

DEATH BY A THOUSAND REGULATIONS:
THE BIDEN ADMINISTRATION'S CAMPAIGN
TO BURY AMERICA IN RED TAPE

HEARING
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COMMITTEE ON
OVERSIGHT AND ACCOUNTABILITY
HOUSE OF REPRESENTATIVES

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DEATH BY A THOUSAND REGULATIONS: THE BIDEN ADMINISTRATION'S CAMPAIGN TO BURY AMERICA IN RED TAPE

Wednesday, June 14, 2023

HOUSE OF REPRESENTATIVES
COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY
Washington, D.C.

The Committee met, pursuant to notice, at 10:03 a.m., in room 2154, Rayburn House Office Building, Hon. James Comer [Chairman of the Committee] presiding.

Present: Representatives Comer, Gosar, Foxx, Grothman, Palmer, Higgins, Sessions, Biggs, Fallon, Donalds, Armstrong, Perry, Timmons, Burchett, Boebert, Fry, Edwards, Burlison, Raskin, Norton, Lynch, Connolly, Krishnamoorthi, Khanna, Ocasio-Cortez, Porter, Bush, Brown, Stansbury, Garcia, Frost, Lee, Casar, Crockett, Goldman, and Moskowitz.

Chairman COMER. The Committee on Oversight and Accountability will come to order. I want to welcome everyone here today.

Without objection, the Chair may declare a recess at any time.

I now recognize myself for the purpose of making an opening statement.

Today's hearing will shine a bright light on President Biden's whole-of-government regulatory blitz that began on his first day in office. From sweeping executive orders to massive costly agency regulations, the Biden Administration has spared no expense when it comes to transforming America, much of which has been done without a clear delegation from Congress.

In just his first few days in office, President Biden issued far-reaching executive orders that radically altered how Federal agencies approached climate issues. The Department of Energy, the Environmental Protection Agency, the Department of Health and Human Services, and several other agencies launched a government-wide effort to push out regulations to fundamentally change American life. It is estimated that just three of Biden's Administration's rules will cause \$1.5 trillion to be spent over the next decade. We know what that means for businesses and consumers: higher cost of doing business, higher prices, and fewer choices in the marketplace. And we know that this overreach will only continue the expansion of the executive branch power at the expense of the American people.

It did not have to be this way, and it was not long ago that we were on the right track to limit Federal regulatory excess that

holds back economic prosperity. The prior Administration implemented substantial reforms to limit regulatory overreach, producing great economic successes. According to the 2020 Economic Report of the President, the Council of Economic Advisers estimated that regulatory reform was on track within 5 to 10 years to raise real incomes by \$3,100 per household per year by increasing choice, productivity, and competition. That is over \$3,000 more in the pocket of every household in America as a result of a smart approach to regulation. Also, according to that report, just 20 of the Trump Administration's deregulatory actions were expected to save consumers and businesses about \$220 billion per year after they went into full effect.

President Biden ran on being a "unifying" President, but instead he has used his platform to strip away those regulatory reforms we know were positively impacting the economy and replaced them with historic levels of new red tape. The Biden Administration wasted no time eliminating deregulatory policies, and instead cleared the way for President Biden's radical, costly, and burdensome agenda. The last thing any consumer or business wants to do is spend more time and more money on paperwork. That is something on which we can all agree.

With historically high inflation, most consumers and businesses simply do not have extra cash laying around to pay someone to fill out reams of more paperwork for them. Fortunately, Republicans in Congress know what a thoughtful, efficient, and results-driven regulatory system looks like, and that is what I and my colleagues in this Republican majority are here to support. This Committee and the House Majority will continue to hold the Biden Administration accountable for its extreme regulatory overreach and pursue legislative solutions to ensure commonsense regulatory reform.

When America is not tied down with red tape or buried under heaps of Federal paperwork, America's small businesses, workers, and communities are capable of soaring to new heights of prosperity, and with more economic prosperity comes more economic opportunities. And these opportunities will do more to help Americans create, innovate, and thrive than any regulation pushed through by unelected bureaucrats. We saw this during the previous Administration, and the results speak for themselves.

I want to thank the witnesses for being here today to testify, and with that, I yield to the Ranking Member for his opening statement.

Mr. RASKIN. Mr. Chairman, thank you kindly. Most Americans support government regulation across a whole wide range of industries and social activities, on everything from auto safety, to food and drug inspections, to alcohol and tobacco advertising, to mine safety and occupational safety and health rules. But the public sees the process of crafting regulations as opaque and inscrutable, and often it is, which is why regulated industries and their well-paid lobbyists have so often been able to capture the regulatory bodies that are supposed to be regulating them.

The truth is that regulations have a profound effect on every aspect of our daily lives. Regulations affect the quality of the air we breathe, the safety of the food that we eat, and the quality of the water that we drink. Regulations keep us safe at work and protect

us against hazardous chemicals and asthma-causing air pollution. They influence the ways we travel and how we bank. They help us ensure that the products that we buy are safe for our children.

Now, some politicians like to say that they are anti-regulation, but of course they are pro-regulation when it comes to restricting our personal rights and our freedoms. Take a look at what is happening in Republican-controlled legislatures and local governments across America. Republicans in states like Florida, South Carolina, and Missouri are using government to regulate what kinds of healthcare Americans can access, what kinds of books we can read, which bathrooms we can use, the ways in which people vote, and what students learn in school about slavery and American history, Jim Crow and racism. Republicans are vehemently pro-regulation when it comes to advancing an ideological agenda that is theirs.

It is true that the corporate-dominated GOP today does not support railway safety regulation, anti-pollution rules, and occupational and mine safety rules, but the modern regulatory state was actually created on a bipartisan basis. The key difference between the parties today is that Democrats believe that government regulation must be used to serve the public interest of everyone, the common good of all. Republicans want corporate CEOs and industry lobbyists to take over the regulatory process and write the rules that serve their own interests, and the GOP wants to use regulation to control women's bodies, to screen the books that we read, and to take over our school curriculums.

Former President Trump used his rulemaking authority to deregulate industry for his business buddies, to divide the public, to roll back more than 100 critical environmental protections, and to advance regulations to restrict women's access to healthcare, to weaken anti-discrimination rules, and to undermine protections for students with Federal loans, to name just a few of his agendas. He also handed the regulatory process directly over to corporate special interests, essentially allowing corporations to run the agencies that should have been promoting public health and safety and protecting the environment.

In contrast, the Biden Administration is using evidence-based, commonsense regulations to protect American freedom and to ensure that corporate interests will act in the public good. The so-called regulatory burdens that our colleagues assail are rules in the public interest. They include rules to protect Americans against financially ruinous, surprise medical bills and junk fees, like exorbitant credit card late fees, or check bouncing fees, a rule to make it easier for people to get hearing aids over the counter, a rule to ensure drinking water does not include chemicals that are carcinogenic, and a fuel efficiency rule projected to provide net benefits of up to \$1.6 trillion by 2055, including by improving public health and reducing climate change.

The American people must pay attention to the methods by which we create our rules. These methods, which are contained in the Federal rulemaking process, had not been updated in decades. But in April, President Biden issued an executive order to modernize them, strengthening democracy by further advancing the transparency, the inclusivity, and the effectiveness of Federal Regulations. President Biden's regulatory modernization plans promote

efficiency and fairness. Well-funded corporations should no longer have outsized influence on Federal rulemaking simply because they have the time and resources to bombard Federal officials. The Biden changes require Federal officials to proactively seek out the voices of those who are underrepresented in, but still critically affected by, the rulemaking process, including people with disabilities and people living in rural areas.

President Biden's regulatory modernization plans incorporate the interests of future generations. Up to this point, agency cost benefit analyses undervalued the benefits of regulations for our children and our grandchildren. The proposed changes should have bipartisan support. They use the same formula used by the George W. Bush Administration to ensure that future generations receive the consideration they deserve. President Biden's modernization plans will allow us to better tackle national problems.

In 1981, the threshold for qualifying a rule was significant, was set in an annual impact of \$100 million. However, the threshold was never raised to adjust for inflation in more than 40 years. The new threshold of \$200 million allows officials to focus scarce resources on timely review of the most significant and substantiated rules. President Biden's regulatory modernization plans will better measure Americans' actual lived experiences. The proposed changes reflect the reality that the costs and benefits of a regulation affect different groups of people and communities with different degrees of intensity. Corporate interests that prioritize short-term profits over long-term public safety and welfare will likely oppose these changes in regulatory protections because they have a financial interest in the status quo. But Democrats are committed in ensuring that everyone is fairly represented and considered in the rulemaking process.

Regulations are a legal tool in democracy to serve the public good. Republicans want to dismantle certain government regulations or red tape to allow corporations and industry to regulate themselves, even when the public health and safety and our environmental security are on the line. Democrats are committed to ensuring that government protects and benefits the health and safety of all the American people while preserving the individual liberties and rights of the people. I yield back to you, Mr. Chairman.

Chairman COMER. The Ranking Member yields back. I am pleased to welcome an expert panel of witnesses, who each bring experience and expertise that will be valuable to today's discussion. I would first like to welcome Anthony Campau. Hopefully, I pronounced that right. Campau.

Mr. CAMPAU. Campau, yes.

Chairman COMER. Campau from Clark Hill Strategies, who previously served as Chief of Staff and Counselor at the Office of Information and Regulatory Affairs within OMB. Next, we have Casey Mulligan, who currently serves as a professor of economics at the University of Chicago, and previously served as Chief Economist for the Council of Economic Advisers under the Trump Administration. Next, we have Adam White, who is co-Executive Director of the C. Boyden Gray Center for the Study of Administrative State within George Mason's Scalia School of Law. Mr. White is also a Senior Fellow of the American Enterprise Institute. Last, we have

Sally Katzen, professor of practice and distinguished scholar in residence at the New York University School of Law. Professor Katzen previously served as Administrator of the Office of Information and Regulatory Affairs during the Clinton Administration.

I want to thank each of the witnesses for being here today, and I look forward to your testimony. And with that, I now recognize Mr. Campau for his 5-minute opening statement.

**STATEMENT OF ANTHONY P. CAMPAU
PRINCIPAL
CLARK HILL PUBLIC STRATEGIES**

Mr. CAMPAU. Thank you, Mr. Chairman. Chairman Comer, Ranking Member Raskin, and distinguished Members of this Committee, it is an honor to be here with you today. Thank you for having me. I would like to note at the outset that I am here in my personal capacity to share with you some perspective based on my experience in government, not on behalf of my firm or any client. My aim is not to wade into any particular rule or area of policy, but to talk with you generally about some basic good regulatory practices and some important regulatory process reforms.

To be clear, the measures I am about to discuss are not political. They are reforms anchored in experience and good regulatory practices that, frankly, are agnostic to one's policy preferences. We built on keen insights of the Carter, Reagan, Clinton, Bush, and Obama Administrations. We rooted our reforms in the longstanding good government recommendations of bodies like the Administrative Conference of the United States, the American Bar Association, the Organization for Economic Development and Cooperation, and the World Bank. Our government champions these values around the world, and you will find most of them reflected in the good regulatory practices chapter of the United States-Mexico-Canada agreement, which passed both chambers of Congress with overwhelming majorities, bipartisan majorities.

That said, prior to 2017, something was terribly off with our Federal regulatory system. New regulations were issuing at an astounding rate, and many of the core principles and practices I am about to discuss were getting short shrift. The White House Council of Economic Advisers said that from 2000 to 2016, the annual trend was for regulatory costs to grow by \$8.2 billion each year. Some analysts measured the cumulative costs of regulations in the trillions of dollars in 2016, even exceeding the total amount of taxes collected that year, and small businesses regularly reported that cumulative regulatory burdens was their No. 1 concern.

Then in 2017, for the first time in my former office's record, something astounding happened. Rather than continuing to climb higher and higher as they had every year in the previous records, the total cost of new regulations across the Federal Government actually went down through the floor, beneath the X-axis into negative territory. They said it could not be done, but we did it. By the end of just our second fiscal year, we had saved on net \$33 billion in new regulatory costs. During the same period in the previous Administration, the government imposed a net \$245 billion. That is a \$278 billion difference in approach.

So, what made possible that dramatic turnaround? The U.S. Federal Government implemented a set of regulatory process reforms that significantly improved the overall regulatory environment, allowing the government to continue protecting health and safety while also providing more room for innovation, public engagement, personal freedom, consumer choice, and economic growth. Those reform measures included, one, providing more transparency on regulations under development; two, improving agency guidance practices, including by making it easier for the public to actually find the guidance that governs them; three, providing more opportunities for public engagement in the rulemaking and guidance processes; four, developing and sticking to a regulatory budget; five, conducting a retrospective review of older standards; six, encouraging the use of rigorous benefit cost analysis in an ever larger universe of actions; and seven, ensuring regulatory policy was anchored in the best reasonably available public-facing information.

Unfortunately, many of these reforms were implemented by executive orders that have since been rolled back. Consequently, the Federal Government is again issuing rules at a record pace. One recent study noted that at its halfway point, the Administration had already imposed \$110 billion more regulatory cost than the Obama Administration at that same point. It is also worth noting that this estimate only covers rules that actually include economic analysis. Most rules and the vast majority of guidance documents include no such analysis, which means they are left out of these calculations. Further, recent actions have adjusted the relevant thresholds for analysis, making it possible, if not likely, that even fewer rules will be included in these calculations in the future.

Congress should step in and make these commonsense, well-grounded regulatory process reforms permanent. I have covered the measures in more detail in my written testimony, and I look forward to discussing them with you today. Thank you.

Mr. RASKIN. A point of order, Mr. Chairman. Did we swear these witnesses in?

Chairman COMER. We did not.

Mr. RASKIN. Oh, OK.

Chairman COMER. We did not, and that was my fault, so we will do that right now.

Pursuant to Committee Rule 9(g), the witnesses will please stand and raise their right hands.

Do you solemnly swear or affirm that the testimony that you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

[A chorus of ayes.]

Chairman COMER. Let the record show that the witnesses all answered in the affirmative.

So now, I recognize Professor Mulligan for your opening statement.

**STATEMENT OF CASEY MULLIGAN
PROFESSOR IN ECONOMICS
UNIVERSITY OF CHICAGO**

Mr. MULLIGAN. Good morning, Chairman Comer, Ranking Member Raskin, Members of the Committee. Thank you for the oppor-

tunity to discuss with you today how our Federal regulation has evolved over time. Thousands of new regulations are issued each year. My testimony summarizes new regulations since 2009, their time pattern, and the magnitude and character of their aggregate costs.

One finding is that the rules finalized by the Biden Administration through the end of 2022 imposed costs of nearly \$10,000 per household, which is \$1,300 more than the burden of the Obama Administration rules during the comparable timeframe. Regulatory paperwork, or red tape, is notorious, and it is significant. However, opportunity and resource costs are 10 times the red tape.

Remember the government orders that shut down schools and businesses. Those rules took away valuable opportunities to learn, trade, innovate, and realize our full potential. The time it took to write and read the shutdown order or the cost of the paper it was written on paled by comparison to the lost opportunities.

Another misconception is that regulation is primarily about keeping the air and water clean. Excluding three or four fuel economy rules, less than a third of rules and their costs are environmental. Much more common are business regulations, rules about employment contracts, telecommunication, consumer finance, or healthcare business, to name a few. If you look at my written testimony, about the third page, I have a chart, Figure 1, that shows additions to regulatory costs by administrative rulemaking in the current and two former Administrations so that we can compare 2-year periods with, say, 4-year periods or 8-year periods. The figure shows everything on the per year of rulemaking. Both measures show that President Trump either reversed or sharply slowed additions to regulatory costs. Both measures show the Biden Administration adding costs, surpassing those in President Obama's comparable period.

