel. I hope my colleagues join me in the fight against anti-Semitism and send a clear message that anti-Semitism will not be tolerated in the United States of America.

OPPOSING GAS STOVE BANS

(Mr. LANGWORTHY asked and was given permission to address the House for 1 minute.)

Mr. LANGWORTHY. Madam Speaker, when Winter Storm Elliott hit my

district in western New York over Christmas, causing blackouts and tragically taking the lives of over 40 people, many of my constituents had to rely on their gas stoves for heating sources.

Soon, if left unchecked, access to this safe and reliable natural gas energy will be cut off by the Biden administration so that they can make their dreams of implementing the Green New Deal a reality.

This isn't just an empty threat. Governor Kathy Hochul and New York Democrats already passed a statewide ban on natural gas hookups in new residential and commercial buildings.

Heating bills in New York rose by 30 percent this past winter, and they will continue to climb if we allow the Biden administration to further regulate Americans out of affordable energy.

Madam Speaker, I urge my colleagues in the House and Senate to tell the unelected bureaucrats in the Biden administration that we won't stand idly and silently by while they take away our gas stoves.

HOOR OF MEETING ON TOMORROW

Mr. SANTOS. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore (Mrs. KIGGANS of Virginia). Is there objection to the request of the gentleman from New York?

There was no objection.

PRINTING OF PROCEEDINGS OF FORMER MEMBERS PROGRAM

Mr. SANTOS. Madam Speaker, I ask unanimous consent that the proceedings during the former Members program be printed in the CONGRESSIONAL RECORD and that all Members and former Members who spoke during the proceedings have the privilege of revising and extending their remarks.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1761

Mr. SANTOS. Madam Speaker, I hereby remove my name as a cosponsor of H.R. 1761.

The SPEAKER pro tempore. The gentleman's request is granted.

REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT OF 2023

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 further consideration of the bill, H.R. 277.

Will the gentleman from Guam (Mr. MOYLAN) kindly resume the chair.

□ 1218

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 further 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 in the chair.

The Clerk read the title of the bill.

The CHAIR. When the Committee of the Whole rose on Tuesday, June 13, 2023, all time for general debate pursuant to House Resolution 495 had expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on the Judiciary, printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 118-6 shall be considered as adopted. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the 5-minute rule and shall be considered as read.

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

H.R. 277

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 “Regulations from the Executive in Need of Scrutiny Act of 2023” or the “REINS Act of 2023”.

SEC. 2. PURPOSE.

The purpose of this Act is to increase accountability for and transparency in the Federal regulatory process. Section 1 of article I of the United States Constitution grants all legislative powers to Congress. Over time, Congress has excessively delegated its constitutional charge while failing to conduct appropriate oversight and retain accountability for the content of the laws it passes. 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 for the laws imposed upon them.

SEC. 3. CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.

Chapter 8 of title 5, United States Code, is amended to read as follows:

“CHAPTER 8—CONGRESSIONAL REVIEW OF AGENCY RULEMAKING

“Sec.

“801. Congressional review.

“802. Congressional approval procedure for major rules.

“803. Congressional disapproval procedure for nonmajor rules.

“804. Definitions.

“805. Judicial review.

“806. Exemption for monetary policy.

“807. Effective date of certain rules.

“§ 801. Congressional review

“(a)(1)(A) Before a rule may take effect, the Federal agency promulgating such rule shall publish in the Federal Register a list of information on which the rule is based, including data, scientific and economic studies, and cost-benefit analyses, and identify how the public can ac-

cess such information online, and shall submit to each House of the Congress and to the Comptroller General a report containing—

“(i) a copy of the rule;

“(ii) a concise general statement relating to the rule;

“(iii) a classification of the rule as a major or nonmajor rule, including an explanation of the classification specifically addressing each criterion for a major rule contained within subparagraphs (A) through (C) of section 804(2);

“(iv) a list of any other related regulatory actions intended to implement the same statutory provision or regulatory objective as well as the individual and aggregate economic effects of those actions; and

“(v) the proposed effective date of the rule.

“(B) On the date of the submission of the report under subparagraph (A), the Federal agency promulgating the rule shall submit to the Comptroller General and make available to each House of Congress—

“(i) a complete copy of the cost-benefit analysis of the rule, if any, including an analysis of any jobs added or lost, differentiating between public and private sector jobs;

“(ii) the agency’s actions pursuant to sections 603, 604, 605, 607, and 609 of this title;

“(iii) the agency’s actions pursuant to sections 202, 203, 204, and 205 of the Unfunded Mandates Reform Act of 1995; and

“(iv) any other relevant information or requirements under any other Act and any relevant Executive orders.

“(C) Upon receipt of a report submitted under subparagraph (A), each House shall provide copies of the report to the chairman and ranking member of each standing committee with jurisdiction under the rules of the House of Representatives or the Senate to report a bill to amend the provision of law under which the rule is issued.

“(2)(A) The Comptroller General shall provide a report on each major rule to the committees of jurisdiction by the end of 15 calendar days after the submission or publication date. The report of the Comptroller General shall include an assessment of the agency’s compliance with procedural steps required by paragraph (1)(B) and an assessment of whether the major rule imposes any new limits or mandates on private-sector activity.

“(B) Federal agencies shall cooperate with the Comptroller General by providing information relevant to the Comptroller General’s report under subparagraph (A).

“(3) A major rule relating to a report submitted under paragraph (1) shall take effect upon enactment of a joint resolution of approval described in section 802 or as provided for in the rule following enactment of a joint resolution of approval described in section 802, whichever is later.

“(4) A nonmajor rule shall take effect as provided by section 803 after submission to Congress under paragraph (1).

“(5) If a joint resolution of approval relating to a major rule is not enacted within the period provided in subsection (b)(2), then a joint resolution of approval relating to the same rule may not be considered under this chapter in the same Congress by either the House of Representatives or the Senate.

“(b)(1) A major rule shall not take effect unless the Congress enacts a joint resolution of approval described under section 802.

“(2) If a joint resolution described in subsection (a) is not enacted into law by the end of 70 session days or legislative days, as applicable, beginning on the date on which the report referred to in subsection (a)(1)(A) is received by Congress (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), then the rule described in that resolution shall be deemed not to be approved and such rule shall not take effect.

“(c)(1) Notwithstanding any other provision of this section (except subject to paragraph (3)),

a major rule may take effect for one 90-calendar-day period if the President makes a determination under paragraph (2) and submits written notice of such determination to the Congress.

“(2) Paragraph (1) applies to a determination made by the President by Executive order that the major rule should take effect because such rule is—

“(A) necessary because of an imminent threat to health or safety or other emergency;

“(B) necessary for the enforcement of criminal laws;

“(C) necessary for national security; or

“(D) issued pursuant to any statute implementing an international trade agreement.

“(3) An exercise by the President of the authority under this subsection shall have no effect on the procedures under section 802.

“(d)(1) In addition to the opportunity for review otherwise provided under this chapter, in the case of any rule for which a report was submitted in accordance with subsection (a)(1)(A) during the period beginning on the date occurring—

“(A) in the case of the Senate, 60 session days; or

“(B) in the case of the House of Representatives, 60 legislative days,

before the date the Congress is scheduled to adjourn a session of Congress through the date on which the same or succeeding Congress first convenes its next session, sections 802 and 803 shall apply to such rule in the succeeding session of Congress.

“(2)(A) In applying sections 802 and 803 for purposes of such additional review, a rule described under paragraph (1) shall be treated as though—

“(i) such rule were published in the Federal Register on—

“(I) in the case of the Senate, the 15th session day; or

“(II) in the case of the House of Representatives, the 15th legislative day, after the succeeding session of Congress first convenes; and

“(ii) a report on such rule were submitted to Congress under subsection (a)(1) on such date.

“(B) Nothing in this paragraph shall be construed to affect the requirement under subsection (a)(1) that a report shall be submitted to Congress before a rule can take effect.

“(3) A rule described under paragraph (1) shall take effect as otherwise provided by law (including other subsections of this section).

“§ 802. Congressional approval procedure for major rules

“(a)(1) For purposes of this section, the term ‘joint resolution’ means only a joint resolution addressing a report classifying a rule as major pursuant to section 801(a)(1)(A)(iii) that—

“(A) bears no preamble;

“(B) bears the following title (with blanks filled as appropriate): ‘Approving the rule submitted by _____ relating to _____’;

“(C) includes after its resolving clause only the following (with blanks filled as appropriate): ‘That Congress approves the rule submitted by _____ relating to _____’; and

“(D) is introduced pursuant to paragraph (2).

“(2) After a House of Congress receives a report classifying a rule as major pursuant to section 801(a)(1)(A)(iii), the majority leader of that House (or his or her respective designee) shall introduce (by request, if appropriate) a joint resolution described in paragraph (1)—

“(A) in the case of the House of Representatives, within 3 legislative days; and

“(B) in the case of the Senate, within 3 session days.

“(3) A joint resolution described in paragraph (1) shall not be subject to amendment at any stage of proceeding.

“(b) A joint resolution described in subsection (a) shall be referred in each House of Congress to the committees having jurisdiction over the provision of law under which the rule is issued.

“(c) In the Senate, if the committee or committees to which a joint resolution described in subsection (a) has been referred have not reported it at the end of 15 session days after its introduction, such committee or committees shall be automatically discharged from further consideration of the resolution and it shall be placed on the calendar. A vote on final passage of the resolution shall be taken on or before the close of the 15th session day after the resolution is reported by the committee or committees to which it was referred, or after such committee or committees have been discharged from further consideration of the resolution.

“(d)(1) In the Senate, when the committee or committees to which a joint resolution is referred have reported, or when a committee or committees are discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

“(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 2 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

“(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

“(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

“(e) In the House of Representatives, if any committee to which a joint resolution described in subsection (a) has been referred has not reported it to the House at the end of 15 legislative days after its introduction, such committee shall be discharged from further consideration of the joint resolution, and it shall be placed on the appropriate calendar. On the second and fourth Thursdays of each month it shall be in order at any time for the Speaker to recognize a Member who favors passage of a joint resolution that has appeared on the calendar for at least 5 legislative days to call up that joint resolution for immediate consideration in the House without intervention of any point of order. When so called up a joint resolution shall be considered as read and shall be debatable for 1 hour equally divided and controlled by the proponent and an opponent, and the previous question shall be considered as ordered to its passage without intervening motion. It shall not be in order to reconsider the vote on passage. If a vote on final passage of the joint resolution has not been taken by the third Thursday on which the Speaker may recognize a Member under this subsection, such vote shall be taken on that day.