The first measure of regulatory costs comes from the agencies that promulgate the rules. A big problem with their estimates is they typically treat the red tape like it is the only cost. Therefore, I prepared a second cost measure. The Biden Administration has been adding costs according to that measure at a rate of \$617 billion per year of rulemaking, not counting regulatory cost created by statutes and other non-rule regulatory actions. The inflation-adjusted equivalent shown in my Figure 1 is \$5,000 per household per year of rulemaking for the rules finalized in 2021 and 2022. These costs are spread over time rather than concentrated in the first year that the rule takes effect. If that pace accelerates, as it did during the Obama years, cost would near \$60,000 per household after 8 years of rulemaking. President Trump's pace was in the opposite direction.

A common view is that people are unaffected by regulation if it does not apply to their company, or it does not restrict a product that they buy. That is a mistake. Ultimately, we are all affected through higher prices, lower incomes. A nice example is the wages of barbers, which far outpaced inflation for a century. During that same time, their productivity on the basic hair cutting at least hardly changed at all. But barbers' real wages increased almost entirely due to what was happening outside their industry. It is the

same with regulation. The wage trend in your occupation depends a lot on what is happening in other jobs.

My written testimony shows a couple of detailed examples where deregulation reduced internet service prices so much that it moved the aggregate inflation rate. Another example connects deregulation with falling prescription drug prices. Earlier, we estimated that candidate Biden's regulatory agenda by itself would reduce real wages by 2.5 percent relative to Trump's policy. Although Biden's regulatory campaign promises are not yet finished, the executive orders and agendas indicate that it intends to fulfill those promises. That involves losing maybe 2 years' worth of normal wage growth due to just the added regulation.

Small businesses are especially burdened, as the Chairman mentioned. New Federal regulations are also regressive, especially because many rules from health insurance and onward are, in effect, forcing middle-class and lower-income families to have champagne tastes on a beer budget. I estimate that something like the Biden pace of regulation would, as a share of income, cost the lowest-income families seven times more than the high-income families.

I look forward to continuing the discussion.

Chairman COMER. Thank you. The Chair recognizes Mr. White for your opening statement.

**STATEMENT OF ADAM J. WHITE
CO-EXECUTIVE DIRECTOR
THE C. BOYDEN GRAY CENTER FOR THE
STUDY OF THE ADMINISTRATIVE STATE
GEORGE MASON UNIVERSITY
ANTONIN SCALIA LAW SCHOOL**

Mr. WHITE. Thank you, Chairman Comer, Ranking Member Raskin, distinguished Members of the Committee. I am grateful for the opportunity to testify today, and in my opening statement, I would like to make four main points. The first has to do with the administrative agencies themselves. Any conversation like this about administrative agencies and regulations tends to involve a lot of numbers, a lot of very specific rules, often a lot of acronyms, but I would like to focus on two main themes or trends of recent years.

The first has to do with the regulatory initiatives and ambitions of a number of agencies. Agencies now, more than ever, are the center of gravity in government and policymaking and the center of gravity in terms of the political energy around policymaking. And because of that, or with that, a number of agencies are showing great ambition in pursuing transformative rulemaking initiatives, transformative not just in terms of the industries or the public interest, but also transformative in terms of the agencies themselves. A number of longstanding agencies are pursuing ambitious new regulatory programs that would fundamentally change the mission of the agency.

At the same time, the second trend I want to focus on is the issue of regulatory uncertainty. A number of agencies are achieving their policy aims right now not just by imposing new regulations, but by taking down a lot of guidance or other rules or standards that allowed for regulatory certainty to take hold. Agencies are

leveraging uncertainty, and I think that is very, very worrisome in terms of the stability of the rule of law.

My second point has to do with the Supreme Court. At the same time that this is happening in the administrative agencies, the Supreme Court has undertaken a number of decisions in recent years and decades to make administration more lawful and less unsteady. I think the most prominent in recent years has been the major questions doctrine through which the Supreme Court has tried to read agency statutes, especially longstanding agency statutes, much more reasonably in terms of not just the Constitution, separation of powers, but also in terms of the experience of those agencies going back decades or more. The major questions doctrine, I think, is an important judicial tool for limiting agency adventures.

But at the same time, the Roberts Court has issued a number of decisions that helped to make administration steadier, more predictable, more transparent, and more analytically rigorous, and including not just cases involving the Biden Administration or the Obama Administration before it, but even the Trump Administration. During the Trump Administration, we saw a number of Supreme Court decisions that pushed back against agencies for not sufficiently explaining their regulatory decisions. So, across the board, the Roberts Court, for nearly 2 decades, has tried to make the administrative process more lawful and more steady, and I think that is important because of my third point.

My third point is about the Constitution, and especially the Constitution's founding purposes. Of course, the Constitution was created to ensure checks and balances and to protect individual liberty, but another theme of the founding generation was the need for good administration, by which they meant steady, lawful, and energetic administration. And a number of the Roberts Court's decisions, I think, trend in that direction, at least in terms of the steadiness of administration.

In my written testimony, I go on probably at too much length about the writings of the founders and explaining how they saw good, steady administration, but I think it is important not just for its own sake, but also it is an important way to understand what the Roberts Court is doing. Alexander Hamilton said that the true test of a government is its tendency and aptitude to produce a good administration, and I think that is something we all need to keep in mind.

And then my fourth and final point is about Congress. So, much of what we are discussing today is just a downstream effect of the fact that, over the course of decades or more than a century, Congress has delegated immense powers and immense discretion to administrative agencies. A lot of what Congress is doing in terms of procedural reform, what the Roberts Court, the Supreme Court is doing is trying to dampen the effects or limit the effects of immense agency discretion.

So, the first thing Congress could do to help solve some of these problems will be to modernize and reform the underlying substantive legislation. But in addition to that, there is a lot the Congress can do, as I describe in my testimony, to improve the procedures that agencies use and also to improve the procedures for ju-

dicial review of agency action. And I would say that as we enter a moment when the White House and OIRA are beginning to undertake changes of their own, that I think will unsettle some things, I think now, more than ever, it is important for Congress to ensure greater stability in the administrative state.

Thank you very much. I look forward to your questions.

Chairman COMER. Thank you. Now I recognize Sally Katzen for an opening statement.

**STATEMENT OF SALLY KATZEN
PROFESSOR OF PRACTICE AND
DISTINGUISHED SCHOLAR IN RESIDENCE
NEW YORK UNIVERSITY SCHOOL OF LAW**

Ms. KATZEN. Chairman Comer, Ranking Member Raskin, and distinguished Members of the Committee, thank you for including me on this panel.

Now, the title of this hearing, “Death by a Thousand Regulations,” is certainly catchy and clearly sends a message, but with respect, I do not believe it is either accurate or a constructive frame for considering a very important subject in the lives of Americans. The title reflects the fact that regulations do not have a good name in some quarters. Criticizing regulations and calling for their repeal is a popular applause line, but whenever focus groups are asked to identify which specific regulations should be repealed, they are often stymied.

As Ranking Member Raskin said, they do not want to repeal regulations that ensure that their medicines are safe and effective, that their meat is inspected, properly labeled, and free of contaminants, that the air is clear, their water drinkable, the National Parks accessible, their automobiles protective in the case of accidents, that they are protected from injuries and illnesses in their workplaces, their markets are transparent and a level playing field, just to name a few.

Now, while some accuse the agencies of running amok, it is important to remember that no agency is a free agent. They can only do what Congress has delegated to them. Congress decides the objectives or the goals, but it does not have the bandwidth to specify the details to stay current on changing technology or evaluate the science. So, Congress delegates to agencies, and then some turn around and condemn the agencies for doing what they were told to do: carrying out the law.

Meanwhile, the agencies operate within well-established, precise procedural and substantive constraints, which involve public participation, responsiveness to comments, analysis of the intended and unintended consequences of their proposals, review by OIRA to ensure that the benefits of the proposals justify the costs, and then challenges in courts, where independent judges determine whether an agency has used the proper procedures, whether any of its findings in policy determinations are arbitrary and capricious, and whether they stay within the statutory limits set by Congress.

Now, regulations that survive this process have contributed much to our well-being and success as a Nation. Nonetheless, some will complain and object to any burden or restraint placed on them, and these complaints are seemingly accepted uncritically by some

and, indeed, amplified for those who are looking for simple sound bites.

Now, several of the other witnesses today recite numbers of regulations and the cost of regulations. I have not heard very much about the benefits of regulations. Numbers, as we know, can be slippery in any context. What are you measuring? What is the baseline? What is the appropriate time periods? People can pick and choose, and so in my written testimony, I include some numbers, too, which support the fact that the Biden Administration is at or below the level of his Republican predecessors.

I also provide examples of what I would characterize as unequivocally good regulations, such as an HHS Medicare Advantage auditing requirement that focuses on measures to reduce over billing, which is a crime. This rule will reduce the drain on the Medicare Trust Fund and benefit all qualifying seniors, or the FDA rule finalizing the sale of hearing aids over the counter rather than solely by prescription, thereby making these products that are extremely beneficial to older individuals more available at dramatically lower costs. And if I focus on benefits for an older generation, please forgive me. My self-interest is showing.

I briefly describe other rules, such as the MATS rule, which is limiting the amount of mercury, which is a neurotoxin that is particularly pernicious to the unborn and little children. Are these regulations killing us? Hardly. Are they tying us up in red tape? Certainly not.

Now, while many are concerned about and trumpet deregulation, Adam White has worried about the disruptive effects of lack of stability and uncertainty for businesses. I am even more concerned with the fact that deregulations can lead to disasters, the deep recession in 2008, and the very recent failure of some banks caused by the deregulation of the banking industry, the death of workers in plants and in coal mines from lack enforcement of safety regulations, the disproportionate number of patients during COVID in nursing homes that died compared to the rest of the population, and the recent spate of railroad derailments.

Now, those who call for deregulation will often say that, whatever benefits are there, this restrains our freedom and our liberty, contrary to the American way. Now, to be sure, the traffic signal at the busy intersection might delay, and thereby restrain, your freedom if you approach a red light and have to come to a stop. But it is a modest delay, and the benefit of not being plowed into by a car coming on the cross street certainly justifies——

Chairman COMER. Ms. Katzen, if you could wrap it up. We are a minute and a half over the 5 minutes, but we will let you wrap it up right here.

Ms. KATZEN. Thank you, sir. Certainly, justifies the burden imposed on you. So, I think there may be some restraint on individual activity, but the aggregate liberty is enhanced for all Americans. Thank you, Mr. Chairman, for your graciousness.

Chairman COMER. Thank you. Now, we will begin the questioning portion, beginning with the gentleman from Arizona, Mr. Gosar, for 5 minutes.

Mr. GOSAR. Thank you, Mr. Chairman. The total cost of all regulations on the books amount to a little more than \$1.9 trillion in

2021. This means that if the U.S. regulatory state was its own country, it would have the 8th highest GDP in the world. Think about that. Not surprisingly, Joe Biden is the greatest regulator in history. In his first year in office, he oversaw regulatory burdens that was four times as great as Obama in his first year in office. Biden's regulations have sought to eliminate combustion engines, gas stoves, fossil fuels, and power plants. However, a less conspicuous area of regulatory overreach is Biden's war on critical minerals.

In January of this year, Biden's Interior Department canceled copper mine leases held by Twin Metals in Northern Minnesota due to regulatory violations, even though the leases were previously renewed by the Trump Administration. A few days later, Biden's EPA cited a seldom-used section of the Clean Water Act to kill the Pebble Mine in Alaska, abandoning the extractions of one of the largest deposits of copper and gold because they said it would harm salmon populations. Pebble Mine, for example, contains an estimated \$400 billion worth of critical minerals which are essential to our economy and our R&D. Just think about how many jobs were lost and livelihoods affected. Resolution Copper, a mine near Superior, Arizona, some of whose regulatory hurdles have been instrumental in overcoming through legislative action in 2015, continues to remain idle as its managers wade through regulation barrier after regulatory barrier.

Another impact of crushing regulation, ironically, is an over-reliance on under-regulated mines in Third World countries infamous for human rights violations and environmental degradation. While the EPA worries about the potential problems with salmon in Alaska, unregulated gold mining in the Third World poisons 15 million people. We desperately need to rein in regulations instead of continuing to let them barrel out of control.

To that end, Trump's executive order eliminating two regulations for every one is a policy approach that I admire. The dirty truth is that lobbyists who can represent big businesses love regulations as they destroy the competition, which does not have the resources and lawyers to comply. In fact, the military is a great example of that. Congress has the duty to protect small businesses, who are the backbone of the economy as they are job creators by curtailing the state.

Now, questions. Mr. Campau, in your testimony, President Trump's policy to remove two rules for every one rule added was actually not as impactful as requiring each agency to have a regulatory budget. Could you please go into that a little bit more?

Mr. CAMPAU. Thank you, Congressman. The point that I was making there was that the regulatory budget is often known by the shorthand phrases like "two for one" or "one and two out." And I just wanted to note that it was, in fact, an instrument in service of what I consider to be the sort of core regulatory budget, which was in the first year, in 2017, a zero-dollar cap on new regulatory activity, and then in the outyears, a number to be determined by the Administrator of OIRA in collaboration with the agencies in a ground-up process.

So, there was some criticism around the two for one. Well, what constituted an out? What constituted an in? And what I said was

that there was some flexibility in the ins-and-outs calculations, which was clearly articulated in the guidance that implemented the order. But the core of the budget, which was the dollar aspect of it, was, I think, pretty much not criticized. The total savings over the course of the 4 years was just under \$200 billion on net across the entire Federal Government.

Mr. GOSAR. That is incredible. So, Mr. White, coming back to you. So, part of the testimony was about implementation and enforcement. So now, at least one-third of our budget is associated with healthcare, so there was a rule passed. It was one of the last bills signed by President Trump about excluding the Sherman and Clayton Antitrust Exemption for medical insurance industries. Would there be some reason why you would feel that the Department of Justice would not enforce that?

Mr. WHITE. Thank you, Congressman. I am very sorry to say I am not familiar with that particular legal provision. Let me say more generally that given the sheer number of regulations currently on the books, in addition to all the statutes, agencies have enormous enforcement discretion, which can then be leveraged, or that, at the very least, creates a lot of uncertainty.

Mr. GOSAR. And quickly getting to that point.

Mr. WHITE. Yes.

Mr. GOSAR. Congress can dictate in their appropriations more specifically where the money can be spent. Is that one of the regulatory controls as well as the reauthorization of those programs?

Mr. WHITE. Yes, it can be, and it should be. Congress' power of the purse is one of the most important tools it has for the sake of good policymaking and good enforcement, and anything Congress can do to improve its use of that tool, I think, would be a good thing.

Mr. GOSAR. Thank you very much.

Chairman COMER. The Chair now recognizes the Ranking Member for 5 minutes.

Mr. RASKIN. Thank you, Mr. Chairman. When we get regulation right, we avoid disaster. When we get regulation wrong, we court disaster, like on April 5, 2010, when a massive methane and coal dust explosion ripped through the Upper Big Branch coal mine in West Virginia of the Massey Energy Company, killing 29 miners, the country's worst coal mine disaster since 1968 when 78 people were killed in an explosion then.

The 1968 disaster led to passage of the Occupational Safety and Health Act of 1970, which helped to cut workplace fatalities by 60 percent within 30 years. That is thousands and thousands of lives that were saved. But by 2000, rightwing propaganda and corporate greed had undermined enforcement of occupational and mine safety laws. The Massey coal company in West Virginia had hundreds of regulatory violations, but weak enforcement and regulatory capture meant that the company acted essentially with reckless impunity before the explosion took place.

Just 15 days after that explosion rocked the mountains of West Virginia, another catastrophe rocked the Gulf of Mexico, when BP's Deepwater Horizon oil drilling rig exploded and 11 people were killed there, and 200 million gallons of crude oil poured into the Gulf of Mexico in one of the worst oil spills in history. In response,

the Department of Interior created the Bureau of Safety and Environmental Enforcement and put important rules in place to make sure this devastating chapter would never be repeated. But the Trump Administration rolled back those regulations for creating what it called potentially unduly burdensome requirements for Big Oil to comply with.

Now, Ms. Katzen, can you explain what the corporate crusade for deregulation means in reality, giving us a few examples?

Ms. KATZEN. Thank you, Mr. Raskin. I think it is fair to say that most businesses are very concerned about their bottom line, and they will seek to protect it. And to the extent that there are proposals that will increase their costs, and thereby decrease their profits, that they rail against them. We have seen during different periods during President George W. Bush, there was a group that got together and came up with a wish list of regs to get rid of that had very little substance to them and where the costs saved were miniscule compared to the benefits derived from them.

Mr. RASKIN. All right. And that is not because the corporations are evil.

Ms. KATZEN. No.

Mr. RASKIN. It is because they are rationally seeking their profits, and they want to give the return to the shareholders. But the role of a government is to regulate in the interest of the entire public, not just the people who profit from a particular business.

The Clean Air Act was adopted in 1970, and in that 20-year period, it looks like the benefits were massive in terms of the health of the population, but also economically, those have been estimated to be in the range of \$6 trillion to \$50 trillion. That is what it has meant to our economy to have clean air in the country. So, isn't the premise of regulation that it is not just going to take care of our people in terms of food safety and water safety and so on, but it is going to economically benefit all of society?

Ms. KATZEN. Yes, that is certainly a component of it. And while the Clean Air Act was passed in 1970, it was amended in 1990 because of its success, and the provisions for EPA were strengthened and enforced because so much good had flowed from the original act.

Mr. RASKIN. Yes. Nobody likes regulation, especially when we are talking about government theocrats telling women what kind of healthcare they can and cannot get in different parts of the country, or trying to restrict people's travel in order to keep them from getting the healthcare they want. But when we say we want to get rid of regulation in the abstract, everybody would agree to that. But as you were saying before, if we are talking about dismantling Clean Air Act rules, or Clean Water Act rules, or mine safety rules, or airline safety rules, vast majorities of the American people reject that. Isn't it true that an effective functioning regulatory state promotes the freedom of the people?

Ms. KATZEN. I believe it does, and it promotes the economy. It is interesting that we are talking about "Death by a Thousand Regulations" at a time when the growth of jobs in this country is terrific. We have got less unemployment than ever, and the strength of the economy is remarkable, so I am not quite sure how these two play together very well.

Mr. RASKIN. Thank you. I yield back, Mr. Chairman.

Chairman COMER. The Chair now recognizes Dr. Foxx from North Carolina for 5 minutes.

Ms. FOXX. Thank you, Mr. Chairman, and I am very, very grateful to you for scheduling this hearing, and I thank the witnesses for being here. I particularly thank Mr. White for his very clear comments about what the effect of regulations are on our economy and on our culture. We all know the Biden Administration's regulatory overreach is out of control. It is all too common for me to hear from my constituents about new rules and regulations from the Administration that will put them out of business and destroy their livelihoods.

We cannot allow this disregard for the cost imposed by the Federal Government through regulations on families, businesses, and even local governments to continue increasing unaddressed. Last month, I introduced H.R. 3230, the Unfunded Mandates Accountability and Transparency Act, or UMATA as we call it. This bill would bring real transparency and accountability to the regulatory process by requiring the true cost of new major regulations, including those passed on to state and local governments to be carefully calculated and considered before implementation.

The Biden Administration has displayed a pattern of grossly underestimating the cost of new regulations while greatly exaggerating the purported benefits by gaming the current system. We need to make sure that Federal rules and regulations do not unduly burden families and job creators and slow our economic engine. So, I am going to ask Mr. Campau, Professor Mulligan, and Mr. White, would the reforms contained in UMATA help reduce the burden of future rules and regulations? Mr. Campau?

Mr. CAMPAU. Thank you, Congresswoman Foxx. Yes. UMATA, the statutes amending, is a terrific statute, and I think it unfortunately does not get implemented as robustly as it ought to be, and I welcome the changes in UMATA.

Ms. FOXX. Thank you.

Mr. CAMPAU. I think that they—

Ms. FOXX. Professor Mulligan?

Mr. MULLIGAN. Yes. Thank you for your question. I have also been looking at the individual rules from the Biden Administration, and they are dramatically undercounting costs. Sometimes they say they are cutting costs when they are really creating them. And anything you could do to get a better accounting for those costs so that the people and the Members of Congress could know better what is happening, I would think that would be helpful.

Ms. FOXX. And Mr. White?

Mr. WHITE. Thank you, Congresswoman. I would just add, first, I think it is good for Congress to set these analytic standards for agencies. Second, I think it is important for Congress to ensure meaningful judicial review of agency analysis to make sure that they are properly rigorous. I am thinking it is just the end of the school year. I know it is better when students do not grade their own exams, but rather have the teachers grade them, and I think it is a good thing when there is at least some check and balance outside of the executive branch on the agencies' analysis.

Ms. FOXX. Yes, and I think you all have alluded to it today. We can write legislation a lot more tightly than we write it, and that has been something I have been working on for a long time.

You all have talked about the Trump Administration issuing a series of executive orders to reform the way Federal regulations are issued. Many of these ideas were inspired by legislation worked on in the House and by Members of this Committee. Are there aspects of UMATA that were implemented in the Trump executive orders? Mr. Campau, I will give you that question.

Mr. CAMPAU. Thank you, Congresswoman. Yes, we tried to expand and strengthen the role of analysis. It is something that has been agreed upon over the decades on a bipartisan basis that analysis is important, and we tried to strengthen its role anywhere whenever we could. I noted in my written testimony several ways that we went about that, and the transparency aspects of it as well absolutely crucial. We took major transparency steps with respect to the unified agenda with respect to posting rules for engagement earlier on across the board.

Ms. FOXX. Thank you. Professor Mulligan, I do not have much time left, but you mentioned in your testimony that the cost in the Biden Administration in the first 2 years is about \$10,000 per household of rules and regulations. It is really a staggering burden. Is there anything that the Biden Administration has done to justify this absurd new regulatory burden?

Mr. MULLIGAN. No, I am not sure they have acknowledged it.

Ms. FOXX. Thank you very much. I appreciate it. Thank you, Mr. Chairman. I yield back.

Chairman COMER. The Chair now recognizes Mr. Connolly from Virginia for 5 minutes.

Mr. CONNOLLY. Thank you, Mr. Chairman. Thank you. Well, Professor Katzen put her finger on the title of this hearing, which shows you the intellectual dishonesty of you all being here because this hearing is all about confirmation bias. And that bias is predicated on a false narrative and a mindless narrative that all regulation is burdensome, most of it is unnecessary or duplicative.

It reminds me of the scene in "Amadeus" where Amadeus puts on his very first production for the Emperor of the Austro-Hungarian Empire. And the Emperor goes to greet him after the performance, and Mozart asks him, "What did you think," and the Emperor goes, "Well," and the Court Composer goes, "Too many notes," and the Emperor goes, "Yes, too many notes. Cut out a few, it would be perfect." That is the approach to regulation, for every new regulation, let us cut out two, as if they are all the same. There is no intellectual distinction between saving a life and making sure a drug is pure.

Professor Katzen, Upton Sinclair, at the turn of the 20th century, wrote a book called "The Jungle". It led Theodore Roosevelt, a Republican President, to actually insist on regulation on food safety for the first time in America. Did Americans benefit from that series of regulations do you think?

Ms. KATZEN. I think they did.

Mr. CONNOLLY. Ralph Nader wrote a book called "Unsafe at Any Speed." That book led directly to more intensive regulation of the auto industry. Did that save lives?

Ms. KATZEN. I think it did.

Mr. CONNOLLY. And by the way, did the auto industry crash as a result of this ridiculous or—from that lady from North Carolina’s word—absurd regulation?

Ms. KATZEN. I do not think it did. It is still thriving.

Mr. CONNOLLY. No. No. Rachel Carson wrote a book called “Silent Spring” that led to the environmental movement in the United States and the creation of EPA under a Republican president, Richard Nixon. Well, we have already heard you, but, I mean, do you think that that movement, the environmental movement in both clean air, clean water, and looking at dangerous pesticides and chemicals, was that a good thing?

Ms. KATZEN. I think that was a very good thing, and your questions also show that books are good—

Mr. CONNOLLY. Yes.

Ms. KATZEN [continuing]. And should not be banned.

Mr. CONNOLLY. Oh, well, that is the kind of regulation some people seem to like. Now, is there a cost when we do not regulate? They have talked a lot. We have only heard about the cost of regulation. What about the cost of the lack of regulation? Does that ever happen?

Ms. KATZEN. It has happened, unfortunately, too frequently with disasters, such as those mentioned by Mr. Raskin and some of the ones that I have talked about, where lives are at stake, or in the financial area where savings are lost.

Mr. CONNOLLY. So, during Trump’s 4 years, and apparently, that was just the paragon of deregulation. Thank God, you know, somebody cared. He reversed rules requiring oil and gas companies to monitor and repair leaks in the facilities, blocked coal companies from dumping debris into local streams, and mandating braking system upgrades for high hazard trains, hauling flammable liquids like oil and ethanol. Gosh, what could go wrong with rescinding those kinds of regulations?

Ms. KATZEN. Derailments and explosions and threatening the air, and, therefore, the lives of the people in East—

Mr. CONNOLLY. Any example come to mind of what could go wrong with that recently?

Ms. KATZEN. Recently, yes, there have been several. Three or four, I think.

Mr. CONNOLLY. And, for example, the one in Ohio, if I recall, not only did they have to evacuate parts of the community, but they are not worried about long-term environmental costs from the exposure to toxins from that derailment. Is that correct?

Ms. KATZEN. That is correct, and it is consistent with what we saw after 9/11. We thought after 9/11, that it was just at that time, but people who were on the site have suffered unbelievably torturous—

Mr. CONNOLLY. So really, it is sort of in the eye of the beholder, isn’t it, in terms of deregulate or regulate at your peril, and somebody else is deciding what risks you ought to take. And the risk of this philosophy of regulation is bad, let us deregulate everything we can, is that the risk then falls on the public in terms of health, safety, and life and limb, and we have seen the consequences of taking that risk all too often. I yield back.

Chairman COMER. The Chair recognizes Mr. Biggs from Arizona for 5 minutes.

Mr. BIGGS. Thank you, Mr. Chairman. This has been really interesting. We have got one witness who basically thinks regulations should be apparently endless because they all save lives. So, I thought I would just bring up some places that we regulate.

You checked out the ketchup regulations lately? You checked that out? The ketchup regulations define very clearly what ketchup is. Normally, we would say how about the marketplace determine that. I go in and I get the one brand, and I think it is a little too thick. I am not going to buy it next time, or I buy one. It is a little too thin, I do not buy that next time. The ketchup regulations are not designed necessarily for safety because you got a whole host of safety regulations over here. Ketchup regulation is about thickness, et cetera.

How about this one? I could pull it up on here. You go over cheese. Just look at the cheese regulations. Those have nothing to do with safety, but you got Asiago cheese and old Asiago cheese, and you got brick cheese, and it is pages and pages and pages of regulations. And guess what? If you do not adhere, and if your Asiago cheese does not quite meet that regulation, guess who investigates you? It is the same people who made the regulation. Who is going to impose sanctions upon you? The same group of people. Let us see who else. Oh, buns, buns, hamburger buns, bakery goods, pages and pages. They are in three different sections of the CFR. Man, you can go after buns, but by golly, we are not over-regulated. Microphones, they are regulated. Everything comes back to regulation.

And so, I think one of our witnesses testified just moments ago that they are the center or axis, or whatever, of basically law-making and policymaking in America today. Really are. Really are.

How about this one? This was fun, coming from Arizona. The EPA was going after Arizona, demanding that we pay to clean up some pollution in the Grand Canyon. They acknowledged that it was causing no harm to either the Canyon or to personnel. But the thing that really drove us crazy is that all of that was coming over, being blown over from the Southern California L.A. Basin, but we were going to get stuck paying for cleaning it up. And the process that they were invoking upon us, based on their regulations, would have cost us tens and tens of millions of dollars, and yet they admitted it would not change the appearance, nor would it actually clean the air. That is what you get when you rely solely on regulations.

How about this one in Arizona? OSHA came after Arizona and said you have not, as required, adopted our Federal fall standards, our regulations. We are going to come after you and shut you down, and we are going to take away your ability to enact our OSHA standards that we are imposing upon you. Our response was, but our fall standards are more rigorous and statistically show a safer fall standard than the Fed's, but we ended up getting sued. We sued back, and we had to settle and say we will be less safe, and we will have to adopt the Federal standards.

When I hear people say that "man, if you do not have Federal regulations, you are not going to be safe," I think, well, who is ac-

tually applying those Federal regulations? It is virtually every state. Arizona DEQ applies the EPA standards for the most part. Arizona's Occupational Labor Department imposes, in many cases, more rigorous regulatory standards than OSHA, but we are stuck because OSHA wants to come in and pose.

You want to know why people say we are getting overregulated? It is because even when a state undertakes its own regulatory constraints and its own regulatory framework, the Federal Government insists upon its regulations coming in as if everybody in a state is a total dumpkin. That is overreach, and that is the authoritarianism of the fourth branch of government, Federal regulation, Federal Ministry of State. I yield back.

Chairman COMER. Very good. The Chair recognizes the gentlelady from New York, Ms. Ocasio-Cortez for 5 minutes.

Ms. OCASIO-CORTEZ. Thank you, Mr. Chair. I just have to commend Congressman Connolly for his strong performance, and he took my reference to "The Jungle" that I wanted to discuss today as well. But, you know, it is really just astonishing to me that we are having a hearing today about regulations, not a specific regulation, just regulations. Are they good? Should they exist? Let us dig into it.

We long know that regulations are written in blood. That is very often what is communicated by people, by communities, by labor, by workers, by many more, and even now, you know, hearing a mockery of cheese, right? You have a Republican saying, oh, look at how tightly regulated our government is. We even regulate cheese. Well, pregnant women cannot eat all forms of dairy because this is bacterial. This is a food that contains bacterial growths, and it poses risks, but perhaps if the other side of the aisle had more fluency and had more knowledge of a woman's body, perhaps they would suffer less in this policymaking.

Let us look at other current regulatory rollbacks that Republican party is currently trying to pursue. Let us talk about airlines. Right now, we are seeing that lawmakers and Republicans are currently trying to push rollbacks on airline regulations. This has come with the forceful pushback from the Pilots Association as well as communities that have suffered and who have lost families on this, but let us dive in. What we are seeing right now is Republicans trying to rollback a rule on the number of hours that pilots must require in order to be licensed. And, Ms. Katzen, are you familiar at all with the Federal Aviation Administration's 1,500-hour rule?

Ms. KATZEN. Very lightly. Yes, I am aware of its requirements.

Ms. OCASIO-CORTEZ. Yes. This rule requires a pilot in training to have a minimum of 1,500 hours of flight time before flying a commercial plane. Seems pretty reasonable to me. If you are dealing with thousands of people and transporting thousands of people and commanding an airplane, seems like you should have pretty thorough training. This rule was enacted, not because of some bureaucrat having an idea somewhere, but it was enacted in 2010, following the Colgan airplane crash that tragically killed 50 people near Buffalo, New York. Now, once the rule was mandated by Congress, FAA implemented the law. And we are hearing the same arguments from the other side of the aisle saying these regulations

are too onerous, that it is too much of an imposition, but these families have paid the price. They have paid the price. When we see these regulations, and we have heard it, you know, themselves, including from the President of the Pilots Association, saying these regulations are written in blood.