“(f)(1) If, before passing a joint resolution described in subsection (a), one House receives

from the other a joint resolution having the same text, then—

“(A) the joint resolution of the other House shall not be referred to a committee; and

“(B) the procedure in the receiving House shall be the same as if no joint resolution had been received from the other House until the vote on passage, when the joint resolution received from the other House shall supplant the joint resolution of the receiving House.

“(2) This subsection shall not apply to the House of Representatives if the joint resolution received from the Senate is a revenue measure.

“(g) If either House has not taken a vote on final passage of the joint resolution by the last day of the period described in section 801(b)(2), then such vote shall be taken on that day.

“(h) This section and section 803 are enacted by Congress—

“(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such are deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution described in subsection (a) and superseding other rules only where explicitly so; and

“(2) with full recognition of the constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

“§803. Congressional disapproval procedure for nonmajor rules

“(a) For purposes of this section, the term ‘joint resolution’ means only a joint resolution introduced in the period beginning on the date on which the report referred to in section 801(a)(1)(A) is received by Congress and ending 60 days thereafter (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), the matter after the resolving clause of which is as follows: ‘That Congress disapproves the nonmajor rule submitted by the _____ relating to _____, and such rule shall have no force or effect.’ (The blank spaces being appropriately filled in).

“(b) A joint resolution described in subsection (a) shall be referred to the committees in each House of Congress with jurisdiction.

“(c) In the Senate, if the committee to which is referred a joint resolution described in subsection (a) has not reported such joint resolution (or an identical joint resolution) at the end of 15 session days after the date of introduction of the joint resolution, such committee may be discharged from further consideration of such joint resolution upon a petition supported in writing by 30 Members of the Senate, and such joint resolution shall be placed on the calendar.

“(d)(1) In the Senate, when the committee to which a joint resolution is referred has reported, or when a committee is discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

“(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further

limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

“(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

“(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

“(e) In the Senate, the procedure specified in subsection (c) or (d) shall not apply to the consideration of a joint resolution respecting a nonmajor rule—

“(1) after the expiration of the 60 session days beginning with the applicable submission or publication date; or

“(2) if the report under section 801(a)(1)(A) was submitted during the period referred to in section 801(d)(1), after the expiration of the 60 session days beginning on the 15th session day after the succeeding session of Congress first convenes.

“(f) If, before the passage by one House of a joint resolution of that House described in subsection (a), that House receives from the other House a joint resolution described in subsection (a), then the following procedures shall apply:

“(1) The joint resolution of the other House shall not be referred to a committee.

“(2) With respect to a joint resolution described in subsection (a) of the House receiving the joint resolution—

“(A) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

“(B) the vote on final passage shall be on the joint resolution of the other House.

“§804. Definitions

“For purposes of this chapter:

“(1) The term ‘Federal agency’ means any agency as that term is defined in section 551(1).

“(2) The term ‘major rule’ means any rule, including an interim final rule, that the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget finds has resulted in or is likely to result in—

“(A) an annual effect on the economy of \$100 million or more;

“(B) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or

“(C) significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets.

“(3) The term ‘nonmajor rule’ means any rule that is not a major rule.

“(4) The term ‘rule’ has the meaning given such term in section 551, except that such term does not include—

“(A) any rule of particular applicability, including a rule that approves or prescribes for the future rates, wages, prices, services, or allowances therefore, corporate or financial structures, reorganizations, mergers, or acquisitions thereof, or accounting practices or disclosures bearing on any of the foregoing;

“(B) any rule relating to agency management or personnel; or

“(C) any rule of agency organization, procedure, or practice that does not substantially affect the rights or obligations of non-agency parties.

“(5) The term ‘submission or publication date’, except as otherwise provided in this chapter, means—

“(A) in the case of a major rule, the date on which the Congress receives the report submitted under section 801(a)(1); and

“(B) in the case of a nonmajor rule, the later of—

“(i) the date on which the Congress receives the report submitted under section 801(a)(1); and

“(ii) the date on which the nonmajor rule is published in the Federal Register, if so published.

“§805. Judicial review

“(a) No determination, finding, action, or omission under this chapter shall be subject to judicial review.

“(b) Notwithstanding subsection (a), a court may determine whether a Federal agency has completed the necessary requirements under this chapter for a rule to take effect.

“(c) The enactment of a joint resolution of approval under section 802 shall not be interpreted to serve as a grant or modification of statutory authority by Congress for the promulgation of a rule, shall not extinguish or affect any claim, whether substantive or procedural, against any alleged defect in a rule, and shall not form part of the record before the court in any judicial proceeding concerning a rule except for purposes of determining whether or not the rule is in effect.

“§806. Exemption for monetary policy

“Nothing in this chapter shall apply to rules that concern monetary policy proposed or implemented by the Board of Governors of the Federal Reserve System or the Federal Open Market Committee.

“§807. Effective date of certain rules

“Notwithstanding section 801—

“(1) any rule that establishes, modifies, opens, closes, or conducts a regulatory program for a commercial, recreational, or subsistence activity related to hunting, fishing, or camping; or

“(2) any rule other than a major rule which an agency for good cause finds (and incorporates the finding and a brief statement of reasons therefore in the rule issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest, shall take effect at such time as the Federal agency promulgating the rule determines.”.

SEC. 4. BUDGETARY EFFECTS OF RULES SUBJECT TO SECTION 802 OF TITLE 5, UNITED STATES CODE.

Section 257(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907(b)(2)) is amended by adding at the end the following new subparagraph:

“(E) BUDGETARY EFFECTS OF RULES SUBJECT TO SECTION 802 OF TITLE 5, UNITED STATES CODE.—Any rule subject to the congressional approval procedure set forth in section 802 of chapter 8 of title 5, United States Code, affecting budget authority, outlays, or receipts shall be assumed to be effective unless it is not approved in accordance with such section.”.

SEC. 5. GOVERNMENT ACCOUNTABILITY OFFICE STUDY OF RULES.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study to determine, as of the date of the enactment of this Act—

(1) how many rules (as such term is defined in section 804 of title 5, United States Code) were in effect;

(2) how many major rules (as such term is defined in section 804 of title 5, United States Code) were in effect; and

(3) the total estimated economic cost imposed by all such rules.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to Congress that contains the findings of the study conducted under subsection (a).

The CHAIR. No further amendment to the bill, as amended, shall be in

order except those printed in part A of House Report 118-108. Each such further amendment may be offered only in the order printed in the report, by the Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MRS. BOEBERT

The CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 118-108.

Mrs. BOEBERT. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 21, strike “and” at the end.

Page 3, insert after line 21 the following (and redesignate provisions accordingly):

“(iv) an estimate of the effect on inflation of the rule; and”.

The CHAIR. Pursuant to House Resolution 495, the gentlewoman from Colorado (Mrs. BOEBERT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Colorado.

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

I rise in favor of amendment No. 1 as it revises the Comptroller General's congressional review report to include an estimate of the effect on inflation.

Without my amendment, the real-life consequences of Joe Biden's spending spree in the White House will not be taken into account by Congress as they perform their Article I duties. This will provide transparency for the administration to answer to the people's House.

The GOP majority has been empowered to hold the Biden administration accountable and demand transparency by revealing just how much Biden's executive orders are costing American families and small businesses.

Coloradans are struggling right now as they deal with the disastrous effects of Joe Biden's destructive economic policies. The policies passed last Congress unleashed record inflation on Americans, which has decimated our bank and retirement accounts, increased gas prices to record levels, raised utility bills, drove up grocery costs, and made it harder for Americans to live their lives as they intended.

This excessive spending has real consequences. American families will pay an \$8,581 inflation tax over the next year. Currently, 20 million Americans cannot pay their electric bill. We have seen a 4.3 percent decline in real wages since Biden took office. Americans have lost more than \$2 trillion in retirement savings. Americans are paying more for everything because of left-wing extremist policies.

My amendment will allow House Republicans to conduct important over-

sight over these expensive executive regulations to ensure Joe Biden cannot continue to issue rules that send America into a deeper inflation crisis.

Mr. Chair, I urge my colleagues to vote in favor of my amendment as well as the underlying bill.

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

Mr. NADLER. Mr. Chairman, I claim the time in opposition to the amendment.

The CHAIR. The gentleman from New York is recognized for 5 minutes.

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

This amendment requires the Comptroller General to include an estimate of a rule's effect on inflation in the congressional review report.

I oppose this amendment because it requires an estimate of a rule's effect on inflation, which would require the Comptroller General to speculate, based on limited evidence, how rules that likely have little to do with the economy would affect inflation.

The GAO has already reported to Congress that they would be unable to assess a rule's impact on the economy with the limited information available, and in any case, the 15 days provided for major rule reports do not allow for the GAO to make a determination on a rule's effect even if they had the necessary information.

Adding more requirements for various officials to estimate a rule's effect on the economy when they lack the necessary time and information to provide a concrete answer will not heighten the efficacy of this bill but will, rather, create more unnecessary estimates for Congress to weigh in their review of agency rules.

In addition, the nonpartisan Congressional Research Service has previously noted that estimating the total cost of regulations is inherently difficult and that such estimates of the cost of regulation should be viewed with a great deal of caution. Like the OMB, CRS has noted that there are significant methodological challenges to estimating and aggregating the total costs and benefits of rules.

I oppose this amendment because it focuses only on the cost of regulatory protections while completely ignoring the monetary benefits of those critical rules and because it asks the Comptroller General to do what is impossible to do.

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

Mrs. BOEBERT. Mr. Chair, I think it is perfectly reasonable to have a report that looks into the spending that has been taking place for the past 2 years and beyond.

This inflation is impacting millions of Americans across our Nation. As I stated, American families will pay \$8,581 in an inflation tax. We should be looking into the impacts of the spending that is taking place in Washington, D.C. Even if it is an estimate, we need to have an idea of how this is impacting families and why we currently have

20 million families that cannot afford their utility bills and why we have seen this 4.3 percent decline in real wages since Biden took office. I would like to see that report.

Mr. Chairman, again, I urge my colleagues to vote “yes” on amendment No. 1.

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

Mr. NADLER. Mr. Chairman, it is very nice to say that we should examine the inflation that has occurred and the spending that has occurred, but that is not what the amendment calls for.

The amendment requires the Comptroller General to include an estimate of a rule's effect, a rule that presumably hasn't yet been issued, on inflation in the congressional review report.

Now, I stated before why it is impossible to do that, why the CRS and the OMB say that there are significant methodological challenges to estimating and aggregating the total costs and benefits of rules. Therefore, we shouldn't be asking the impossible. It certainly has nothing to do with looking at prior expenditures or prior borrowing.

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

The CHAIR. The question is on the amendment offered by the gentlewoman from Colorado (Mrs. BOEBERT).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MRS. BOEBERT

The CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 118-108.

Mrs. BOEBERT. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 21, line 22, insert after “submit a report” the following: “(and publish the report on the website of the Comptroller General)”.

The CHAIR. Pursuant to House Resolution 495, the gentlewoman from Colorado (Mrs. BOEBERT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Colorado.

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

I rise in favor of my amendment, which will require the Comptroller General to publish the GAO study of rules on its website.

My simple, straightforward amendment ensures that the American people will be better informed of the regulations unelected bureaucrats are imposing on them, costing as much as \$2 trillion in compliance costs and economic losses.

During the first year of this administration, the Biden White House added more than \$200 billion in new regulatory costs. Without my amendment, the real-life consequences of Joe Biden's leftwing agenda will not be seen by those impacted most.

This will provide transparency for the administration to answer to the American people.

While the Federal Government continues to spend trillions of dollars it doesn't have, inflation has hit a 40-year high. Everything we buy, including food, gasoline, and so much more, costs more.

Instead of addressing these major economic concerns head-on, the Democrats' solution is to keep imposing unnecessary regulations and spending money we do not have.

□ 1230

The GOP majority has been empowered to hold this administration accountable and demand transparency by revealing just how much these regulations are costing American families and small businesses.

Unnecessary government regulations and excessive red tape impose crushing economic burdens on the people in my district and across our great country.

Since Joe Biden took office, his administration and unchecked bureaucrats are going full steam ahead on enacting a radical leftwing agenda throughout unilateral executive action.

House Republicans should be working to cut wasteful spending, get to the bottom of fraudulent payments made by the Federal Government, support American energy production, and oppose tax increases proposed by the Democrats.

Economic strength and job growth result from policies that unshackle job creators, allow American ingenuity, and provide certainty.

My amendment ensures the legislative branch, and the American people can provide proper oversight and no longer allow this administration to go unchecked.

I urge my colleagues to vote in favor of my amendment as well as the underlying bill.

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

The CHAIR. The question is on the amendment offered by the gentlewoman from Colorado (Mrs. BOEBERT).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MRS. BOEBERT

The CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 118-108.

Mrs. BOEBERT. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 12, insert after “House of Congress” the following: “(and to each committee of jurisdiction in each House)”.

The CHAIR. Pursuant to House Resolution 495, the gentlewoman from Colorado (Mrs. BOEBERT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Colorado.

Mrs. BOEBERT. Mr. Chair, I rise in favor of my amendment, which will require the Comptroller General's Congressional Review Report to be made available to the congressional committees of jurisdiction.

This simple, good-governance amendment allows Congress to take back its Article I authority in our system of checks and balances. This will provide transparency for the administration to carry out its congressionally authorized duty.

By requiring the administration to submit its plan to the people's House, we can provide important oversight and provide feedback. It is time for the legislative branch to actually do its job rather than ceding all the power to the White House and bureaucrats.

Our Founders were determined to create a government whose branches work together. By requiring the Comptroller General to submit the Congressional Review Report to the congressional committees of jurisdiction of the rule, we will allow Members who know these issues best to examine the real-life impacts of these executive regulations.

Congress needs to take back its power and advocate for the American people we represent. My amendment will ensure these voices do not go unheard. Hold this administration accountable and ensure Biden's streak of unchecked power comes to an end.

I urge my colleagues to vote in favor of these amendments as well as the underlying bill.

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

The CHAIR. The question is on the amendment offered by the gentlewoman from Colorado (Mrs. BOEBERT).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. BIGGS

The CHAIR. It is now in order to consider amendment No. 4 printed in part A of House Report 118-108.

Mr. BIGGS. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 17, line 13, strike “\$100 million” and insert “\$50 million”.

The CHAIR. Pursuant to House Resolution 495, the gentleman from Arizona (Mr. BIGGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

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

My amendment is needed to lower the economic threshold of the REINS Act to \$50 million, requiring congressional approval to go into effect. That will lead to more votes in this body, and that is what we do.

We are Members of Congress. That is what we do as Representatives of Congress, and I would rather vote more often than have unelected, unaccountable, partisan agency heads writing rules that we treat as law.

The Biden administration has abused executive authority by growing the administrative state. These abuses add up, and estimates indicate that the Biden administration has proposed more than \$1 trillion in rulemaking

proposals in 2022 alone. That is a trillion dollars without a single vote of anybody in this body. My amendment will fix that.

Actions this large, like student loan forgiveness, food stamp increases that nearly double in cost to Americans every 4 years—which even outpaces inflation—for every one of these overreaches, there are more smaller proposals that we never notice. I don't know if you realize that ketchup is regulated—breads, buns, cheese, Asiago cheese versus old Asiago cheese, that is what gets regulated by our government. There is virtually nothing that is untouched in regulation by this government.

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

Mr. NADLER. Mr. Chairman, I claim the time in opposition to the amendment.

The CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. NADLER. Mr. Chair, as I noted in our debate on the REINS Act last night, the REINS Act is aimed at undermining and frustrating the purpose of government by grinding Federal rulemaking to a halt.

By lowering the threshold of this dangerous bill from \$100 million to \$50 million, this amendment would make the REINS Act even more destructive.

I accordingly oppose this amendment for the same reasons I oppose the REINS Act at large. By requiring Congress to vote to approve and for the President to sign a resolution of approval for any major rule from the executive branch, we will be putting our constituents in harm's way.

Just last week, we saw how a small faction of far-right Republicans can hold the legislative process in the House hostage, all to make a point to the Speaker.

I oppose this amendment and the efforts of the majority to make the functions of government more political and subject to the whims of individual Members of Congress.

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

Mr. BIGGS. Mr. Chair, may I inquire as to how much time is remaining.

The CHAIR. The gentleman from Arizona has 3½ minutes remaining.

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

When we start looking at the regulatory environment and you start talking about a trillion dollars' worth of regulation being piled up by the Biden administration, a trillion dollars, you wonder why there is a persistence in inflation. That is one of the reasons.

I want to talk about something that my colleague said just a moment ago. He said: If you constrain the bureaucracy from making rules, somehow you are thwarting the purpose of government.

Mr. Chair, let me remind everyone what the purpose of government is. The purpose of government is to protect the rights and liberty of the American cit-

izen. It is when you delegate from this body—who are elected by the people we represent—to executive agencies and you give them carte blanche, which is basically what we do, we rarely even do a CRA, you are undermining that liberty, that freedom. That is one of the most insidious problems of this runaway regulatory bureaucracy that we have today.

My amendment simply says: If you are going to impact the United States of America's economy by more than \$50 million, we, the people's Representatives, should be okaying that regulation that ostensibly is going to be made and produced by people who are experts.

Well, let the people's Representatives adjudicate through a vote whether we agree with the so-called experts, and then we will be the ones who are held accountable, and we are the ones who should be held accountable.

Mr. Chair, I urge everyone to vote for my amendment. I yield back the balance of my time.

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

The central fallacy of the REINS Act that I noted last night is that Congress can possibly legislate on all the things, on all the regulations that we have. There are thousands of regulations, and there must be for the safety of our people.

How many parts per billion of arsenic in the atmosphere are safe? Is it 15? Is it 20? Is it 200? No one in this body has the expertise to say that, but there are experts in the agencies who are trained to do that.

How much exposure to radiation from x-rays is safe for an individual? We are not competent to decide that. That is why Congress has delegated over the years these decisions to agencies to make on our behalf. We write the general law, and we delegate the general power to decide these specific questions, and they do.

The central fallacy of the REINS Act is that it would make us try to make decisions in all of this. That is bad enough. The REINS Act now says you have to have Congress vote on every decision over \$100 million. That is bad enough. This amendment would make it over \$50 million, which makes it even worse.

Mr. Chair, I oppose this amendment as I oppose the act, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. BIGGS).

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

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

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

AMENDMENT NO. 5 OFFERED BY MS. HAGEMAN

The CHAIR. It is now in order to consider amendment No. 5 printed in part A of House Report 118-108.

Ms. HAGEMAN. Mr. Chair, I rise today on behalf of Mr. CLOUD of Texas to offer amendment No. 5 to H.R. 277, the REINS Act.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, line 19, strike "a classification of the rule as" and insert "a finding, rendered in consultation with the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget, whether the rule is".

Page 2, beginning on line 20, strike "classification" and insert "finding".

Page 17, line 10, insert after "Management and Budget" the following: "or the Federal agency promulgating such rule".

The CHAIR. Pursuant to House Resolution 495, the gentlemanwoman from Wyoming (Ms. HAGEMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlemanwoman from Wyoming.

Ms. HAGEMAN. Mr. Chair, I am proud to be a cosponsor of the REINS Act, which is an important effort to ensure Congress reclaims its rightful authority and responsibility to legislate.

This amendment is technical in nature, but it is important, nonetheless. In April of this year, the Biden administration issued an executive order on modernizing the regulatory review.

The purpose of this executive order is to allow the administration to implement their agenda more quickly and efficiently.