Food regulations. This Committee has overseen PFAS poisoning. Communities that are often low income that do not have anyone to protect them. Rural, urban, inner city, wherever, they are poisoned when they are not protected, and that is the actual term. People discuss the term “regulation.” What these are, are protections for people, often who have no one else to protect them, who do not have a corporate legal team to protect them, who have endured loss, who have endured disease, fertilities, cancers. This is why we have regulations.

Ms. Katzen, from your experience, and expertise, even though a rule is mandated by Congress, for a rule like this to be implemented, it would still have to go through an extensive process, correct?

Ms. KATZEN. Yes, ma’am.

Ms. OCASIO-CORTEZ. And a rule like this will go through an extensive process oftentimes to ensure safety for people, right?

Ms. KATZEN. Correct. And the input of those on the ground who may know more than those who are drafting the rule, so it is an informed process.

Ms. OCASIO-CORTEZ. And unsurprising to no one, this regulation had a massive impact on fatalities with the pilot training hour requirement. From 1990 to 2010, the FAA counted 1,720 fatalities involving passenger and cargo flights. Once the rule was finally implemented, from 2011 to 2021, the FAA counted only 14 fatalities—14—only 14 fatalities after implementing this rule, when the direct years prior to that we saw 1,720 Americans dead. And yet we are here discussing rolling back a regulatory state, not even pointing out a specific area, not even a specific area. I mean, what are we here for? I yield back.

Chairman COMER. The gentlelady yields back. But the purpose of the Committee hearing is to talk about many different regulations, and I am amused that the gentlelady is concerned about raising the age, the regulation that limits the age for pilots, when there is a shortage of pilots, but they are OK with the President of United States who is more than 20 years older than the middleman age—

Ms. OCASIO-CORTEZ. Mr. Chairman, as you are referring me, it is not age. It is training hour time, the number of hours that an individual is training, not the age.

Chairman COMER. Well, part of the regulation is the age as well. The Chair recognizes Mr. Armstrong from North Dakota for 5 minutes.

Mr. ARMSTRONG. Thank you, Mr. Chairman. All regulation is burdensome. The question is whether or not it is necessary. Being burdensome does not mean it is bad, and in a lot of different instances, it is absolutely appropriate. But we reference “The Jungle,” and I would reference another book from that time. It is called “An Unlikely Trust.” It is about the relationship between J.P. Morgan and President Teddy Roosevelt because at the time of Car-

negie, at the time of Rockefeller, at the time of one of the most popular Presidents in the history of the country, J.P. Morgan was the most powerful man in the world.

And as we are busting trusts, and as we are moving through all of those things, in developing workers' rights, and fantastic things from, quite frankly, a fantastic President, big business figured out something else. They can comply with regulation. The cost of compliance for a large company is pretty simple to do when you have an entire floor full of lawyers, full of people. And what that costs them in regulatory compliance, they make up for in market share because you know who cannot comply? Small businesses.

Dodd-Frank was never supposed to apply to small businesses, never was, because regardless of how you feel about the financial collapse, 2010, you know who did not do it? The credit union in North Dakota. But you know who had to comply with Dodd-Frank? The credit union in North Dakota. And when you have three employees, and you have to hire two more just to deal with Federal regulatory and compliance, you know, you do not have any more, a credit agency in North Dakota. And we are talking about death by a thousand cuts, and that is fine, but sometimes there is just one.

Right now, the Biden Administration is running a regulation, Rule 111 of the Clean Air Act, and it is going through the process, and there are a lot of egregious things that exist in it. But you know who is going to be OK with that? Larger oil companies. They will figure out how to comply. You know who is not? Small oil companies, the ones that produce oil and gas in Western North Dakota, and how they continue to deal with this. Professor Mulligan, talk to me about that, and the nature of the regulatory regime and how it exists, and why it is so detrimental to small businesses as compared to large corporations?

Mr. MULLIGAN. Thank you for your question. I think you explained it pretty well in terms of the specialized resources that a large corporation would have to deal with that. You may find the 2020 Economic Report of the President interesting. There we talked about. Yet first of all, my testimony was about things since 2009. "The Jungle" and those things were, like, before my grandparents who are all dead. The regulations had been going in and out in the last few years are very different than the ones from a century ago.

But in the economics for the President, we talk about how President Trump was deregulating entry into business, helping small businesses get in. And we saw some evidence how the stocks crashed of some of the bigger companies who were protected by these regulations, and these allowed medicines to get to people quicker, so it saved lives. The idea that regulation saves lives, a lot of the regulations we have today, they cost lives because they reduce competition. They make it harder for people to get healthcare, to get medicines and things like that, so the small businesses are very important even for saving lives.

Mr. ARMSTRONG. For me, the most concerning aspects of the proposed Rule 111 is it would delegate regulatory authority to third-party non-government organizations. The EPA is saying this is such an important thing for emissions and all of these things that

they are going to allow activist NGOs to monitor air quality in Western North Dakota. And instead of placing the burden of proof on the actual activists who are regulating this, the burden goes on to the company to prove that those that does not work. That sounds terrible. That is insane. I mean, I think the issue about the regulatory regime has a lot more to do with pushing an ideology, which is where people get frustrated with us.

So, Mr. White, should Congress revisit? I mean, the Supreme Court is doing it for us, right? The EPA has been struck down twice in the last 18 months. But how should we look back at focusing Congress, so we ensure that these agencies are actually passing a regulation based on conduct and not ideology?

Mr. WHITE. Well, first of all, the point you raise about the outsourcing of enforcement power outside of government is a very important point, and I am glad you raised it. Second, I think Congress needs to modernize the Clean Air Act and other statutes. Congress needs to write more standards itself so that the agencies can focus on enforcement because as mentioned before, enforcement is often sorely lacking. Sometimes the problem is too much enforcement. Sometimes the problem is too little enforcement. Congress should write the policies. Agencies should enforce them.

Mr. ARMSTRONG. And then I would just say, this particular issue, the fight is not between regulation and no regulation. The fight is between dual regulations are allowing states that are already doing this work, like North Dakota, like New Mexico, to continue the regulation. The Federal Government is heavy handed, and it is not very dynamic. And with that, I yield back.

Chairman COMER. The Chair now recognizes Ms. Bush from Missouri for 5 minutes.

Ms. BUSH. Thank you, Chairman. St. Louis and I are here today in defense of strong government regulations that keep the public safe. Republicans claim that regulations slow down the economy and stifle innovation, but it is pure fantasy to expect entire industries to self-regulate without government oversight. Regulations like workplace safety standards enforced by OSHA, environmental protection provisions enforced by the EPA, FDA requirements for food production, all keep our community safer. A world without regulations will look like asbestos in our schools and workplaces, every corporation dumping chemicals into rivers, and unfettered use of child labor, and no safety standards for building construction, for housing, transportation, agriculture, or consumer products.

According to my colleagues across the aisle, these regulations do not matter, but that does not mean they are anti-regulation. Republicans want to regulate access to abortions. Republicans want to regulate access to gender-affirming care. Republicans want to regulate books for school children. None of those issues make us safer.

We have decades of research that proves giant corporations like Walmart, Amazon, Exxon, Microsoft, Monsanto will cut corners to save a few pennies, all while making their chief executives and their shareholders even more rich. If we rely on these industries to self-regulate, we will undoubtedly end up with more public health crises. like oil spills and water contamination, and I am not

willing to pay that price. St. Louis, home to Coldwater Creek and home to West Lake landfill, we are not willing to pay that price.

While these examples are extreme, you may say, the premise is not. Federal regulations and modern and effective regulatory process keeps our community safer. Regulations keep the financial system strong. They strive to keep drug prices low and healthcare accessible and affordable. They ensure that people trying to get a good education or buy a home for their families are not defrauded by opportunistic and greedy corporations.

Ms. Katzen, can you provide an example of a Federal regulation that was rolled back during the Trump Administration that has resounding impacts today?

Ms. KATZEN. Well, there were many examples of rollbacks. Profound, that may be in the judgment of the observer. I am thinking of one that recently the Biden Administration is resurrecting, and that is the gainful employment. We have an industry of for-profit educational institutions that, with some misleading data and other activities, attract a number of people to spend a lot of money. And then they have no opportunities ever to recoup that, because they are not well trained, and they are not able to find the kind of employment. And during the Obama Administration, they restricted taxpayer-supplied support for those for-profit institutions, and President Trump rolled that back. Now President Biden is going forward again to reinstate that.

There are other examples in the environment. I think, Mr. Raskin talked about mountaintop mining where companies come in and just slice off the top of the mountain, and it rolls down, and it contaminates the streams and the water supplies for the communities around it. And then I think coal dust. I mean, there are any number of instances where deregulation and rolling back protections has led to disasters.

Ms. BUSH. Thank you for those insights. As you say it, there are countless examples of industries and companies failing to self-regulate with catastrophic economic results. This year, the United States experienced the second, third, and fourth largest bank failures in history after banks like the Silicon Valley Bank lobbied to repeal regulations put in place by Dodd-Frank and then failed catastrophically. The oil and gas industry pushed for deregulation and lax oversight that contributed to the disastrous BP Deepwater Horizon oil spill, killing 11 people and causing an estimated \$65 billion in economic losses. At the urging of industry and referencing standards drafted by the very industry it was supposedly regulating, former President Trump's Department of Interior rolled back safeguards to prevent another disaster. This is absurd.

I will turn it back over to you. Thank you, and I yield back.

Chairman COMER. The Chair recognizes Mr. Grothman from Wisconsin for 5 minutes.

Mr. GROTHMAN. Thank you. At least before redistricting—I do not know that it is true anymore—I had more manufacturing jobs in my district than any other district in the country, and I frequently hear two things. First of all, the level of regulation compared to even 10 or 12 years ago, and I do not think we had a crisis of under-regulation in the state in this country 10 or 12 years ago. But the cost of new regulation and the degree to which

businessowners telling me they never could have begun their company today because you have to pile on these regulations one by one, but to get all of these regulations when your major goal should be to produce a product and get it out the door, would have made it impossible to start the company in the first place.

And by the way, I have never heard of anybody ever in a million years saying we should go back to the days of 1950 when we just put chemicals in the water. The chances of that happening are zero, but I would like a comment from, we can say, Dr. White, as to the cost of regulations on a big business, a big multinational business, or the small guy and the cost of regulations in the United States compared to our competitors in other countries.

Mr. WHITE. Thank you, Congressman. As it happens, I am going to be spending next week in your state near Eagle River where I am going to be enjoying not just the cheese that was discussed earlier, but also nature and being out enjoying nature. It is important to pursue both of these aims.

And to your point, Congressman, I just want to say, first of all, big businesses can certainly bear the cost of these things more than smaller businesses, and the effect of that is a loss of innovation, a loss of startups, a loss of new jobs. We are often spurred to act in favor of regulation because of accidents and disasters, and that is a good thing. But we also need to be spurred toward caution of over-regulation and the cumulative cost of regulations because of the other disasters that do not attract headlines, the disasters of families that do not have enough employment income, jobs that are lost, innovations and startups that are lost. The lost opportunity for the United States and its small businesses and large businesses to supply the world with natural resources that we can produce much more cleanly and safely than other nations, each of those is a disaster. And it is a disaster that we guard against through smart regulatory analysis, looking at not just the benefits of regulation, but also the costs and making sure it is transparent.

Mr. GROTHMAN. Do you think sometimes, and I wonder about this sometimes. I can think of examples leading in this direction, that big business likes regulation because they know it forces out the little guy. I mean, if you have six factories with a thousand employees each, you can adapt to the regulations a lot more than some startup with 40 employees. Do you believe that is kind of behind some of these regulations, it is a way for big business to hurt the little guy?

Mr. WHITE. Well, I remember a decade ago, when I was a lawyer helping to represent a community bank that filed the original constitutional lawsuit against Dodd-Frank, I was struck by statements from the leaders of major banks, who would often say that the large regulatory programs like Dodd-Frank were the moat that kept competition from smaller upstarts at bay.

Mr. GROTHMAN. Exactly. I wish you could kind of repeat that a little. The people who liked the big regulations are the big guy who can, you know, spread the cost of learning about them over a variety of different branches or different factories or whatever. And that is why I can think of examples here of big businesses who contact me because they are for big regulations because they know it keeps the little guy at bay, and banking is one area of that, right?

To get the little bank with 15 employees, it is a lot harder to get up to speed as far as what is going on than one of these big national dailies, right?

Mr. WHITE. Yes, sir. Surely the larger companies and larger banks would like to do away with a lot of regulation themselves, but at the very least, they know that they are in a better position to bear the costs. And a lot of these regulatory frameworks force consolidation among the smaller banks, regional banks, smaller companies into bigger companies, creating a lack of competition and reinforcing a lot of the problems that we see today.

Mr. GROTHMAN. Any one of you can jump in on this. One area I have also felt there is way too much regulation is in the nursing home industry. And I felt that way 30 years ago, in which nurses who work there would tell me they spend all day filling out paper and did not have enough time for their patients. Would any of you like to comment on that, the percentage of manhours in a nursing home spent filling out paperwork as opposed to spending your time taking care of the older generation?

Mr. CAMPAU. Congressman, I will take that. There is the discussion about whether we want regulation or deregulation. I would just note that in 2018, I believe our single biggest deregulatory action, categorized as deregulatory action, was a reduction in the paperwork associated with exactly what you have just said, in nursing homes, inpatient hospitals, skilled nursing facilities, home healthcare providers. It made almost no material changes to the standards themselves. It just reduced the interval of reporting, and just that reduction in paperwork generated \$8.2 billion in regulatory savings. That is an extraordinary figure across the government and, again, making almost no material change at all to the actual standard themselves.

Ms. KATZEN. But the reduction in some of the standards of care did result in a higher proportion of people in nursing homes dying during the COVID pandemic than senior citizens in their own homes or in hospitals generally. And the nursing home industry clearly suffered a huge loss of life at that time.

Mr. MULLIGAN. Yes, and that was a tragic situation that would have lasted longer if it were not for Operation Warp Speed, which was a deregulation that President Trump did in the FDA and got the vaccines quickly to first and foremost the nursing home residents.

Mr. GROTHMAN. Thank you.

Chairman COMER. The Chair now recognizes Ms. Brown from Ohio.

Ms. BROWN. Thank you, Mr. Chairman. I want to start by highlighting Savannah Williams-Huynh, our 2023 congressional Foster Youth Delegate. Savannah, welcome to the Oversight Committee.

Today I am pleased that we are holding a hearing to discuss the Biden Administration's policies to protect the safety and well-being of the American people. Unfortunately, President Biden inherited a Federal Government in disarray. Today we have learned policies enacted by the previous Administration protected industries, like Big Pharma, and Big Oil, and the wealthy, at the expense of everyday people. Right-wing extremists, including some on the Federal courts have repeatedly struck down regulations that enhance pub-

lic health. So, Ms. Katzen, because of our limited time, I would respectfully request if you could respond by answering “yes” or “no.” Does the Administration have the legal authority to enact rules to lower drug prices and mandate affordable reproductive healthcare services?

Ms. KATZEN. Yes, sort of.

Ms. BROWN. OK. Ms. Katzen, are some of the rules and regulations put forward by Biden-Harris Administration designed to restore access to public health protections that the Trump Administration stripped away?

Ms. KATZEN. Yes.

Ms. BROWN. OK. Thank you. The Biden-Harris Administration has restored Federal funding to reproductive healthcare clinics that provide a comprehensive array of essential reproductive healthcare services. These efforts ensure that women in all communities, regardless of income, have access to safe and comprehensive medical care before, during, and after pregnancy. Such access to affordable healthcare is especially important for Black and Brown women who bear the brunt of the maternal mortality crisis in this country.