The executive order also raises the threshold for centralized review by the Office of Information and Regulatory Affairs, or OIRA, from \$150 million to \$200 million.

The order also gives the administrator of OIRA a discretionary role in determining which regulations are considered for full OIRA review.

OIRA serves as a responsible check on major regulations, reviewing the cost and benefits of each regulation, and ensuring that all public comments have been reviewed and considered before the regulation goes into effect.

□ 1245

OIRA, in other words, is a check on due diligence. This order will mean that fewer rules are reviewed by OIRA and, thus, less due diligence will be conducted over the administrative state.

So long as this executive order stands, a loophole will exist in the REINS Act. Fewer rules would be classified as major, and consequently would not be subject to congressional approval under the REINS Act.

My amendment would close this loophole by clarifying that OIRA must issue a finding of the full cost-benefit analysis of each rule and issue a determination as major or minor according to that finding.

Mr. Chair, I urge the adoption of my amendment, and I reserve the balance of my time.

Mr. NADLER. Mr. Chair, I claim the time in opposition.

The CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. NADLER. Mr. Chair, the non-partisan Congressional Research Service has previously noted that estimating the total cost of regulations is inherently difficult and that such estimates of the cost of regulation should be viewed with a great deal of caution.

Like the OMB, CRS has noted that there are significant methodological challenges to estimating and aggregating the total costs and benefits of rules.

I rise in opposition to this amendment as it requires the OMB to make a specific determination of a rule's impact when they already say it is difficult to make an estimate of the impact.

This amendment requires the OMB to do the impossible, to make a specific finding when OMB and CRS have already said that even estimates are very difficult and inherently unreliable. To request a finding is to request the impossible, and, therefore, I oppose this amendment.

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

Ms. HAGEMAN. Mr. Chair, I think that my colleague on the other side of the aisle just confirmed why this amendment is necessary and why the REINS Act is so important.

What I believe I heard him say is that because it is difficult for the administration to determine what the cost of these regulations are, they shouldn't have to make any determination at all and there should be no oversight whatsoever, either from OIRA or OMB, because it is just too doggone difficult to figure out how much these regulations are going to cost.

Frankly, I find that argument absolutely and completely absurd. We are talking about tax money. We are talking about a cost and expense that is being imposed against our small businesses, our mom-and-pop businesses, against our industry groups.

What the gentleman from the other side is saying is that nobody, including this administration, should ever have to disclose what the cost of those regulations are. That is exactly the reason as to why we need a robust review by OIRA as provided for in this amendment.

Mr. Chair, in closing, I do think it is clear that it is important to make this technical change for the REINS Act. It is important that we have an understanding as to what the cost of these regulations will be.

The very purpose of the REINS Act is to ensure that Congress is part of the legislative process for any regulation that would have an economic impact of over \$100 million.

Without a robust review by OIRA, it is not possible to determine which of these regulations, in fact, would fit within that category. It is for that reason that I request the adoption of this amendment. It is a good one for the REINS Act, and it ensures that we

close an important loophole to make sure that it is the Congress that is legislating and not the executive branch and unelected bureaucrats.

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

Mr. NADLER. Mr. Chair, I have expressed my opposition to the entire REINS Act because, as I said before, we are not competent. Congress cannot possibly decide how many parts per billion of arsenic is safe in the air for people to breathe or how many rads of radiation are safe to have in x-rays before it causes cancer. We don't know that. That is why we write general laws, and in those laws, we have delegated the power to make specific rules to agencies who are staffed by thousands of experts in each particular field. That is why the REINS Act is so pernicious, because it would stop this. It would make us make those decisions. We have no competence to make those decisions.

The REINS Act is bad enough, but this amendment, which says that OIRA must issue a finding for each rule determining whether the rule has a significant economic impact, given that OMB and CRS have both said that it is very difficult to make even estimates, you can't make a finding. A finding implies exactitude. Given the fact that even the estimates are very difficult and unreliable, a finding is impossible. The amendment should not require that someone do the impossible. Therefore, I oppose the amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Wyoming (Ms. HAGEMAN). The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. GOOD OF VIRGINIA

The CHAIR. It is now in order to consider amendment No. 6 printed in part A of House Report 118-108.

Mr. GOOD of Virginia. Mr. Chair, I rise as the designee of Mr. CLYDE from Georgia.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, insert after line 7 the following:

“(D) If requested in writing by a member of Congress—

“(i) the Comptroller General shall make a determination whether an agency action qualifies as a rule for purposes of this chapter, and shall submit to Congress this determination not later than 60 days after the date of the request; and

“(ii) the Comptroller General, in consultation with the Director of the Congressional Budget Office, shall make a determination whether a rule is considered a major rule under the provisions of this act, and shall submit to Congress this determination not later than 90 days after the date of the request.

For purposes of this section, a determination under this subparagraph shall be deemed to be a report under subparagraph (A).”

The CHAIR. Pursuant to House Resolution 495, the gentleman from Virginia (Mr. GOOD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOOD of Virginia. Mr. Chair, again, I rise in support of the Mr. CLYDE's amendment to the REINS Act. This amendment simply says that if requested in writing by a Member, the Comptroller General shall make a determination whether an agency action qualifies as a rule for purposes of this chapter and shall submit to Congress this determination not later than 60 days after the date of the request.

It further states that the Comptroller General, in consultation with the director of the Congressional Budget Office, shall make a determination to whether a rule is a major rule under the provisions of this act and shall submit to Congress this determination not later than 90 days after the date of the request.

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

The CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. GOOD).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. TONY GONZALES OF TEXAS

The CHAIR. It is now in order to consider amendment No. 7 printed in part A of House Report 118-108.

Mr. TONY GONZALES of Texas. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 7, strike “and” at the end.

Page 3, line 8, strike the period at the end and insert “; and”.

Page 3, insert after line 8 the following:

“(vi) a statement of the constitutional authority authorizing the agency to make the rule.”

The CHAIR. Pursuant to House Resolution 495, the gentleman from Texas (Mr. GONZALES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. TONY GONZALES of Texas. Mr. Chair, I rise today in support of my amendment.

This amendment is simple. Any time a Federal agency proposes a new rule, it must also submit a constitutional authority statement. This would force any administration to remain in compliance with the most sacred document in the American government, the U.S. Constitution.

Congress follows this simple principle every time a new bill is submitted. The White House should be held to the same standard.

Mr. Chair, I encourage my colleagues on both of sides of the aisle to support this amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. TONY GONZALES).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MR. GOOD OF VIRGINIA

The CHAIR. It is now in order to consider amendment No. 8 printed in part A of House Report 118-108.

Mr. GOOD of Virginia. Mr. Chair, I rise in support of my amendment to the REINS Act.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Chapter 8 of title 5, United States Code, as proposed to be amended by section 3 of the bill, is amended by adding at the end the following (and conforming the table of sections accordingly):

“§ 808. Review of rules currently in effect

“(a) ANNUAL REVIEW.—Beginning on the date that is 6 months after the date of enactment of this section and annually thereafter for the 4 years following, each agency shall designate not less than 20 percent of eligible rules made by that agency for review, and shall submit a report including each such eligible rule in the same manner as a report under section 801(a)(1). Section 801, section 802, and section 803 shall apply to each such rule, subject to subsection (c) of this section. No eligible rule previously designated may be designated again.

“(b) SUNSET FOR ELIGIBLE RULES NOT EXTENDED.—Beginning after the date that is 5 years after the date of enactment of this section, if Congress has not enacted a joint resolution of approval for that eligible rule, that eligible rule shall not continue in effect.

“(c) APPROVAL OF RULES.—

“(1) Unless Congress approves all eligible rules designated by executive agencies for review within 90 days of designation, they shall have no effect.

“(2) A single joint resolution of approval shall apply to all eligible rules in a report designated for a year as follows: ‘That Congress approves the rules submitted by the _____ for the year ____.’ (The blank spaces being appropriately filled in).

“(3) A member of either House may move that a separate joint resolution be required for a specified rule.

“(d) DEFINITION.—In this section, the term ‘eligible rule’ means a rule that is in effect as of the date of enactment of this section.”.

The CHAIR. Pursuant to House Resolution 495, the gentleman from Virginia (Mr. GOOD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOOD of Virginia. Mr. Chair, my amendment is a commonsense one that I hope everyone can support. It would simply require Congress to do a review of all agency rules within a 5-year period. If Congress did not vote to continue certain rules that are in place, then the rules would simply cease to exist. It puts the responsibility where it belongs, on the people’s elected Representatives.

The Washington regulatory state we all know to be cumbersome. It is actually hurtful to American businesses, families, and the American economy. By reining in the regulatory state, we can allow Americans to live and operate in an economy the way they want to. Washington bureaucrats cannot and should not tell my constituents in Virginia’s Fifth District what they can and cannot do.

The REINS Act will hold the Biden administration accountable for all major rules they present.

For far too long, Congress has let the executive branch run roughshod over Congress and the American people. Today that ends.

Mr. Chair, I urge all of my colleagues to support the Amendment and the underlying bill, and I reserve the balance of my time.

Mr. NADLER. Mr. Chair, I claim the time in opposition.

The CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. NADLER. Mr. Chair, this amendment is unnecessary. Congress already has many ways to control agency rule-making. We can delegate authority to agencies with specificity, thus limiting the scope of an agency’s authority. We can impose restrictions on rulemaking through appropriations. We can influence rulemaking through oversight activities. If all of these measures fail, we also have the blunt tool of the Congressional Review Act.

Therefore, we do not need the oversight the REINS Act offers, but we also do not need to open the door to revising rules that have been in place for years. Doing so would create uncertainty for businesses who have adapted to rules that were passed years ago and continue in force.

The current Congressional Review Act only allows Congress to roll back rules within a short time period. The CRA was drafted with a short period of review intentionally, and to open the door to reviewing years of rules would be a huge expansion of the CRA, and it would create too much uncertainty for businesses and for all other economic actors.

For these reasons, I oppose this amendment, and I reserve the balance of my time.

Mr. GOOD of Virginia. Mr. Chair, it is bad enough that we have unelected bureaucrats in the departments and the agencies making rules that oppress the American people, that suppress their freedom, that tell them how they can live, how they can heat their home, what kind of a car they can drive, and it goes on and on.

All this amendment does is require Congress to take responsibility every 5 years to vote to retain a rule. If it is not worth voting on to retain, then it probably should not be retained.

Once again, I would hope that all Members of Congress could agree to operate under their constitutional responsibility for the laws that affect their constituents and Americans across the country.

Mr. Chair, I encourage all Members to support this amendment, and I yield back the balance of my time.

Mr. NADLER. Mr. Chair, the gentleman said that rules tell Americans what kind of cars they can drive. No, they do not. They do provide for the safety of the cars that Americans drive. They provide for all of the safety mechanisms that must be in the cars.

Again, Congress does not have the competence to know what safety mechanisms ought to be in the cars. That is why we have delegated rulemaking authority to agencies which have experts on how many parts—I keep using this example—how many parts per billion of arsenic can be in the air, what safety measures must be in a car, et cetera.

The REINS Act violates this and is very dangerous to the American people. This amendment makes it even worse by essentially saying every rule has to be reviewed in 5 years by Congress. Congress can’t possibly review all of these rules.

Therefore, this amendment will make Americans even less safe in many ways, and I oppose the amendment. I urge a “no” vote, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. GOOD).

The amendment was agreed to.

□ 1300

AMENDMENT NO. 9 OFFERED BY MR. GOOD OF VIRGINIA

The CHAIR. It is now in order to consider amendment No. 9 printed in part A of House Report 118-108.

Mr. GOOD of Virginia. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 17, line 17, strike “or” at the end.

Page 17, line 22, strike the period at the end and insert “; or”.

Page 17, insert after line 22 the following: “(D) increased access to abortion, abortion-related services, or abortion-related travel.”.

Page 18, line 12, insert after “personnel” the following: “(except to the extent such rule is described in paragraph (2)(D))”.

The CHAIR. Pursuant to House Resolution 495, the gentleman from Virginia (Mr. GOOD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOOD of Virginia. Mr. Chair, the REINS Act is a very important piece of legislation for us to pass to rein in the unaccountable bureaucratic state that is telling Americans what kind of cars they can drive and much more than that with the regulations and rules that are coming out of the unelected bureaucratic states.

Rules like the VA abortion rule that was recently put in place by the Biden administration would not qualify as a major rule under the REINS Act. My amendment would make any agency rule that increases access to abortion subject to congressional review.

I am proud of this amendment because it is the first standalone pro-life amendment vote the House will take this year. My amendment will counter the radical, pro-death agenda the Biden administration promotes throughout their entire administration.

The REINS Act will significantly restore appropriate and constitutional

congressional oversight for the out-of-control bureaucracy. It is a step toward ending the “Washington knows best” attitude that too often prevails in this town. It is a step toward freedom and less government oppression for all Americans. It is a step toward fiscal responsibility.

Mr. Chair, in addition to the underlying bill, I urge all of my colleagues to support my pro-life amendment, and I reserve the balance of my time.

Mr. NADLER. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. NADLER. Mr. Chairman, we have a very clear difference of perspectives here. The gentleman talks about the right to life. I talk about the right to freedom. The right to reproductive freedom is a core human right that is protected by our Constitution.

The majority of the work our agencies do has little to do with the private decisions women make with the consultation of their doctors. In an effort to continue the culture wars, my colleagues have added this purposefully politicized amendment to signal that they, contrary to their supposed beliefs, do think that Big Government is good and that Big Government's reach extends to a woman's private decisions about what to do with her body.

All the rhetoric about the REINS Act is that Big Government is bad, that we should have less government. That is all the rhetoric of the Republican Party, generally. Yet, here they are, saying that government should reach into the private decisions of a woman with respect to her own body that were made in consultation with her doctor or perhaps with her husband or whomever. It is up to her, and government shouldn't determine her decision for her.

Mr. Chair, I oppose this amendment and the Republicans' crusade to create more laws about what we can do with our bodies and our reproductive decisions because government should not be in the business of dictating private decisions to private people.

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

Mr. GOOD of Virginia. Mr. Chairman, it is refreshing to hear for the first time, I think, since I came to Congress 2½ years ago that my friends on the other side actually care about the freedoms of Americans, as they continue to try to control every aspect of Americans' lives.

Yet, the other side used to be the party of “safe, legal, and rare” when it came to abortion. I am unashamedly, unapologetically a believer in life from conception. I don't believe we ought to be negotiating the timeline when it comes to when you can kill a child in the womb.

However, the other side has become the party of abortion at any time, for any reason, up until the moment of birth. I challenge my friends on the other side to tell us when they actually would restrict abortion.

The Republican Party should proudly be the party of life.

The Supreme Court, which recently, about a year ago, overturned *Roe v. Wade* and the *Dobbs* decision, returned the responsibility on abortion to the people's Representatives. It ought to be up to Congress to vote to approve any agency rule that increases access to abortion. That is what this amendment does.

Mr. Chair, I urge everyone to support this amendment, and I yield back the balance of my time.

Mr. NADLER. Mr. Chairman, the Republican Party claims to be the party of freedom, but not when it comes to women and the decisions they make with respect to their own bodies. It is then the party of government repression and dictation.

You cannot do what you decide to do. You cannot do what you think is best. You must do what government thinks is best—namely, not have an abortion.

I proudly support the right to abortion. I believe abortion should be safe and legal. Whether it is rare is up to the individuals. It is a personal freedom. The Democratic Party supports personal freedom, unlike the Republican Party, which while claiming to support personal freedom seeks to repress it.

They are a party that says you cannot decide what to do with your own body, a party that says you cannot read what we don't want you to read, a party that says: Let's ban books. Let's ban plays. Let's take them out of the school libraries and out of the public libraries.

Some freedom.

Mr. Chair, I oppose this amendment. It is another example of the Republican Party's attempt to suppress freedom, and it must not pass.

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

The CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. GOOD).

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

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

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

AMENDMENT NO. 10 OFFERED BY MR. GREEN OF TEXAS

The CHAIR. It is now in order to consider amendment No. 10 printed in part A of House Report 118–108.

Mr. GREEN of Texas. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add, at the end of the bill, the following:

SEC. 6. EFFECTIVE DATE.

This Act, and the amendments made by this Act, shall take effect only beginning on the date that is 1 year after the date of enactment of this Act, and only on the submis-

sion of a report by the Comptroller General of the United States detailing the effects of the implementation of this Act and the amendments made by this Act.

The CHAIR. Pursuant to House Resolution 495, the gentleman from Texas (Mr. GREEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. GREEN of Texas. Mr. Chairman, I thank the chair and ranking member of the full committee that has jurisdiction of these issues.

I am grateful to have the opportunity to speak on this amendment. This amendment delays the implementation of the legislation by 1 year and requires that a study be conducted in time by GAO on the effects of implementation.

We are making drastic changes, and drastic changes ought not be made rapidly. We ought to give ourselves time to study these things so that we can make prudent and judicious decisions.

A GAO study would provide us with the rigorous, unbiased analysis of the likely impacts of the bill. It would examine the economic, regulatory, and administrative implications of this new approval process.

This amendment would help us to better understand how the shift might affect industries, consumers especially, the economy, and the government.

While the intent to improve regulatory oversight is laudable, we must not rush into this. There should not be this rush to judgment as to the implications without at least giving ourselves an opportunity to examine them. We shouldn't do this without fully appreciating the potential consequences.

Mr. Chair, I believe that this amendment, while simple, is something that can be of great benefit, and I reserve the balance of my time.

Ms. HAGEMAN. Mr. Chairman, I claim the time in opposition to the amendment.

The CHAIR. The gentlewoman from Wyoming is recognized for 5 minutes.

Ms. HAGEMAN. Mr. Chair, this amendment is simply an attempt to delay implementation of a bill that the Democrats do not support. If the Democrats don't like the bill, they can vote against it.

Even if implementation was delayed a year, it is unclear what, if any, value a study could provide. However, during that year, agencies would continue issuing more and more major rules at the expense of the American public.

It is time for Congress to reclaim its constitutional role as the body that makes policy in this country.

Madam Chair, I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Mr. GREEN of Texas. Madam Chair, it is my belief that moving with measured steps is not a delay. It is a judicious means by which we can ascertain whether this drastic change—one might say a radical change—will produce radical, unacceptable results.

Madam Chair, I think the amendment should be supported, and I ask my colleagues to do so.

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

Ms. HAGEMAN. Madam Chair, I just have a couple of points.

One is that the REINS Act has enjoyed longstanding, bipartisan support. In fact, the House passed prior versions of the REINS Act with bipartisan support in each one of the 115th, 114th, 113th, and 112th Congresses. In other words, this is an act that has been studied and discussed extensively over the years, and there is no reason for a 1-year delay in its implementation once the bill passes.

Madam Chair, I reserve the balance of my time.

The Acting CHAIR (Mrs. GONZÁLEZ-COLÓN). The gentlewoman has the only time remaining.

Ms. HAGEMAN. Madam Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. GREEN).

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

Ms. HAGEMAN. Madam 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 Texas will be postponed.

AMENDMENT NO. 11 OFFERED BY MR. GREEN OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in part A of House Report 118–108.

Mr. GREEN of Texas. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 21, strike “or” and insert a comma.

Page 4, line 23, after “section 802”, insert “as provided for in the rule following failure to vote on a joint resolution of approval as referred to subsection (b)(3)”.

Page 5, line 10, strike “A major rule” and insert the following: “Except as provided in paragraph (3), a major rule”.

Page 5, insert after line 21 the following: “(3) If either House of Congress has failed to vote on passage of a joint resolution described in section 802 relating to a major rule by the end of 70 session days or legislative days, as applicable, beginning on the date on which the report referred to in subsection (a)(1)(A) is received by Congress (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), then the major rule shall take effect.”.

The Acting CHAIR. Pursuant to House Resolution 495, the gentleman from Texas (Mr. GREEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. GREEN of Texas. Madam Chair, the goal of this amendment is not to undermine the power of congressional oversight. Rather, it is to protect the functionality of government.