Last, the Republicans’ REINS Act goes as far as requiring both Chambers of Congress to approve a major rule before it can go into effect, giving each Chamber veto power over all agency’s actions. Ms. Katzen, what would it mean for public health if a single Chamber of Congress had the power to block a major regulation?

Ms. KATZEN. The REINS Act has many problems embedded in it, and there are some constitutional questions about Chadha and one-house vetoes that are pertinent, but it would be an absolute nightmare. Congress has a great deal of difficulty doing its primary job of preparing a budget every year. How could it conceivably spend the time and effort to review the regulations that multiple agencies have been producing in response to authorizing legislation? A nightmare.

Ms. BROWN. Thank you very much. The Biden-Harris Administration is using its rulemaking authority to defend and enhance access to lifesaving healthcare. The burdens of unjust regulations are not coming from the Biden-Harris Administration. They are coming from the agenda on the other side of the aisle. While Democrats work to protect Americans, my colleagues attempt to regulate our history and culture. We regulate pollutants. They regulate books. We regulate tax cheats. They regulate the LGBTQ community. We regulate assault weapons, and they regulate abortion.

So let me propose a question. Which requires strict government regulation, giant industries or our school librarians? Through rulemaking, President Biden is taking decisive action to ban ghost guns, expand access to over-the-counter hearing aids, remove chemicals from our air and drinking water, and so much more. And because of that, I am proud to support the people-centered regulatory action of the Biden-Harris Administration. And with that, Mr. Chairman, I yield back.

Chairman COMER. Will the lady yield a question?

Ms. BROWN. No, the lady will not.

Chairman COMER. OK. Well, Mr. Fallon, I guess, the Chair recognizes you for 5 minutes. I was just going to ask what the Presi-

dent's position was on regulating tax cheats, but the Chair recognizes you for 5 minutes.

Mr. FALLON. Chairman. Thank you. I think we might find that out soon with a lot of the information that we have been discovering of late.

You know, my colleague, Mr. Donalds, said the rhetoric that you hear in committees are sometimes really remarkable. Want to regulate books. Federal Government has not done that. That is happening at the state level. And, yes, you know what we want to regulate? I do not know. Explicit pornography in elementary schools. Yes, I am all for banning those kinds of books in an elementary school. Just, it is really astounding. Limited government, low taxes, reasonable regulation. This is why I ran for office in the first place because I believe in those three things. We heard earlier that we are anti-regulation. That is absolutely patently absurd. We are for reasonable regulation because there is also such thing as over regulating.

And as a small business owner, I take particular umbrage with that because I started with absolutely nothing. It is an American Dream story kind of thing, and many Members of Congress have done that. And you get crushed if you are a small guy or gal trying to start a business with sometimes regulation. It is a very dangerous thing to be very cutting. I just think that we need to address that because really hearing some of this, the Socialist Marxist talking points over and over again, is just a beating. And I really try to talk about substantive things here and not just constantly attack our friends across the aisle.

So as the Chairman of the Economic Growth, Energy, and Regulatory Subcommittee, we are no stranger to regulations and the avalanche that has been unleashed by the Biden Administration. Under Joe Biden, agencies across the government have been issuing crippling and costly regulations at a record pace. This is actually happening, and it is real, and it has real consequences, and it costs the American taxpayer and the American citizen more in the long run because it is philosophical. Do you trust unelected government bureaucrats, or do you trust the American people more? I trust the American people more, and I will default to that every day.

Again, I am not saying we need to live in a world of sans, absent of regulation, but we need to be reasonable about it. That is one of the reasons why my home state of Texas, and Florida, and North Dakota, states like that, are booming and successful because we understand that concept, that there needs to be a balance between entrepreneurialism, and business, and the environment, and protections for consumers. There always needs to be a balance, and that is why other states like Illinois, New York, and California are bleeding opportunity in business and people because people, ladies and gentlemen, vote with their feet. And that is why you got one more electoral vote and we got two because we are doing it the right way. And people do not move to Texas for our majestic mountain visitors or our refreshingly cool longest afternoons. California has got all of that. They are doing it because they want opportunity and prosperity and to live the American Dream.

You know, so according to the Foundation for Government Accountability, Joe Biden has issued more than \$200 billion in new regulations in his first year in office. Two billion. So, I have got just a couple of questions to some very smart people that are visiting with us today, as witnesses.

Professor Mulligan and Mr. White, some of the most substantial and, you know, things that were impacted by more regulations are low-income communities get to have to bear the brunt of that, unfortunately, whether it be through higher electric bills or vehicle costs, and they do not have a lot of margins of error, as well as retirees and investors through climate disclosures and ESG rules impacting returns. What are some of the examples of downstream impacts of excessive regulation? Professor, do want to go first?

Mr. MULLIGAN. Higher prices.

Mr. FALLON. Yes.

Mr. MULLIGAN. And in my testimony, it was Figure 2, I showed how the earlier Congress had deregulated telecommunications and the big drop in the price of your cellphone plan and your home internet plan, which is a big part of the budget for lower-income families. It was such a big thing that the Federal Reserve was puzzled. Why is inflation going down? And it is because one thing that this previous Congress had done to deregulate and make it easier for a wider range of choice for internet consumers.

Mr. FALLON. So, you are saying choice actually brings down the cost and free market competition?

Mr. MULLIGAN. It was competition, yes.

Mr. FALLON. Interesting. Well, do you think these increased regulatory burdens? So, they clearly increased prices, but what do you think? Does it have a disproportionate impact to small businesses, these kinds of regulatory burdens?

Mr. MULLIGAN. Yes, definitely. Often the regulations more or less prohibit what the new guys are trying to create and trying what the incumbent companies are making.

Mr. FALLON. Yes. And, you know, we are a country of the underdog, and a lot of the time, you know, big businesses get besmirched. But they were at one point a small business, and they just did things well, but they wish to keep them on their toes. We have also seen very large corporations fail eventually due to competition and not keeping up with trends and market, and what have you.

Last question, Mr. Mulligan. I understand that your research has found that if the Biden Administration continued the Obama Administration's regulatory pace for a full 8 years, the cumulative cost on rulemaking could exceed, is that right, \$60,000 a household?

Mr. MULLIGAN. Yes, 60,000 per household.

Mr. FALLON. That is remarkable. Mr. Chairman, I yield back. Thanks.

Chairman COMER. The Chair recognizes Mr. Garcia from California for 5 minutes.

Mr. GARCIA. Thank you very much, Mr. Chairman, and I want to just thank our witnesses for being here.

I just want to just go back to something because it is truly crazy, some of the comments that have come out of this hearing. And I

want to go back to something that was said about deregulating nursing homes, which was a completely shameful comment in my opinion. It has been clearly recorded, particularly during the pandemic, that the deregulation of nursing homes is actually what caused likely thousands of seniors in nursing homes to die during the pandemic.

And, Ms. Katzen, I just want you to address again, one more time, because I was Mayor during the pandemic, the entire time, back home in Long Beach, California. And the issue of deregulation around nursing homes and our inability to actually meet that challenge caused countless loss of life, and so can you expand on that just a little bit? I know you mentioned that just a minute ago.

Ms. KATZEN. Thank you for your question. There had been a lot of efforts from 2010 on to increase the regulations of nursing homes, not only in terms of the training of personnel, but also the number of people who were taking care of people who could not take care of themselves, and they were fiercely fought by the industry. And when there was an opportunity, there were rollbacks on the requirements. Flash forward to the pandemic, and I cannot get out of my mind the front-page pictures of people talking to their loved ones through windows and being unable to comfort those who were in nursing homes, who then died as a result of a lack of care.

Mr. GARCIA. That is a horrifying image that we all remember. And I want to remind folks that we get elected to Congress and are here in government because we actually believe in doing the most good, and that we actually believe that government is actually here to actually help people. And so, I am one of those that believes that government is here to actually help people. And I know that we spent in this Congress last week fighting about, and infighting, and losing control of the House, and losing control of votes, and we are carrying on all of these hearings. I mean, this hearing seems to be about fighting for big polluters and not actually people that need our help.

And I want to talk about regulations really briefly as it relates to pollution. It is a huge concern of mine back home in my district, though. In 1977, Congress, of course, passed the Clean Air Act and, which we know, delegating broad authority to the EPA to regulate air pollutions. And I want to note that this has worked incredibly well. This was a major regulatory change, regulations passed and with a lot of opposition, of course, in L.A. and Long Beach back where I am from. Back before the Clean Air Act, we had over 200 days a year where air was either unhealthy to hazardous, I mean, horrible. It was much like the air in D.C. just last week. Now, just last year, the 200 days was reduced. Now we had 27 unhealthy air days, and only one was actually hazardous.

So, it is clear that smart regulation, climate regulation can actually save lives, direct lives. Regulations around protecting people in nursing homes can actually save lives. And so, we know that government intervention, when necessary, especially against large corporations that really oftentimes have zero to little interests in helping people, actually works. So, it is hard to understand why so many of my Republican colleagues constantly are fighting against basic laws that actually help and support people.

And the other thing I just want to note, which I think is important before I yield back the remainder of my time, a lot of the regulations that we are talking about today also are helping communities that need the most help, and oftentimes, these are communities of color. These are low-income communities. They are depending on us to survive, to live, and to provide them a better life experience.

And just to the Committee and to the Chairman, I know a few weeks ago, we had one of my Republican colleagues mention how important it was also to have diverse experiences and diverse witnesses when we have Committees. And I just want to make a note for the record, I appreciate always having a diverse set of experiences as witnesses. And if it was important for these hearings on D.C., it certainly is important when we have discussions about regulations and how they impact people, especially low-income people, communities of color, every single day. And so that is something that I would appreciate seeing forward in future hearings. And with that, I yield back.

Chairman COMER. The Chair now recognizes, Mr. Palmer, from Alabama for 5 minutes.

Mr. PALMER. Thank you, Mr. Chairman. Professor Mulligan, you wrote a book called "The Redistribution Recession," and I think it was based on what the Obama Administration did with their American Restoration Recovery Act. And in that, I think you pointed out that all of the predictions, for all of the new rules and regulations that the Obama Administration was imposing through that, resulted really in a reduction in employment. Is that correct, or am I off a little bit on that?

Mr. MULLIGAN. You are correct. Thank you for reading that.

Mr. PALMER. I try to look for factual information and try not to make things political. My concern is, having grown up dirt poor myself, is how people misunderstand regulations and business taxes for that matter. And some people in this room, I think, think that there is no real downside to regulatory costs. But the fact of the matter is, and you correct me if I am wrong on this, businesses do not pay taxes, and they do not pay regulatory cost. Who pays that?

Mr. MULLIGAN. Consumers and workers when they earn the money and when they go spend it.

Mr. PALMER. So, it is very inflationary, isn't it? And as I understand it, the first year of the Biden Administration, they added over \$200 billion in new regulatory costs, three times what the Obama Administration did in the first year they were in office. Does that ring a bell with you?

Mr. MULLIGAN. In my testimony, I point out that they are missing a lot of costs, so it is more like \$600 billion.

Mr. PALMER. Yes, and they are on track to add even more before the end of this first term, which will further increase the burden on low-income families. I mean, we do not live in \$2.5 million houses. You know, I lived in a house my dad built himself and shared a bedroom with my brother that had cardboard join the two floors. So, when you start adding on those repertory costs to get passed on to the consumer, whether it is in the form of groceries or household utility cost, it is an enormous burden on people.

One of the things that concerns me about some of the regulations and policies of the Biden Administration is what has happened in Europe just this past winter when just a few weeks ago, a report came out that indicated 68,000 Europeans died because they could not afford their household utility bills. These people had cardiovascular problems, respiratory problems. I am concerned about that happening here in the United States as they continue this, the regulations that are impacting our power grid. Do you have any concerns about that?

Mr. MULLIGAN. One of the things I did look at it and was in Figure 3 in my testimony, was how low-income households are affected by the cost of so many things. In particular, one of the categories in that chart is energy, and energy is a big part of the budget for low-income households. And it can be very tough on them if regulations or other things raise energy prices.

Mr. PALMER. How about how it impacts business? One of the things that came out was a report from the Gallup research arm, and it said that prior to 2008, there were about 100,000 more business startups than there were closures, but by the end of 2014, there were 70,000 more business closures. When you get right down to the core numbers, there are about 6 million or 7 million businesses, maybe somewhere in that range, that really provide employment for the United States. Does that sound about right?

Mr. MULLIGAN. Yes. In that order of magnitude, yes.

Mr. PALMER. Yes. So, when you overregulate business and you start losing businesses, we start to lose our really entrepreneurship here because, as I tried to point out to people, when you over regulate the economy, you overtax the economy, money is just like water. It will always seek the paths of least resistance, and that is, you start losing capital investment. Has that been your experience as an economist?

Mr. MULLIGAN. I mean, one of the issues with central planning and regulation is it is not very innovative. It is much easier as a regulator if things were like they were yesterday. And your small businesses, their entire intention is to make things different than they were yesterday, have a new idea, a new thing.

Mr. PALMER. But you also hear all the time about how low the unemployment rate is, but you never hear anyone talk about, at least on the other side of the aisle, about how low the labor participation rate is. And is that a function of regulations, or is that a function of policies that maybe pay people not to work?

Mr. MULLIGAN. Yes, I think that some of the other tax and spending policies. What we do see from the regulation is very low real wages. Real wages has fallen, I think, a record 25 or 26 months in a row, very low productivity of workers. As we predicted, regulation would lead to that.

Mr. PALMER. And that is death by thousand cuts. Mr. Chairman, I yield back.

Chairman COMER. The Chair now recognizes Ms. Lee from Pennsylvania for 5 minutes.

Ms. LEE. Thank you, Mr. Chairman. On October 27, 2018, a virulent anti-Semite used an AR-15 and three handguns to murder 11 congregants at the Tree of Life Synagogue in my district of Pittsburgh. The man accused of this heinous act, the deadliest

antisemitic attack in our Nation's history, is on trial in Federal court as we speak. This is just one of hundreds of mass shootings that have damaged our communities. So, the question is, how did we get here? How do we end up where a loud and proud bigot is able to buy an arsenal of weapons of war and use them to murder people in cold blood?

It starts with Republican pro-gun obsession that seizes every opportunity to prevent agencies, like the ATF and the FBI, from enforcing regulations and prevents introducing new commonsense regulations. They have even limited the authority to expand background checks on gun purchases. They have systematically blocked ATF's ability to create a searchable online data base to trace weapons. They have done their best to neuter Federal agencies, and now they want to expand their plans across the government through the REINS Act.

Ms. Katzen, why is it that, historically, Congress has granted agencies broad discretion in their rulemaking authority?

Ms. KATZEN. First, may I say that I was born and raised in Pittsburgh, and I am Jewish, and the Tree of Life massacre truly touches home. But you do not have to live there or come from a place to mourn each mass shooting that occurs in this country. It is unbelievable to me that it persists, and I am sorry to abuse your time—

Ms. LEE. No, please.

Ms. KATZEN [continuing]. To make those views expressed. Congress delegates to the agencies because the agencies have the expertise and the experience to be able to translate broad objectives into specific requirements or responsibilities. They have people who are schooled in the technology, or in the science, or in the economics, or even in the law. And they are able to do this kind of work, and that is why the delegation occurs.

Ms. LEE. So would a bill like the REINS Act, in your opinion, undermine the expertise of agencies and bring undue political pressure into the rulemaking and approval process?

Ms. KATZEN. I am sorry, yes, I believe strongly that the REINS Act would be taking a step in the wrong direction.

Ms. LEE. So, does Congress already have the authority to strike down final rules they disapprove of through the congressional Review Act?

Ms. KATZEN. Yes, they do.