By providing a time-bound framework, we ensure that important regulatory decisions are not left in limbo. That is exactly what can happen without the benefit of this amendment. That is due to legislative inertia.

Madam Chair, the Framers of our Constitution designed a government that balances power between the branches. This amendment respects that design by allowing for robust legislative review while also ensuring that the executive branch can effectively administer and enforce our laws.

However, let me be clear. While this amendment aims to improve the proposed bill, I still remain fundamentally opposed to it because I believe that the drastic changes that will take place will not serve to benefit our legislative process.

Madam Chair, I reserve the balance of my time.

□ 1315

Ms. HAGEMAN. Madam Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Wyoming is recognized for 5 minutes.

Ms. HAGEMAN. Madam Chair, this amendment undermines the purpose of the REINS Act. The REINS Act rejects a standard of legislative disapproval concerning major rules. Instead, the REINS Act creates a standard of legislative approval for major rules.

The fact is that in listening to my colleagues on the other side, it is very clear that they simply do not want to legislate. They want to turn over that authority to the executive branch in violation of Article I, Section 1 of the United States Constitution.

We don't believe in doing that. The fact is that the administrative state has enacted unpopular and unwise regulations that could never pass Congress, and that is why President Biden and his predecessors have sought to legislate through regulation versus our constitutional process.

If Congress does not approve a major rule, it should not go into effect. This amendment would leave the status quo in place.

Madam Chair, I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Mr. GREEN of Texas. Madam Chair, this amendment is not designed to delay but rather is designed to give us the opportunity to move forward expeditiously. In fact, that is what has been the argument of the other side that we should move expeditiously.

If expeditious movement is the choice of the other side, then they should support this because it forces us to take that necessary action as opposed to getting engaged in what has been called a paralysis of analysis.

This a great opportunity for us to link arms, join hands, and cause this legislation to move quickly. I think that this is what the gentlewoman wants, it is what I want, and it is what we can produce.

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

Ms. HAGEMAN. Madam Chair, I am prepared to close.

Again, this is just one more effort to try to undermine the very purpose of the REINS Act and make it so that it would not work as it is intended to work.

It is this body's responsibility to legislate, not the executive branch, not unelected bureaucrats, and not administrative agencies. We are the ones who represent the people of this country and are accountable to them through the decisions that we make.

Madam Chair, I urge the opposition to this amendment as it would undermine the very purpose of the REINS Act and is unnecessary, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. GREEN).

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

Mr. GREEN of Texas. Madam 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 Texas will be postponed.

AMENDMENT NO. 12 OFFERED BY MS. HOULAHAN

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in part A of House Report 118–108.

Ms. HOULAHAN. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 17, line 13, strike “\$100 million” and insert “\$1 billion”.

The Acting CHAIR. Pursuant to House Resolution 495, the gentlewoman from Pennsylvania (Ms. HOULAHAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Pennsylvania.

Ms. HOULAHAN. Madam Chair, today I rise in support of my amendment which would simply require Congress to approve by vote any regulation with an economic impact over \$1 billion rather than \$100 million as the current underlying bill is written.

Congress does have a responsibility to ensure that Federal dollars are spent appropriately with congressional intent and oversight in mind. Yet all of us in this Chamber know just how challenging it can be to come to a consensus despite all of our best efforts, let alone to find the time and the space on the calendar to do so.

Requiring a vote in both the House and the Senate on any regulation with a price tag of \$100 million will put in jeopardy consumer protection, healthcare access, and environmental safety. We simply cannot afford in good faith to have this threshold this low. The American people cannot afford for the implementation of these items to be stalled.

The rulemaking process is designed to implement laws that have already passed Congress. However, the laws that we write and the dollars we spend do, of course, have tangible impacts, which is why my amendment would ensure that only the rules that are over \$1 billion would see a vote.

As a point of reference, during the Trump administration only 26 out of 1,327 rules had a price tag of over \$1 billion. Again, less than 2 percent of the Trump administration's 1,300 rules would, therefore, require a vote under the new threshold. To drill down on the math, that would mean less than 30 votes rather than 1,321 votes.

A little bit of back-of-the-envelope math for us: we here in the House are in session between 27 and 30 weeks a year. I would say we do 20 votes a week which is generously around 600 votes a year; not nearly close to the 1,321 votes that we would have had to have taken during the Trump administration.

Again, I cannot stress enough that regulations do have an impact on real people and American lives. They do ensure aircraft safety and food quality, and they do prevent hazardous material from entering our air and water. As a consequence and because of that, we cannot take unnecessary risks by delaying these quantity of votes.

So, Madam Chair, for all of these reasons, I do urge my colleagues on both sides of the aisle to please vote "yes" on this, my commonsense amendment. I reserve the balance of my time.

Ms. HAGEMAN. Madam Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Wyoming is recognized for 5 minutes.

Ms. HAGEMAN. Madam Chair, I think this amendment perhaps defines the incredible contrast between this side of the aisle and the folks on the other side of the aisle.

I believe that \$100 million is an astronomical amount of money, and they don't see that it is all that much. I don't believe that unelected bureaucrats in agencies ought to be making decisions that have impacts on our businesses of over \$100 million without any legislative oversight, and they think that \$1 billion is pretty low. I think that that really epitomizes the difference in our philosophy, how we view government, and how we view our responsibilities.

Under no circumstance should unelected bureaucrats in agencies be imposing hidden taxes against the people of this country without the accountability of the legislative branch being involved in the decision. I believe \$100 million is too high and \$1 billion is absolutely absurd.

Madam Chair, I reserve the balance of my time.

Ms. HOULAHAN. Madam Chair, I yield to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Madam Chair, I thank the gentlewoman for yielding.

Madam Chairwoman, while the estimate of the economic impact of any rule by the GAO would be highly speculative and should be considered with caution—as the GAO itself said—this rule would at least lessen the harm that this dangerous bill would effect.

Although this amendment does not cure all the ills in the REINS Act, the amendment would at least reduce the number of rules REINS would apply to, and, therefore, I support the amendment.

Ms. HOULAHAN. Madam Chair, I reserve the balance of my time.

Ms. HAGEMAN. Madam Chair, I am ready to close, and I reserve the balance of my time.

Ms. HOULAHAN. Madam Chair, I cannot stress enough that regulations do, of course, have an impact on real American people and real American lives. Once again, I will emphasize that they ensure aircraft safety and food quality and prevent hazardous materials from entering our air and our water. We cannot take unnecessary risks.

If there is one thing the last several months have taught us about this body and the way that we move, is that we cannot move with expedience and that we definitely take an enormous amount of time to vote on any one piece of legislation.

The idea that we would be standing here week after week month after month voting on thousands of bills in this way is really a demonstration of the fact that we don't simply understand how this body works.

So for that reason, I very much urge my colleagues to vote "yes" on this commonsense amendment, and I yield back the balance of my time.

Ms. HAGEMAN. Again, Madam Chair, I am going to say I think that this is clearly an effort to abdicate our responsibilities to legislate.

As far as protecting our air and water, I point out that the EPA is responsible for one of the worst environmental disasters in the history of the United States of America when it blew out the Gold King Mine and turned the Animus River yellow several years ago in southwestern Colorado.

So while they want to turn over the responsibility of governing in this country to unelected bureaucrats in agencies that cause those kinds of disasters, I am unwilling to do so. I believe that this body ought to be accountable to the people and in making the decisions that have an economic impact of \$100 million on their lives.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Pennsylvania (Ms. HOULAHAN).

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

Ms. HOULAHAN. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further pro-

ceedings on the amendment offered by the gentlewoman from Pennsylvania will be postponed.

AMENDMENT NO. 13 OFFERED BY MR. JOYCE OF OHIO

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in part A of House Report 118-108.

Mr. JOYCE of Ohio. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 18, strike lines 1 through 16, and insert the following:

"(4) The term 'rule' has the meaning given such term in section 551, except that such term—

"(A) includes interpretative rules, general statements of policy, and all other agency guidance documents; and

"(B) does not include—

"(i) any rule of particular applicability, including a rule that approves or prescribes for the future rates, wages, prices, services, or allowances therefore, corporate or financial structures, reorganizations, mergers, or acquisitions thereof, or accounting practices or disclosures bearing on any of the foregoing;

"(ii) any rule relating to agency management or personnel; or

"(iii) any rule of agency organization, procedure, or practice that does not substantially affect the rights or obligations of non-agency parties.

The Acting CHAIR. Pursuant to House Resolution 495, the gentleman from Ohio (Mr. JOYCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. JOYCE of Ohio. Madam Chair, I rise today to offer an amendment to H.R. 277, the REINS Act. My amendment would insert a key provision included in my legislation, the LIBERTY Act, to ensure that economically significant guidance documents are subject to public notice and comment periods and much-needed congressional oversight.

While agency rules and regulations are subject to congressional oversight, guidance documents are not. As a result, the President can use guidance documents to sidestep congressional review and prevent Americans from weighing in on decisions made by their government.

Guidance documents were never intended to be used by Presidents to unilaterally enact their agenda, but today, that is precisely what we are seeing. For example, President Biden has attempted to use guidance documents to implement his \$450 billion student loan bailout, Medicaid expansion, and to make it easier to deny future natural gas pipelines.

As a result, it has become clear that Congress must exert its authority to ensure that guidance documents cannot be used without any review or accountability. My amendment would guarantee just that.

The principle underpinning this amendment is simple: our government was founded by the people and for the

people, and duly elected Representatives must be able to hold the executive branch to account.

No matter which party holds the White House, no President Republican or Democrat should be able to implement their agenda without first giving the American people the opportunity to weigh in on that agenda.

Madam Chair, that is why I ask that you support this amendment to strengthen the REINS Act and to provide Washington with a much-needed dose of transparency and accountability to the American people.

Madam Chair, I reserve the balance of my time.

Mr. NADLER. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. NADLER. Madam Chair, this amendment amends the definition of rule to include interpretive rules, general statements of policy, and all other guidance documents.

However, guidance documents from agencies are not given the force of law in court. Expanding this bill to also require any guidance the agency gives to businesses about how the rules will be enforced is a gross expansion of the Congressional Review Act and would ensure that agencies provide less guidance for business thus creating more uncertainty. More uncertainty in business stifles business.

Madam Chair, you want to know the environment you are operating in if you are a businessperson.

This amendment is an overstep and would stifle further the work of our agencies and would make it much more difficult to conduct business in this country.

Madam Chair, I reserve the balance of my time.

Mr. JOYCE of Ohio. Madam Chairman, I thank the ranking member for his reply, and I appreciate his concern.

I would simply say this: all of us regardless of our political affiliation should be invested in reining in the power of the executive and holding the President accountable to the people. That is not happening in the status quo, which is why my amendment and the underlying bill is so important.

Guidance documents were never intended to allow bureaucrats to make sweeping decisions without any oversight, but that is what they have become.

Economically, significant guidance documents, like President Biden's student loan bailout, will have major effects on our country and must be subjected to proper oversight. That is what my amendment aims to achieve: a commonsense, good governance reform that keeps the American people in control of their government.

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

Mr. NADLER. Madam Chair, I am prepared to close.

Madam Chair, at the risk of sounding repetitive from what I have said in sev-

eral other amendments, Congress is not capable of making the judgments—the thousands and millions of judgments—on specifics like how many parts of arsenic per billion in the atmosphere is safe? What should the tolerance of a braking system in the automobile be? How many units of radiation can a person tolerate that is worth risking in an MRI or a CAT scan?

That is why Congress has delegated to agencies, which we created, the power to make these decisions which we are not competent to make, the thousands and thousands of specific decisions on scientific and other questions; mostly scientific questions.

□ 1330

The REINS Act is a very bad piece of legislation because it would say that the agencies can't do this, that Congress must do it, and we don't have the capacity. We don't have the time, and we don't have the knowledge.

How many people here know how many units of radiation are safe?

How many hearings must be conducted for the thousands or even millions of decisions that must be made each year?

The REINS Act is a bad idea. This amendment, in effect, expands the REINS Act to include interpretive rules and general statements of policy. It makes it even more impossible. Therefore, it makes a very bad bill worse, and I oppose it and urge its defeat.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. JOYCE).

The amendment was agreed to.

AMENDMENT NO. 14 OFFERED BY MR. ROY

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in part A of House Report 118-108.

Mr. ROY. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 17, line 10, insert after "and Budget" the following "determines makes reference to Executive Order 14091, 14075, 14035, 14021, 13988, or 13985, or".

Page 18, line 12, insert after "personnel" the following: "(except to the extent such rule makes reference to Executive Order 14091, 14075, 14035, 14021, 13988, or 13985)".

The Acting CHAIR. Pursuant to House Resolution 495, the gentleman from Texas (Mr. ROY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. ROY. Madam Chair, it has been a treat listening to my colleagues with their newfound respect for private business and not wanting to have regulatory interference with private business.

Well, here we are talking about the REINS Act. What we are trying to do is ensure that you can't have unelected bureaucrats making decisions that have massive economic impacts and

have major impacts on the lives of the American people.

With all due respect to the ranking member from Judiciary, what we are talking about is not saying you are ending what the folks in the administrative state are saying about regulations. What we are saying is that they have got to come to Congress if it is going to have a major impact. They have got to come demonstrate what it is they are proposing.

If they have got some issue that involves radiation, if they have got some issue that involves some complexities, come make the case if you are going to have a massive economic impact, like \$100 million.

Here I am offering an amendment that goes a little bit beyond that; not just the economic impact, but the impact on our society, the impact on businesses to be able to function, the impact on people to be able to go out and carry out their lives.

Amendment No. 14 that I am offering here expands the definition of a major rule in the REINS Act to include any rule that references one of President Biden's major so-called diversity, equity, and inclusion executive orders.

This means that Congress would vote up or down on any rule promulgated by the executive branch that pushes radical gender or racial ideologies regardless of whether it is estimated to carry a fiscal or economic impact.

Why? Because the American people are tired of this stuff. They are tired of seeing this radical agenda being promoted by the Federal Government and pressed upon the private citizens of this country.

The executive orders covered in this amendment are meant to sow division among the American people in pursuit of radical racial and gender ideologies. For example, Executive Order 13985 is designed to ensure racial equity and support for underserved communities throughout the Federal Government.

That sounds nice in a title, but the fact is, it has directed every Federal agency to conduct equity assessments to determine whether new policies, regulations, or guidance documents may be necessary to advance equity in agency actions and programs. It has effectively made diversity, equity, and inclusion one of the most important factors, including at the Department of Defense.

We are not focusing on making sure our Department of Defense can defeat China; we are focusing on making it a social engineering experiment wrapped in a uniform. I wonder why we are having trouble recruiting people.

It has been referenced that CMS rules on health equity flirt with forcing providers to prioritize healthcare based on race. There are news articles about this. It has been referenced that the EPA and the Department of the Interior have rules that advance so-called environmental justice. Executive Order 13988 is titled: "Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation." Again, the title sounds, oh, that must be all nice and good. Well, it led to an HHS proposed rule that could compel hospitals receiving Federal funds to perform gender-affirming care, including surgeries. It has been used to justify moves by the VA to provide

gender-affirming care to veterans on taxpayer dollars.

Executive Order 14021 is titled: "Guaranteeing an Educational Environment Free From Discrimination on the Basis of Sex, Including Sexual Orientation or Gender Identity." However, the problem is, it is discriminating against women, which Riley Gaines knows all too well because she was forced to swim against a dude, and we all know she was forced to swim against a dude.

It was referenced in the Department of Education's proposed rule to leverage Title IX to restrict schools' ability to prohibit biological males from competing in girls' sports. Ironically, the rule recognizes schools may need flexibility to issue such a restriction for "fairness in competition or preventing sports-related injury."

The fact is, the American people are sick and tired of politicizing our entire culture through the executive actions that are being executed by this President without check from Congress, which we don't believe would have a chance of getting through the people's House.

Madam Chair, I reserve the balance of my time.

Mr. NADLER. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. NADLER. Madam Chair, the REINS Act would already frustrate the point of government by grinding the critical actions of our agencies to a halt.

Why, Mr. ROY—and I presume the majority generally—feels the need to also include efforts to protect some of the most vulnerable among us is beyond me.

America has a long history of discrimination, and efforts to include these historically marginalized groups should be celebrated and supported, not subjected to further scrutiny by Congress just because the majority disagrees with supporting these individuals.

May I remind you that we represent all the people, and amendments like this undermine our service to our constituents.

I would ask, why should we tell hospitals not to perform certain medical procedures? If gender-affirming surgery is necessary for the patient and the doctor says it is, why shouldn't the VA hospital provide such surgery?

We do not, I presume, want to say it is because we want to discriminate against transgender people, or we want to discriminate against gay or lesbian people. I hope that is not what we are saying, but that is what this amendment seems to do.

I oppose this amendment because it goes against our notions of equality and our notions of fairness.

Madam Chair, I reserve the balance of my time.

Mr. ROY. Madam Chair, if my Democratic colleagues support these executive orders so much, if they believe that these are the best things since sliced bread, that we need to have all of these orders that are turning our entire society upside down, that are redefining traditional roles in society that we understand the difference between

men and women; if they are so excited about those policies, then why are they worried about voting on them? What is the problem?

Why must they just be executed by a faceless bureaucrat at the other end of Pennsylvania Avenue or in the alphabet soup of agencies in this town?

Why shouldn't this body, the people's House, and the Senate, speak? That is all we are talking about in the REINS Act and these amendments.

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

Mr. NADLER. Madam Chair, the gentleman says: Why don't we legislate on some of this? We have.

Might I remind the gentleman that last year we passed the Respect for Marriage Act, codifying the rights of two men to marry each other or two women to marry each other because we respect freedom?

The amendment does not respect freedom. The amendment, by its description by its sponsor, would say, no, we don't want to do gender-affirming surgery. We don't want to perform surgery that people need because we disapprove of them. That is wrong.

The REINS Act is a very bad act for all the reasons I have stated many times already today. I am not going to repeat them. This amendment would make it worse because diversity, equity, and inclusion executive orders are things to be celebrated, not things to decry.

Madam Chair, I include in the RECORD a list of organizations opposing H.R. 277.

OPPOSITION TO H.R. 277

The Coalition for Sensible Safeguards, consisting of over 160 labor, consumer, and environmental organizations, including:

AFL-CIO	Environmental Law	National Consumers League
Alliance for Justice	Center for Progressive Reform	National Employment Law Project
American Association of University Professors	Center for Responsible Lending	National Family Farm Coalition
American Federation of State, County and Municipal Employees	Consumer Federation of America	National Women's Health Network
American Federation of Teachers	Consumer Reports	National Women's Law Center
American Forum	Demos	Natural Resources Defense Council
American Lung Association	Earthjustice	Partnership for Working Public Citizen
American Rivers	Economic Policy Institute	Reproductive Health Technologies Project
American Sustainable Business Council	Environment America	Sciencecorps Service Employees International Union
Americans for Financial Reform	Farmworker Justice	Sierra Club
BlueGreen Alliance	Free Press	STOP Foodborne Illness
Campaign for Contract Agriculture Reform (CCAR)	International Brotherhood of Teamsters	The Arc of the United States
Center for American Progress	International Center for Technology Assessment	U.S. PIRG
Center for Biological Diversity	International Union, United Automobile, Aerospace & Agricultural Implement Workers of America (UAW)	Union of Concerned Scientists
Center for Digital Democracy	League of Conservation Voters	United Food and Commercial Workers Union
Center for Food Safety	Main Street Alliance	United Steelworkers
Center for Foodborne Illness, Research & Prevention	Media Matters for America	Voices for Progress
Center for International	National Association of Consumer Advocates	Waterkeeper Alliance
		Worksafe

The Center for Progressive Reform; a coalition of health partners including American Lung Association, Allergy & Asthma Network, Campaign for Tobacco-Free Kids, and the National Association of Pediatric Nurse Practitioners; and the American Association of Government Employees, AFL-CIO.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. ROY).

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

Mr. NADLER. Madam 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 Texas will be postponed.

AMENDMENT NO. 15 OFFERED BY MR. ROY

The Acting CHAIR. It is now in order to consider amendment No. 15 printed in part A of House Report 118-108.