Ms. LEE. Thank you. My Republican colleagues want to pretend that thoughts and prayers are enough to stop bullets as if they do not have the power to make our community safer. Instead, this week, Republicans chose to advance a resolution that would thrust more guns and gun accessories onto our streets. Their resolution seeks to prevent ATF from closing a loophole created by gun manufacturer selling pistol braces that convert a pistol into a short-barreled rifle. The same pistol braces have been used in the Club Q shooting in Colorado last year and at the Covenant School shooting in Nashville just a few months ago.

This issue should be simple. We want our neighbors to be able to worship without fearing for their lives. We want our children to come back home from school every day. We want our queer and trans friends to be able to celebrate pride, free from the threat of

violence. We owe the American people real action toward better gun safety. And I with that will yield the balance of my time. Thank you.

Chairman COMER. The Chair recognizes Mr. Timmons from South Carolina for 5 minutes.

Mr. TIMMONS. Thank you, Mr. Chairman, and thank you to the witnesses for joining us today. It is quite clear that the Biden Administration is attempting to strong-arm its Big Government agenda on this country via regulatory action. Whether it is the EPA, DOL, or ATF, executive rulemaking under this Administration has ensured each and every part of the day-to-day life of the American public will face a greater compliance burden than they did just a few short years ago.

Today I would like to focus on the ATF's recent regulatory actions, specifically their rule entitled, "Factoring Criteria for Firearms with Attached Stabilizing Braces." This rule is not only a direct reversal of a previous interpretation made by the Agency, but it is also an irrefutable attack on the Second Amendment. By categorizing pistols using stabilizing braces as short-barreled rifles, the ATF has turned millions of Americans into felons who are in direct violation of the National Firearms Act and now face up to 10 years in prison if they do not register, surrender, or destroy their firearm. This represents a dark new precedent where executive agencies can subvert congressional authority to become judge, jury, executioner, and now legislator.

And I live in the upstate of South Carolina. I represent Greenville and Spartanburg. I can assure you that I have probably 5,000 to 10,000 constituents that are affected by this. So, Mr. White, what precedent does the ATF's reversal of the definition of a pistol brace set?

Mr. WHITE. Excuse me, sir. What precedent does it set?

Mr. TIMMONS. What precedent does it set?

Mr. WHITE. I am not quite sure how to answer that, sir. I would say, first of all, the change of policy on that issue, it will raise a number of questions under current administrative law, the scope of the policy, the so-called major questions doctrine. The Supreme Court has said that when agencies change policies that affect people's settled reliance interests, that is going to be a big consideration for judicial review. And so, to the extent that this has retroactive effects on things that people already own, on guns that people already own—

Mr. TIMMONS. Can you think of another instance where the Federal Government has criminalized owning something that previously was legal to purchase?

Mr. WHITE. I am trying to think of a—

Mr. TIMMONS. Ms. Katzen, can you think of another example where the Federal Government has criminalized the ownership of something that previously was legal to purchase? And do you think that is appropriate?

Ms. KATZEN. I am not sure that the interpretation of the regulation is criminalizing something which was previously legal. There is a requirement now—

Mr. TIMMONS. My brother bought one less than 6 months ago, and now he is a felon if he does not register it.

Ms. KATZEN. Oh, but then he is not a felon if he does register.

Mr. TIMMONS. So, but—

Ms. KATZEN. I can buy a car, but before I drive it, I have to learn how to drive it, and I have to take a test.

Mr. TIMMONS. But if you bought a car and none of that existed, and then we said, OK, if you do not do all of these things, it is now illegal and you will go to prison. Is there another example you can think of where the Federal Government retroactively changes a criminal code? Not even Congress. Not even Congress. Just the executive branch.

Ms. KATZEN. It is not retroactively changing if there is a condition precedent that, if undertaken, would no longer leave you in jeopardy—

Mr. TIMMONS. How many Americans do you think follow the ATF's rulings? I mean, there are 40 million out there. Let us just say it is, what, 2 million, 3 million people. Do you think they are all required to go to the ATF's website and see that this is now illegal, and that the FBI should be able to go and arrest them and say you are going to prison for 10 years for owning something that it was illegal when you purchased it? Do you think that is appropriate?

Ms. KATZEN. I do not think that will occur.

Mr. TIMMONS. Oh, really? Oh, really? But it can.

Mr. RASKIN. Will the gentleman yield?

Mr. TIMMONS. Oh, absolutely.

Mr. RASKIN. Well, isn't that precisely what is happening in a lot of red states with abortion? There was a constitutional right to get one and now it is a crime?

Mr. TIMMONS. That is the judicial branch making a decision about existing law—

Mr. RASKIN. And then a legislature—

Mr. TIMMONS [continuing]. Not an executive branch.

Mr. RASKIN. But I thought you were looking at it from the standpoint of the citizen. Someone had a constitutional right to get this healthcare and suddenly it is a crime.

Mr. TIMMONS. I do not think there is a single scenario where somebody has been entitled to an abortion and then the Supreme Court decision, and then state law has changed that has resulted in them going to prison. So, I mean, this is real. This affects millions of people, and it is different than that. I appreciate your nuance, but it is not the same, and it is not affecting millions of Americans' Second Amendment Rights.

Look, this is wrong. We are weaponizing the Federal Government. The left continues to use the executive branch to achieve objectives they cannot achieve in Congress, and we have to stop that because as the pendulum swings so wildly, our society is going to have a very difficult time adjusting to this new status quo. And with that, Mr. Chairman, I yield back.

Chairman COMER. The gentleman yields back. The Chair recognizes Mr. Moskowitz from Florida for 5 minutes.

Mr. MOSKOWITZ. Mr. Chairman, thank you. Breaking news. Federal Government has too much red tape, right? Here we go again. Not a serious hearing and actually looking at specific government regulation and red tape. Look at the name of this hearing. It does

not say executive branch red tape or Federal Government red tape. It is titled, "The Biden Administration's Campaign to Bury America in Red Tape." This is their hearing, literally, just red tape with Joe Biden's name written on it. Just make it real simple for people. That is the point of this hearing. It is not about solving problems. It is about red painter's tape with Joe Biden's name written on it. Look what Joe Biden has done. Look, it is right there. Here is the proof.

Professor Katzen, serious question. Was red tape invented by Joe Biden?

Ms. KATZEN. No, sir.

Mr. MOSKOWITZ. OK, good. You know, my colleagues across the aisle used to be the party of smaller government, and I wish they still had credibility in wanting to shrink the size of government. They want more government now

—government in women's bodies, government in the bedroom, government in the library, government in corporate investments, government in Disney World—you know, and all we want to do is go back to Trump. I mean, every hearing, it is like, oh, just if we could just go back to what Trump did, you know, the loser of the 2020 election, the loser of the Georgia Senate races, the loser of the 2018 midterms.

By the way, just to jog your memory, the Trump Administration finalized more Federal rules in the last year of its Administration than any other final year of any presidency in American history, more than Obama. I know it is inconvenient timing, but perhaps we actually need more regulation with Presidents taking nuclear codes, and cuddling with them, and showering with them in their homes.

You know, I want to answer the Representative's question on ATF and pistol braces. Has that ever happened before? Well, in fact, yes. It happened under the Trump Administration. With Trump's ATF, they banned bump stocks. Bump stocks were legal, and then they were not. The Trump Administration's ATF did that. By the way, good decision. People should not be able to turn guns into automatic weapons. Let us not forget that some of our colleagues, you know, went on camera when Sacha Baron Cohen got into their office and said that they think kindergartners should have guns. We heard that this is all about big corporations, that big corporations now like regulation. Well, by the way, just a little public service announcement. If you are mad at big corporations, you do not have to take their money anymore. That is not, like, a mandatory thing.

By the way, Professor Mulligan, you brought up Operation Warp Speed. I just want to give you an update on that. Some of our colleagues across the aisle now do not believe that deregulation was very good. They have soured on the deregulation of Operation Warp Speed and actually believe that that led to bad outcomes. I do not agree, but I just wanted you to have that update if you have been following the rhetoric coming from that side of the Chamber.

We heard about the marketplace. Let the marketplace decide these decisions. Really? We had a whole hearing on ESG. That was the marketplace talking. Nope, they did not like it. Government

regulation, we got to ban it. They want to ban it, more regulation, because they did not like what the marketplace had to say.

Listen, regulations are hurting small businesses. They are, so let us actually work together and solve that problem. Paperwork for a mortgage is too burdensome. Let us make that easier. That should be the point of this hearing. How can we help the American people? How can we reduce regulation? Let us talk about specific ideas that we can do that together. No one here believes that we do not have enough regulation. No, there are things that we could reduce things to make it easier for the American people.

By the way, we are going to have to remove red tape and shrink bureaucracy if we want to compete with China. We are going to have to do those things, but maybe Congress should work again. You know, you are mad about all the rulemaking in the executive branch. It is because this place stopped lawmaking. We do not make laws here anymore because we are too busy doing this. I yield back.

Chairman COMER. The Chair now recognizes the gentleman from Florida, Mr. Donalds, for 5 minutes. You have got big shoes to fill from your colleague in Florida that you succeeded here.

Mr. DONALDS. Oh, thank you, Mr. Chairman. You know, my colleague from Florida, Mr. Moskowitz, this is actually old hat for us back from our days in the Florida Legislature.

Look, a couple of things. These hearings, I do agree, typically are fun, but the reality is, is that regulations at the Federal level, and I think it is important to show us a couple of things. Regulations at the Federal level, over-regulation at the Federal level does have a massive undue burden on small businesses, medium-sized businesses, and micro businesses. It is your mom-and-pop businesses that are started by a lot of people in our country, all across every socioeconomic background. The big players, the Fortune 500 guys, they do not really care too much actually about regulation. The area we are seeing that more, I believe, than in any other part of our government happens to be in the financial industry. In the financial industry, the big banks really do not care.

I had a meeting actually with some of those larger banks, their representatives, and I said, well, guys, you know, the regulatory environment and banking is really restrictive. It is going to cause us major issues. What if we just got rid of Dodd-Frank? You know, it was passed on a partisan basis many years ago. I believe it is probably the worst financial regulatory framework we have ever created. It actually has done the thing that we were told it would never do. It actually made the big banks bigger, and we were told that it would stop too big to fail. Well, we all see now that is not true. What do you think about getting rid of it, and you know what they say? They say, well, we have kind of already built out our programming and compliance system, so it is kind of hard to get out of that. Meanwhile, small banks are being eviscerated.

Let us talk about where we are today. In March 2022, the Department of Labor began to scrutinize and recommended against all 401(k) plans that include the opportunity to invest in cryptocurrencies, i.e., that is telling small businesses and businesses that in 401(k) plans that they actually sponsor for their employees, that cryptocurrency options should not be allowed for the

employees to invest in. Mr. White, do you view this as an overregulation from the Biden Administration?

Mr. WHITE. Thank you for your question, and, yes, I do.

Mr. DONALDS. No. 2, the EPA, under the Biden Administration, has actually set a very ambitious and unrealistic emissions-regulated goal for electric vehicle deployment throughout the United States. I just had a meeting with a bunch of car dealers, and you know what they are telling me? They are saying that nobody comes into a car dealership looking for an electric vehicle, but the Biden Administration's own emissions policy is force feeding electric vehicles onto the auto markets here in the United States. Professor Mulligan, do you believe this is an excessive over regulation of the auto industry?

Mr. MULLIGAN. Yes. We looked at the even more gentle regulations through the compliance market was costing hundreds of dollars per ton of CO₂ when President Obama said it was only worth \$50, so it has Americans way overpaying for a comparatively minor environmental benefit. Added on top of they are cutting back the supply of electricity that we are supposed to charge these things with. So economically, it is really amazing thing for me to watch, but it is going to be hard for consumers to deal with.

Mr. DONALDS. Now, listen. Director Chopra is actually in Financial Services right now. I will be seeing him soon. But the CFPB is trying to enact Rule 1071, something from Dodd-Frank that has taken them about 12 years to try to figure out, and they finally want to get around to that, too. And the desire is to increase reporting requirements of financial institutions when they give loans to small businesses, et cetera, and all these kind of business levels. Ms. Katzen, do you think that the CFPB extends itself into over-regulating companies within our entire economic system? Do you think that?

Ms. KATZEN. No, sir. I think they have been acutely aware of the statutory authorities that they have been granted, and that they have done remarkably well in helping individuals who are often confronted with financial documents they cannot understand, they cannot deal with.

Mr. DONALDS. Let me ask you this question because last time I checked, Ms. Katzen, the CFPB does not help people read their financial documents. What the CFPB does is they walk around fining companies for activities that the CFPB thinks that are not helpful to the consumer. But what we also understand and what I definitely understand is that the CFPB is unaccountable. They do not have to report to Congress, and, frankly, that is in front of the Supreme Court now. And they try to defend having their own director not being answerable to the President of the United States.

So, do you think it is constitutional to have an agency with policing powers and finding powers under the auspices of the U.S. Government to be wholly unaccountable to Congress? Do you think that is constitutional?

Ms. KATZEN. That case is before the Supreme Court—

Mr. DONALDS. No, I am not asking the Supreme Court. I am asking you.

Ms. KATZEN. Well, they had previously decided the Seila Law case in which they held that the director could be fired by the

President. He did not have an at-cause will. And the reason that the CFPB is able to select certain documents that they want to question is because of complaints that come in and from information that they receive. They do not just—

Mr. DONALDS. All right, Ms. Katzen. I am over time. I am over time, and that is an interesting point you were making. Mr. White, I am going to let you answer because I see you are chomping at the bit, and I think that is going to close us out. Go ahead.

Mr. WHITE. I will be brief, Mr. Chairman. I will just say I have been working on this issue for more than a decade since Dodd-Frank was created. I helped C. Boyden Gray and others file the original constitutional lawsuits. And while it is true that with respect to the CFPB, the Supreme Court has corrected the problem of a lack of executive branch accountability, from the start, the greatest flaw in the CFPB's construction was making it independent of Congress' power of the purse and allowing the CFPB to treat the Federal Reserve as its own independent slush fund. I am very glad that the Supreme Court is reviewing that issue this fall, and I hope the Supreme Court follows through similarly as to in the Seila Law case.

Mr. DONALDS. All right. I yield back. Thank you, Mr. Chairman.

Chairman COMER. Very good. The Chair recognizes Mr. Frost from Florida for 5 minutes.

Mr. FROST. So, this week, House Republicans have us voting on the REINS Act, a proposal they say will reform the rulemaking process and cut red tape, when the reality is that this is a plot to take power away from experts and put it in their own hands. And for those who do not know, this bill would mean that many agency rules could not advance without the approval from Congress and that they are automatically vetoed after 10 weeks of inaction. That means Members of the Majority can kill regulation without even ever having voted on them, forever. This is a power grab by Republican Members of Congress with no experience in the specialized agency matters and allegiances to big and often unknown lobbyists. This would be a nightmare.

And so, let us look at what rules and regulations House Republicans have tried and thankfully failed in trying to reverse under the current process. Mr. White, are you familiar with the EPA's rule on heavy truck emissions?

Mr. WHITE. In general, yes.

Mr. FROST. Republicans tried to shut down the EPA's change in heavy truck emission standards enacted to keep our air clean. By 2045, it would have prevented kids from missing over a million days of school, up to 2,900 fewer premature deaths and a net \$29 billion in benefits annually. Mr. White, is knowledge and experience of clean air and fair industry standards a prerequisite for becoming a Member of Congress?

Mr. WHITE. No. We trust the people to vote on merit.

Mr. FROST. No, it is not a prerequisite. Unlike those involved in the rulemaking process at the EPA, Mr. White, are you familiar with the Department of Labor's prudence and loyalty in selecting plan investments and exercising shareholders rights rule?

Mr. WHITE. No, not specifically.

Mr. FROST. Mr. White, are the Republicans who held a vote to overturn this rule experts in securities investments and financial risk, or are they some of the same Republicans that voted to overturn rules that would have prevented our recent bank collapse?

Mr. WHITE. Well, I do not know which Republicans specifically voted for it. I know there is expertise in the Agency. I also know there is expertise in the private sector and among state regulators and others, but beyond the specifics, I do not know much about that vote.

Mr. FROST. Are you familiar with the ATF's rule to reclassify stabilizing braces?

Mr. WHITE. Generally, yes.

Mr. FROST. Yesterday, House Republicans held a vote to try and overturn this rule, which would require background checks for rifles to be converted into assault weapons. Mr. White, is the ATF a body of elected Republican officials who in 2017 received \$5.9 million from the gun lobby?

Mr. WHITE. I am sorry, I do not know the answer to that question.

Mr. FROST. I will ask it again. Is the ATF a body of Republican elected officials who received over \$5 million from the NRA?

Mr. WHITE. No, the—

Mr. FROST. They are not. The ATF has not. In fact, they are not beholden to the NRA, which is exactly why I trust them to make decisions that are not biased toward the gun manufacturers and the gun lobby.

Mr. WHITE. May I just add one more sentence?

Mr. FROST. Yes.

Mr. WHITE. Let me just say very briefly, I am very concerned about gun violence in our cities and in our schools, and I know that the Supreme Court's rulings under the Second Amendment leaves space for some reasonable regulation on this. I want to say also it is important for a lot of these decisions to be made in the communities and the states where they are most familiar with both the context, the community, and the problems. And my concern with all that being decided by one particular agency is that we lose a lot of expertise about the community itself.

Mr. FROST. OK. Thank you, Mr. White. Are you aware that over 90 percent of Americans are for universal background checks?

Mr. WHITE. I did not know that, and I myself—

Mr. FROST. Yes, most Americans, most Republicans, most Democrats, and most NRA members are for it, yet it has not happened here. Pistol braces were used to make modified assault weapons in mass shootings in Boulder, Nashville, Colorado Springs, and Daytona. They need to be regulated as assault weapons.

I also want to say we heard a lot about the theme of the Founders. I reject the attempt to use the Founders to justify this power grab. In history, we take the best with us, and we learn from the worst. There are many themes that the founders had that we reject now: women being able to vote, me being a slave. We take the best, and we learn from the worst. As Mr. White has established, House Republicans' version of deregulation is simply a power grab. It is great for gun manufacturers. It is great for the oil and gas lobby, and it is bad for everyone else.

And one other thing. My colleague was asking the question of times, examples where government has taken away rights that people had before et cetera. My colleague brought up the right to bodily autonomy. I also want to bring up the fact that in Florida, we passed Amendment 4, the people passed an amendment to give voting rights to people with previous felonies. Twelve of those people went to vote and were given a card that said you are registered to vote, and Ron DeSantis and the Republican legislature sent a police force to their door, arrested them, brought them to jail for a right they were told they had by the government. This has happened before, but just in ways that impact poor and working people. Thank you. I yield back.

Chairman COMER. The Chair recognizes Mr. Fry from South Carolina for 5 minutes.

Mr. FRY. Thank you, Mr. Chairman. Since taking office, the Biden Administration has usurped an incredible amount of authority to push what they cannot do in Congress, but push their liberal agenda, ultimately trying to fundamentally change the makeup of this country. I mean, think about it. Since day one, they have gone after the constitutional rights of law-abiding gun owners. They have pushed a ridiculous amount of regulations on our businesses, small businesses. They are prioritizing ESG standards over Americans' retirement funds. They have put green energy over practical energy production. They have decided Americans should not own gas stoves, as absurd as that sounds, and they even feel the need to regulate puddles.

Under the leadership of this administration, agencies like the ETF, ATF, EPA, SEC, and FTC feel emboldened to extend their scopes of power beyond what Congress has intended and instead of pursuing a responsible and effective regulatory agenda. Government agencies were never meant to act like this. This is Congress' role, yet this Administration continues to push it and costing families and businesses all across this country an insane amount of money. They have been stifled in court cases, *West Virginia v. EPA* most recently, but it is not enough. They continue to push this.

So, Mr. White, Biden's administrative state approach varies greatly from the approach of President Trump and allows for much less gatekeeping by the current OMB. What lessons can be learned from both approaches?

Mr. WHITE. Well, thank you for your question. I think the first lesson learned is that transparency is important. Some of the Trump Administration agencies' and OIRAs' most significant modernizations were promoting transparency around the rulemaking process. Sunshine is always the best disinfectant. That is a timeless lesson. But I think it is also a lesson we are relearning now in the aftermath of the Administration and the agencies pulling down a lot of the curtains that have been raised up by the previous administration.

Mr. FRY. Thank you. Professor Mulligan, the House has passed eight CRA resolutions rebuking the Administration's regulatory overreach. Has the Administration made any effort to halt that overreach?

Mr. MULLIGAN. I have not followed up on those CRA motions and actions.

Mr. FRY. Mr. White, do you care to comment on that?

Mr. WHITE. I am sorry to plead ignorance, but I have not followed them as closely either.

Mr. FRY. Have you seen any attempt by the Administration to curtail their regulatory authority in light of Congress and a lot of the courts?

Mr. WHITE. No, sir. In fact, I am concerned about the brazenness with which a number of agencies, including the SEC, seem insistent upon thwarting the Supreme Court's recent decisions regarding how to read the statutes that govern administrative agencies.

Mr. FRY. In what ways would you say they are doing that?

Mr. WHITE. Well, for example, let me take one example out of the Securities and Exchange Commission. The SEC is pursuing a truly transformative agenda to make financial regulators into the new climate regulators and perhaps the new everything regulators. It flies in the face of not just the history of the SEC, the statutes that created the SEC and govern the SEC, but also the Supreme Court's decisions, not just the most recent Roberts Court's decisions, but Supreme Court decisions going back decades.

Mr. FRY. Thank you. Mr. Campau, did I pronounce that correctly? The Biden Administration has issued regulations creating 218 million hours of regulatory paperwork for businesses. What impact these regulatory burdens will be felt on small businesses?

Mr. CAMPAU. Thank you, Congressman. As has been discussed here, before 2017, every year, an NFIB study of small businesses said that cumulative regulatory burdens was their No. 1 concern. So, we know going back a long ways that that is an issue.

As addressed earlier, one of the questions you asked was about sort of the difference. One difference that, you know, just stood out to me and sort of process that I could not understand is we had a requirement to post, for example, all Agency guidance on a centralized website. Pretty simple. It is not requiring them to do. It is not changing policy at all. It is just saying post it where people can find it, and that requirement is now gone. Why? I do not understand what could possibly be a justification for that. Also, just the end of last week, we had worked to expand the role of cost-benefit analysis to the tax rules, and that was just taken away on Friday. They have gotten rid of that, so there is no more review. There is no more economic analysis and tax rules.

Mr. FRY. You know, under the U.S. SBA Office of Advocacy, they have released 75 comments, reports on rules by the Administration. Can you fill us in on any of the substance of those comments?

Mr. CAMPAU. No, I am not familiar with those specific comments, but they weigh in generally. Advocacy plays a very important role in the review process and working with OIRA to make sure that small business interests, concerns are accounted for. I think it is really important that that continue to be protected.

Mr. FRY. Thank you, Mr. Chairman. I yield back.

Chairman COMER. The Chair now recognizes Mr. Lynch for 5 minutes.

Mr. LYNCH. Thank you, Mr. Chairman. I want to thank the witnesses for their willingness to appear before the Committee and help us with our work.

Ms. Katzen, according to the reviews conducted by various non-partisan government watchdog organizations, the Trump Administration engaged in a sweeping effort to reverse or rollback critical Federal agency regulations at the behest of private industry and to the great detriment of the health and safety of the American people.

As reported by ProPublica, an independent investigative organization, President Trump began his Administration in 2017 by ordering Federal agencies to establish so-called deregulation teams. He then promptly stacked those teams out of public view with political appointees with deep industry ties and significant conflicts of interests. As a matter of fact, in 2019, Public Citizen, a non-partisan consumer advocacy group, issued a report entitled, "Your Wish is My Command: Corporate Capture of the Regulatory Process Evident in Trump's First Two Years." I would like to get unanimous consent to enter this into the record.

Chairman COMER. Without objection, so ordered.

Mr. LYNCH. So one day, people were protected and had environmental protections, and the next day, they did not. Professor Katzen, would you agree that industry representatives should not have a disproportionate or controlling influence when it comes to the process of agency rulemaking?

Ms. KATZEN. I would. Relying on the adverbs and adjectives that you used, disproportionate influence, they do have a lot to contribute. And the whole OIRA process that we have been referring to here encourages those who are either burdened or benefit to come forward and contribute to the process of rulemakings. Because they are on the ground, they are in the factories on the plants. They know the implications, and they should be heard, but so should the beneficiaries.

Mr. LYNCH. Well, therein lies the rub. These were deregulation teams, and they were industry representative. That was my question.

Ms. KATZEN. Exactly.

Mr. LYNCH. So, what happens to the representation for vulnerable communities if that is the arrangement that is made for deregulation?

Ms. KATZEN. There is none, regrettably.

Mr. LYNCH. This corporate-driven regulatory agenda proved particularly harmful in rolling back critical environmental protections that were in place solely to protect the health and safety of American people. According to *The New York Times* analysis, the Trump Administration officially reversed, revoked, or otherwise rolled back more than 100 environmental rules in 4 years. These included landmark protections against carbon dioxide emissions from power plants, and cars, and trucks, and limits on water pollution, prohibitions on toxic chemicals, reducing standards on methane emissions for oil and gas facilities, and regulations to ensure clean water. Professor Katzen, can you please discuss how agency regulatory actions would benefit from greater transparency and more equitable and meaningful public participation?

Ms. KATZEN. Thank you for the question. President Biden on day one made it clear that he wanted everyone at the table, not just some select few who had dollars in their pockets, and that it was

important to be able to open the process to what I call the regulatory beneficiaries, those who are expected to benefit from the regulations. We have had a fabulous system of notice and comment for rulemaking, but it has been disproportionately those who are going to be burdened by the regulation, the proposed regulation, rather than those who might benefit. They have not been at the table, and, therefore, it is sometimes conceivable and, in fact, has occurred, that a regulation may be issued to meet a particular problem which does not really solve the problem that the people want solved because they have not been heard. They have not been welcomed in the process.

And the most recent modernization of the most recent Executive Order 14094—or missing a number—specifies that agencies are to do their best to bring the marginalized communities, the regulatory beneficiaries to the table, and that OIRA is to do its best to make sure that their voices are heard in the process.

Mr. LYNCH. Thank you. Mr. Chairman, thank you for your courtesy, and I yield back.

Chairman COMER. The Chair now recognizes Mr. Higgins from Louisiana for 5 minutes.

Mr. HIGGINS. Thank you, Mr. Chairman. One of the pleasant aspects of this Committee is that I frequently have the opportunity to speak after my friend, Mr. Lynch, and he is my friend. America may be surprised to hear that. He referred to Republicans. It was interesting. He stated the Republicans support a corporate-driven regulatory agenda. May I say to my good friend across the aisle that Republicans support an American-family driven reduction of Federal regulatory oppression agenda. Republicans support the reduction of massive accumulation of Federal debt agenda. Republicans support the logical conclusion that the reduction of the size and scope of the Federal Government will reduce the oppressive power and expense of the Federal Government. Republicans support states' rights.

If I was in charge, I would bring regulatory powers of the Federal Government back 50 years. I will be 62 in a month, and I recall I am old enough to recall as a young man when the Federal Government was not in everyone's way, and it is an American family issue.

If a farmer owns a one—square-mile farm, it is very common the way plots were laid out long ago. DOL police showed up last year to enforce a bathroom facility regulation. He had 15 employees, all men on a farm. He had two bathrooms, one in the mechanic shop, the farm building, the farm maintenance building, and the other in a trailer where some of the employees, laborers, lived during harvest season. The DOL police showed up, told them according to the law they had to have a bathroom facility within 1 quarter mile distance for everybody. The farmer said I would have to have 12 toilets out here. It is insane. The DOL agent gave him a citation, a fine.

American families are quiet about things like this. You know why? You know why they do not want to complain? Because they do not want the IRS coming after them. They do not want the EPA coming after them. They recognize that the Federal Government's regulatory authority has most certainly been weaponized.

I had 10 farmers who suffered this in a wave of regulatory oppression. EPA fuel police showed up with yellow strips to check the saddlebag tanks of diesel trucks to see if there was any trace of red dye farm fuel in those tanks. If you know anything about farm operations, you know that fuel is carried in five-gallon cans where it is needed, whether it is farm fuel or standard diesel fuel. They cannot get mixed, minute amounts. Nobody wants red dyed farm fuel in their diesel trucks, but it can end up in small amounts in a tank, and the strips are sensitive enough to test that. Those farmers were fined \$10 grand a piece and would not allow me to fight on their behalf because they did not want the IRS after them. The list goes on and on and on.

In the first 2 years of the Biden Administration, regulations issued, of course, the economy a staggering \$309 billion. That is \$309,000 million that is primarily absorbed by American families and small businesses because they do not have the attorneys and the staff power to deal with the regulatory expense. That number I just cited is a 50-percent increase compared to the first 2 years under the Obama Administration and eight times more expensive than the rules released in all 4 years under President Trump.

Mr. Campau, President Trump issued Executive Order 13771 known for its, "one-in/two-out" approach to regulations. Was this approach successful in encouraging the economic prosperity in America?

Mr. CAMPAU. Thank you, Congressman. I believe it was. We built on the experience that we had seen in U.S. states and around the world. They have a regulatory budget in place in Canada for a long time and United Kingdom. Other places around the world have used them, thought they make a lot of sense. It does not mean you do not have any regulation. It means that you just approach regulations in a more thoughtful manner, and that is what we endeavor to do, and I think it worked.

Mr. HIGGINS. I do not think I could follow up that answer with a more logical statement. Mr. Chairman, my time has expired, and I yield.

Chairman COMER. Thank you. The Chair now recognize Ms. Norton from the District of Columbia for 5 minutes.

Ms. NORTON. Thank you, Mr. Chairman. This hearing is obviously intended to paint regulations as bad and attack Federal rule-making, but we should remember that the purpose of the regulatory process is to ensure that the Federal Government is accessible and accountable to the public. Every rule in the Federal Register is finalized after a thorough and intensive public comment period, and public comments are crucial because who better understands the impact of proposed regulations than the people who will be affected by them? Many of these regulations are extremely technical. The public comment period also allows subject matter experts to weigh in and help the Federal Government create the most effective and least burdensome regulations possible.

Ms. Katzen, how do OIRA and Federal agencies take public comments into account before a proposed rule is finalized?

Ms. KATZEN. Thank you, Ms. Norton, for the question. The APA requires notice and comment, and the courts have been diligent in requiring that the agencies address those comments and the reason

and basis for the rule that is finally promulgated. And so, when the agencies receive the comments, they have to read them. They have to respond to significant comments. There is a whole casebook that I teach on the obligations of the agency to be responsive. And when OIRA is reviewing a final rule, they will often inquire as to how the agency has evaluated the comments that have come in because that public participation is critical.

Ms. NORTON. Ms. Katzen, that is interesting. I wonder if you can give us an example of when an agency significantly changed its final rule because public comments revealed unexpected impacts or burdens on people?

Ms. KATZEN. There have been many, many occasions when that has occurred. It is a proposed rule, and it means that the agency is trying to figure out how best to handle this subject. And when it receives the information, it can twist or tweak certain parts of its proposal to make it stronger or make it weaker as the case may be.