Mr. ROY. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 17, line 17, strike "or" at the end.

Page 17, line 22, strike the period at the end and insert "; or".

Page 17, insert after line 22 the following: "(D) in an increase in mandatory vaccinations."

Page 18, line 12, insert after "personnel" the following: "(except to the extent such rule is described in paragraph (2)(D))".

The Acting CHAIR. Pursuant to House Resolution 495, the gentleman from Texas (Mr. ROY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. ROY. Madam Chair, with respect to what the gentleman was just talking about with the marriage vote last year, regardless of one's belief and vote on the outcome of that policy, the point is, Congress voted.

The fact is, here we have rules being promulgated by bureaucrats that the people's House never gets a chance to speak to other than through a Congressional Review Act, which you are only allowed to do in a minimal amount of time. The REINS Act actually gives power to the people's House and Article I under the Constitution.

I want to do that here on another issue.

We would like to expand the definition of "major rule" to include any rule likely to result in an increase in mandatory vaccinations. This means Congress would vote to approve any rule promulgated by the executive branch to push mandatory vaccines.

Last Congress, remember, we were told to wait for the courts to save the American people from an unconstitutional vaccine? While we fiddled and waited for the courts to catch up, millions of Americans were forced to choose between their job and a jab, that they likely didn't need and that didn't stop transmission.

On September 29, 2021, President Biden announced vaccine mandates for upwards of 100 million Americans, forcing Americans to choose between their jobs and a jab.

On March 11, 2023, Biden finally ended his unconstitutional vaccine mandates at the end of the COVID emergency, frankly, because we were forcing it and forcing the question.

The OSHA mandate, which was struck down by the Supreme Court and formally withdrawn on January 28, 2022, a year prior, required all businesses with 100-plus employees to either vaccine or test.

Why should we wait on the Supreme Court to check the unconstitutional, unlawful, and tyrannical actions by an executive branch that shut down the greatest economy in the history of the world, forcing people to choose between their livelihoods, their ability to make money, their families, their ability to go to school, the ability of a nurse to be able to go in and perform her job in a hospital? We did that. Let's not forget that we did that.

We watched Secretary Becerra fumbling yesterday, fumbling in a hearing, unable to answer the question: Can you tell me, sir, whether or not it was any benefit whatsoever for 2-year-old kids to be forced to wear masks and we had mandates through the Head Start program? He refused to answer the question in committee because he knew full well he had no good answer to that question.

He knows it, and everybody in America knows it. This is about wrestling power away from a bureaucratic state that shut down this economy, harmed the American people, and it should never happen again.

That is the point of the REINS Act, to wrestle power back from Article II and the executive branch no matter who is there.

The Trump administration's hands: Unclean.

The Biden administration's hands: Unclean.

This is a nonpartisan statement.

The people's House should speak. We should stand up to the tyranny of an executive branch that overstepped its bounds and restricted the freedom and liberties of the American people and harmed them.

Madam Chair, I reserve the balance of my time.

□ 1345

Mr. NADLER. Madam Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. NADLER. Madam Chair, yet again, we have another amendment aimed at dividing us instead of allowing us to serve the people who elected us.

Vaccinations help us eradicate terrible diseases, like smallpox, polio, measles, mumps, tuberculosis, rubella, and on and on and on.

Adding this amendment would not help us govern. It will not help us serve our constituents. Instead, it would just serve to undermine necessary health and safety rules.

We here in this Chamber cannot know what contagious diseases we may face in the future, and I oppose any amendment that would undermine our ability to protect our constituents.

Madam Chair, before I was allowed to go to school—I won't tell you how many years ago that was—I had to be vaccinated for diphtheria, for whopping cough, for the diseases that they then knew how to vaccinate against. Nothing has changed. We are to vaccinate people to prevent diseases and pandemics.

The fact of the matter is that people should be required to be vaccinated, especially a nurse, a nurse who is dealing with patients, who is breathing on those patients. She can transmit the disease. So certainly, she should be required to be vaccinated because the vaccination not only protects her, but it also protects against transmission of the disease to the next person. The healthcare worker certainly ought to be required to be vaccinated.

When we have a pandemic like the COVID-19 pandemic that we had, 2-year-olds should have been required to wear masks. It would be child abuse for parents not to do that because there was no vaccination available for 2-year-olds. The only way to protect them against COVID was to have them wear masks. These mandates are meant to protect the public's health and safety.

God willing we won't have another pandemic such as we had, but in the future, we will be required, I presume, to be vaccinated against major threatening diseases. That is right. To expand the major rule to include any increase in mandatory vaccinations is intended to prevent mandatory vaccinations. That is a crime against the public health.

Madam Chair, I reserve the balance of my time.

Mr. ROY. Madam Chair, well, I am tempted to yield all my time to the gentleman from New York because he is basically making the case for me more effectively than I can.

The gentleman from New York is basically acknowledging everything that I am here saying that I am trying to do to protect the American people from the tyrannical state of the executive branch, but in this case, my Democratic colleagues on the other side of the aisle.

I want everybody in America to understand what they just heard from the ranking member of the House Committee on the Judiciary in the United States House of Representatives.

Your 2-year-old should be forced to be masked.

That is what the ranking member of the House Judiciary Committee just said here on the floor of the House of Representatives, that the power of the

government, the full power of the Federal Government should be a part of ensuring and forcing your children, your 2-year-old child to be masked.

We heard it yesterday when the Secretary of HHS refused to actually answer that question, so I am really glad to hear that the ranking member of the House Committee on the Judiciary acknowledges what everybody in America understands, which is that the Democratic Party led by the President and by my Democratic colleagues in the House and the Senate are fully comfortable with the power of the government being used to shut down your businesses, force you out of work, unless you take an experimental vaccine that has not been proven to actually do what the gentleman just said, which is with respect to transmissions.

More importantly, my father, who is 80 years old, is dealing with the ravages of polio. I firmly understand the importance of vaccines, and I am proud that my children and I have been able to be protected by those vaccines, fully tested after years of testing.

To say that this politicized vaccine should have been used to shut down the economy and to kill the ability of my constituents to be able to go about their lives, and to force children into the corner wearing masks to get set back years in their education, that is precisely why this amendment matters. It is precisely why we are here reining in the Federal Government, and it is precisely why this amendment would make this a better piece of legislation, and why I hope my colleagues would support it.

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

Mr. NADLER. Madam Chair, why the COVID-19 vaccine should be more politicized than any other vaccine, I don't know. I don't understand that.

And why the COVID-19 vaccine is considered by the gentleman to be politicized, I don't understand that either.

It is just another vaccine. It is another vaccine for a very raging pandemic we just had and which is hopefully over—although people are still dying of COVID-19. People should get vaccinated against it, if they haven't been vaccinated.

But the REINS Act would make it much more difficult to require or even to drop the requirement for vaccination, and this amendment would specifically make it more difficult.

That is ridiculous from a public health point of view, therefore, I oppose the amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. Roy).

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

Mr. NADLER. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by

Adams	Garamendi	Mrvan
Aguilar	Garcia (IL)	Mullin
Allred	Garcia (TX)	Nadler
Auchincloss	Garcia, Robert	Napolitano
Bacon	Jimenez	Neal
Balint	Golden (ME)	Neguse
Barragán	Goldman (NY)	Nickel
Beatty	Gomez	Norcross
Bera	Gonzalez,	Norton
Beyer	Vicente	Nunn (IA)
Bishop (GA)	González-Colón	Ocasio-Cortez
Blumenauer	Gottheimer	Omar
Blunt Rochester	Green, Al (TX)	Pallone
Bonamic	Grijalva	Panetta
Bowman	Harder (CA)	Pappas
Boyle (PA)	Hayes	Pascrell
Brown	Higgins (NY)	Payne
Brownley	Himes	Pelosi
Budzinski	Horsford	Peltola
Bush	Houlahan	Perez
Cammack	Hoyer	Peters
Caraveo	Hoyle (OR)	Pettersen
Carbajal	Huffman	Phillips
Cárdenas	Ivey	Pingree
Carson	Jackson (IL)	Pocan
Carter (LA)	Jackson (NC)	Porter
Cartwright	Jackson Lee	Pressley
Casar	Jacobs	Quigley
Case	Jayapal	Raskin
Casten	Jeffries	Ross
Castor (FL)	Johnson (GA)	Ruiz
Castro (TX)	Kamlager-Dove	Ruppersberger
Cherfilus-	Kaptur	Ryan
McCormick	Keating	Sablan
Chu	Kelly (IL)	Salinas
Clark (MA)	Khanna	Sánchez
Clarke (NY)	Kildee	Sarbanes
Cleaver	Kilmer	Scanlon
Clyburn	Kim (NJ)	Schakowsky
Cohen	Krishnamoorthi	Schiff
Connolly	Kuster	Schneider
Correa	LaLota	Scholten
Costa	Landsman	Schrier
Courtney	Larsen (WA)	Scott (VA)
Craig	Larson (CT)	Scott, David
Crockett	Lawler	Sewell
Crow	Lee (CA)	Sherman
Cuellar	Lee (NV)	Sherrill
D'Esposito	Lee (PA)	Slotkin
Dauids (KS)	Leger Fernandez	Smith (WA)
Davis (IL)	Levin	Sorensen
Davis (NC)	Lieu	Soto
Dean (PA)	Lofgren	Spanberger
DeGette	Lynch	Stansbury
DeLauro	Magaziner	Stanton
DelBene	Manning	Stevens
Deluzio	Matsui	Strickland
DeSaulnier	McBath	Swalwell
Dingell	McCaul	Sykes
Doggett	McClellan	Takano
Escobar	McCollum	Thanedar
Eshoo	McGarvey	Thompson (CA)
Espaillat	McGovern	Thompson (MS)
Evans	Meeks	Titus
Fitzpatrick	Menendez	Tlaib
Fletcher	Meng	Tokuda
Foster	Mfume	Tonko
Foushee	Moore (WI)	Torres (CA)
Frankel, Lois	Morelle	Torres (NY)
Frost	Moskowitz	Trahan
Gallego	Moulton	Trone