There is a limit to how much it can change without giving additional notice. If it wants to change dramatically the rule, then the logical outgrowth rule of administrative law requires that they go back for additional comments. But I have seen any number of cases where the agency will say, oh, we were unaware of that, or that is useful information, and will change various aspects of their proposed rule.

Ms. NORTON. For years, Republicans in Congress have tried to pass legislation to take the regulatory review process away from the executive branch and put it squarely in the hands of Congress. The Republicans REINS Act, which would do just that is slated for debate on the floor this week. Ms. Katzen, the public commentary process has long been a pillar of Federal rulemaking. How would the REINS Act or similar legislation effect that process?

Ms. KATZEN. The REINS Act leaves the matter solely in Congress' hands. Either House of Congress can refuse to act, and then all the work that has been done, all of the information that has come in, all the analysis that has been undertaken is gone. It is just what the Members of Congress decide they want to pursue. And so, the public participation is eliminated, in reality, and replaced by an up or down, or what may be a non-vote.

Ms. NORTON. Well, Ms. Katzen, you have written that the REINS Act originates from the faulty assumption that agencies are not given sufficient scrutiny. Do you think Federal agencies need additional constraints or checks? Why or why not?

Ms. KATZEN. Well, I think, Congresswoman Norton, that there are many tools available to Congress for oversight, for hearings, for inquiries, and that there is not an additional need for additional legislation. And one always has to be concerned about the unintended consequences of actions that may be taken. And in this area, in particular, I think Congress has the power of the purse, the Senate has a voice in the appointment of officials at the agency, and there is always a vast oversight and opportunities for hearings by which the Congress can make its voice known formally. And then there are informal channels as well, so that I think the REINS Act would be wholly unnecessary and very disruptive.

Ms. NORTON. Thank you very much. Mr. Chairman, I yield back.

Chairman COMER. Thank you. The lady's time has expired. I will recognize myself for 5 minutes of questions, but I must add Ms. Katzen's description of the REINS Act, what a noble concept, putting the power of regulation in the hands of Congress.

Mr. Campau, you wrote a report last September titled, "Regulatory Budgeting in the U.S. Federal Government," where you describe how President Trump's Executive Order 13771 achieved a net regulatory cost savings of over \$198 billion over 4 years. Can you explain how this was possible?

Mr. CAMPAU. Thank you, Mr. Chairman. Well, I think it was certainly a very collaborative effort across the entire government, across the professional career civil service ranks and the political ranks, to work together to find opportunities for improvements. I think one sort of misconception about deregulation is that sometimes there is an idea that, oh, you are just, you know, slashing and burning. But really, I noted it a little bit earlier, but a lot of the regulatory reforms were just that, reforms. We call them regulatory reform task forces. They were reforms that made improvements to programs that generated savings while still protecting health and safety and other important concerns.

So the architecture was that, basically, when a new dollar of regulatory cost was going to proceed, we wanted to find a way to offset it if we could. Part of the way we did that was to direct agencies to build on the retrospective analysis program that the Obama Administration put in place. We said, let us take that and let us implement it even further.

Chairman COMER. Very good.

Mr. CAMPAU. Yes.

Chairman COMER. Very good. Mr. Mulligan, my understanding is that President Trump reduced regulatory costs almost as fast as President Obama and Biden added them. Can you elaborate how that was accomplished?

Mr. MULLIGAN. You know, I was there for part of the time, and I wonder because we had these different things going on at the same time. You had the regulatory budget. You also had Mr. Pai at the FCC. He was not part of the regulatory budget, but he still deregulated, so. And then you had other leaders, like Scott Gottlieb, who somehow had just a personal touch where he was able to expedite the work at FDA and make it go faster. So, I think it is worth understanding how it was done, and we can see the results.

Chairman COMER. Absolutely. My Democrat colleagues are complaining about efforts by Republicans to change the regulatory environment with respect to airline pilot shortages, or with respect to heavy truck emissions when we have a supply chain crisis, or Dodd-Frank bank regulations reform because we have fewer banks, higher fees, and we have created a situation because of Dodd-Frank of banks that are too big to fail. So, Mr. White, I am concerned that some of the biggest new Biden regulations fly in the face of the Supreme Court's decision last year in *West Virginia v. EPA*. This is an important issue in my district, a big coal district. Do you share that concern?

Mr. WHITE. I do, Congressman. The recent decisions out of the Supreme Court, including the ones regarding the major questions doctrine, they are not silver bullets. They are not panaceas. They

are not going to stop every agency in its tracks on every rule-making, but these decisions are important for the most significant transformative agency actions. And we live in a time, in a moment where agencies have a lot of significant transformative actions they want to undertake.

Chairman COMER. So, if the Biden Administration continues to resist compliance with the court's ruling, what could the consequences be?

Mr. WHITE. Well, that is a hard question to answer because there is outright defiance of court orders, which I do not expect. But what I do think you could see is a lot of soft resistance to Supreme Court decisions and lower court decisions, which is much harder for courts to monitor on a case-by-case basis. It makes congressional oversight, congressional Congress' legislative and appropriations powers, though, more important.

Chairman COMER. You know, I have to clarify something for the record. Many of my Democratic colleagues have made statements that say Republicans do not support regulations. We support commonsense regulations. We always need to examine, and evaluate, and seek input on burdensome and costly regulations, and I think that is what we have with this Biden Administration. There is no input from the private sector. You have unelected bureaucrats that continue to make enormous regulatory decisions that have a huge impact not just on private industry, but on consumers. And we have a huge inflation crisis in America right now, and we believe that many of the burdens and regulations by the Biden Administration, particularly in the energy industry, have led to an inflationary environment that is having a devastating impact on consumers.

Before I yield to the next questioner, I ask unanimous consent to submit these documents and statements into the record: "The Burden is Back," by Casey Mulligan; "Regulatory Budgeting in the U.S. Federal Government," by Anthony Campau. I cannot pronounce that word.

Mr. CAMPAU. It is "Campau," sir.

Chairman COMER. Campau. All right, Campau. I mispronounce everything. I apologize for that. These Members are used to that.

Statement for the record by the National Association of Manufacturers, statement for the record by the American Chemistry Council.

Without objection, so ordered.

Chairman COMER. The Chair now recognizes Mr. Casar for 5 minutes.

Mr. CASAR. Here we are again, another hearing that seems to primarily be about how great Donald Trump was as he campaigns for President, but Donald Trump was great because he hated regulations. He wanted to get the CFPB's consumer protections. He did not like the EPA's clean water guarantees. Why not hack up the ATF and their gun safety rules?

Well, another example I would like to bring up is his scoring for national security regulations. The most recent that I want to talk about is an executive order from 2009, a regulation that states, "An official or employee leaving agency service may not remove classified information from the agency's control," and as we saw yester-

day, our own DOJ believes that Trump did just that. And for the first time in history, a former President of the United States was indicted on Federal criminal charges, 37 of them.

This is a serious and sobering moment, but it is important for us to remember and recognize that after pressuring local elected officials to change election results and overthrow democracy in the White House for the first time in American history. And then after that did not work, and summoning his supporters to overthrow the government on January 6, Trump left the White House with some of our most sensitive national security secrets, including information, according to the indictment, on things like nuclear weapons. The indictment says that Trump kept these documents in ballrooms and in bathrooms that tens of thousands of guests could have accessed. Any one of these people could have stolen this information that was classified for the United States. He even allegedly showed those classified documents to his visitors, actively putting our national security secrets at risk. The indictment says that when the FBI subpoenaed these documents to get them back to safety, Trump hid 64 boxes of them and then lied to law enforcement, saying it had all been returned.

Such actions violate both Federal laws and Federal regulations, and these rules, like so many of them my Democratic colleagues have discussed today, are to protect the national interest, to protect consumers, to protect workers, to protect kids in our schools, to protect our clean water and our clean air. We need to advocate and continue to advocate for the Federal Government to be able to advance commonsense regulations, and we should stop having such open scorn toward regulations as a whole and instead talk about what the right sets of rules should be.

Ms. Katzen, do you agree that it is important to have Federal regulations to protect things like our national security secrets, our clean air, and safety for workers and consumers?

Ms. KATZEN. Yes, I do believe that regulations are beneficial. I think one of your colleagues across the aisle suggested that I was in favor of all regulations, all places all times, unlimited. That is not the case. I too, am interested in sensible regulations in regulations where the benefits justify the costs, and where good, common sense plays a role.

Mr. CASAR. Well, thank you for that, and I look forward to more good common sense in the conversations that we have here today. I yield back. Thank you.

Mr. BURLISON.

[Presiding.] Thank you. The Chair now recognizes Mrs. Boebert from Colorado for 5 minutes.

Mrs. BOEBERT. Thank you, Mr. Chairman. Ms. Katzen, should bureaucrats implement rules and regulations that are not delegated by Congress?

Ms. KATZEN. It is not the bureaucrats that do it. It would be an agency.

Mrs. BOEBERT. The bureaucrats working in the agency, should they be in charge of enforcing rules and regulations not delegated to them by Congress?

Ms. KATZEN. No, and that does not occur.

Mrs. BOEBERT. No? Well, Ms. Katzen, you stated while some elected officials accuse the agencies of running amok, no agency is a free agent, and they can only do which Congress has delegated them.

Ms. KATZEN. Correct.

Mrs. BOEBERT. I agree with that. However, we see in agencies all the time rules and regulations that are enforced on the American people that were not delegated to them by Congress. For instance, just in the last 5 years, the Bureau of Alcohol, Tobacco, and Firearms has changed its longstanding positions on firearm products three times through administrative fiat. Would you agree with that process in the ATF?

Ms. KATZEN. I have no quarrel with what the ATF has done because in each instance, it has—

Mrs. BOEBERT. But you said here that they can only do which Congress has delegated to them. So now these changes have resulted in products that were previously classified as lawful by the ATF, and now they are being considered illegal or regulated under the National Firearms Act. And more recently, we have seen with the ATF's rule to categorize pistol braces on these stabilizing braces as heavily regulated, short-barreled rifles, essentially making gun owners nearly obtaining maybe 40 million firearms with stabilizing braces, criminals overnight, felons even. And so, Ms. Katzen, would you say that this is an abuse of that separation of power because that rule is not something that Congress has delegated, but the ATF has taken it upon itself to regulate this rule that they created to make millions of Americans fight felons.

Ms. KATZEN. With respect, I was trying to answer your question before you interrupted me to say that the ATF had, in each of these instances, sufficient statutory authority from Congress, and that any challenges to them—

Mrs. BOEBERT. Ms. Katzen, it is my time. So, Congress never authorized the ATF to ban pistol braces. Congress never authorized ATF to do that to make millions of Americans felons overnight. And so, I would go back to your statement that you said in your testimony, that these agencies are not free agencies, and they can only do which Congress has delegated to them to do.

Ms. KATZEN. Congress is not—

Mrs. BOEBERT. Ms. Katzen—

Ms. KATZEN. Excuse me. You—

Mrs. BOEBERT. Thank you. My time. No, ma'am, it is my time. Thank you.

Ms. KATZEN. Oh, I am sorry. So, you are not interested in my views.

Mrs. BOEBERT. Ms. Katzen, it is my time. Thank you. In your testimony, you stated—

Ms. KATZEN. I am sorry. You are not interested in my views.

Mrs. BOEBERT [continuing]. Congress delegates, but then some officials are quick to condemn the agencies for doing what they are told to do, carrying out the law. Well, last year, the Biden Administration's EPA and the Army Corps of Engineers attempted to regulate wetlands and ditches under the Clean Water Act. That is clearly not the intent of the Clean Water Act. The intent of the Clean Water Act was to manage major Federal navigable waters,

so now this rule was recently upended by the Supreme Court's recent decision. Now, would you agree that the Biden Administration has a pattern of purposefully misinterpreting the law in order to carry out their political agenda?

Ms. KATZEN. No, ma'am. I think, in fact, that the law keeps changing, and the Supreme Court had a very hard time trying to figure out—

Mrs. BOEBERT. Well, I have not seen that law change during Congress. So, this was the intent of the Clean Water Act, and I have not seen that change. So, I would say that this is another example of the Biden Administration and the EPA misinterpreting the law to carry out their own political agenda.

Now, Ms. Katzen, when discussing regulations made by the Biden Administration, in your testimony, you also state are these regulations detrimental to our well-being. Hardly. Are they tying us up in red tape? Certainly not. Well, going back to WOTUS and the Sackett family who this Clean Water Act decision impacted, the family was threatened with fines of \$10,000 per day, had their property misclassified as a wetland, and were prevented from building their family home. It may not be a \$2.5 million home like yours, but that sounds like a lot of red tape to me. Do you disagree?

Ms. KATZEN. Excuse me. I really take that as a personal assault. My home—

Mrs. BOEBERT. Do you disagree that this was an overreach?

Ms. KATZEN. I disagree. You are casting aspersions on me or my—

Mrs. BOEBERT. Ms. Katzen, my time has expired. Mr. Chairman, I yield. Thank you.

Mr. BURLISON. The gentlelady's time has expired.

Mr. RASKIN. Mr. Chairman, could we just ask all of our good members to respect the civility and decorum and the integrity of the witnesses who have come forward at their own expense to testify before us today? An insult is not a substitute for an argument. I yield back.

Mr. BURLISON. The Chair would advise the members to adhere to the House standard of decorum and proceed in order.

Ms. Crockett of Texas is recognized for 5 minutes.

Ms. CROCKETT. This Committee runs my pressure up, and I do come prepared to Committee, and then there is always somebody from this side that does something ridiculous that throws me all the way off, so, oh Jesus. OK. So, this is where we are going to start, Ms. Katzen.

First of all, let me apologize because that was uncalled for. So let me do what she would never do, which is to be an adult in this room or in this Chamber, so let me start there. I am also going to start with some nonsense that she was trying to spew. And unlike Mrs. Boebert, I am legally trained, and I have passed a few bar exams, and I also legislated before I got here. So, I do want to start with correcting the record a little bit, and if you want to add to that, please do.

There was conversation about ATF because my colleagues love to talk about their guns, baby. And I am from Texas, so let me be clear. I also own firearms. Democrats own guns, too. Let me make

it clear, I own guns and I am licensed to carry. That is a regulation. Regulations are not necessarily bad. It did not stop me from being able to get a gun.

So, we were talking about, or you all were talking about the ATF, which I was not going there. I did not plan to go there, but you know what? I honestly wish the ATF would run amok because we know that, seemingly, the people that run this Chamber do not have the courage to come up with one of the things we have heard is commonsense regulations when it comes to guns, and to be clear, our Constitution, the Second Amendment anticipates people having common sense. Unfortunately, we have not done that, and unfortunately, it has cost us lives.

So, when you were testifying a little bit earlier, you talked about unintended consequences, and the fact that we are supposed to be able to anticipate that as lawmakers when we are writing laws. Unfortunately, not only have we ignored the unintended consequences, but we have got foreseeable consequences that are continually ignored, and that is why we are talking about regulation, at least on this side of the aisle. And our definition of "common sense" is one that does not keep us in the pockets of corporations but keeps us in the pockets of the people because what I am trying to do is save lives.

My job here is not to make sure that I am pushing the bottom line for some corporation, but it is to make sure that the people that put me into the seat, which were actual people, individuals, to make sure that I can save lives.

So, let us talk about my state because we always got good stuff coming out of Texas. Unfortunately, my state decided that it did not want to be a part of the overall national grid. Because my state did not want to deal with all of the "red tape," the cost of that was lives. So, we had this winter storm, and here it was, I was freshly being sworn into the Texas House. And I do not know what I am supposed to do because I started getting calls because there is this thing called climate change. Hello? Nobody is in the Chamber on the other side. The climate change is this real thing.

And so, in Texas, we had this terrible storm that took place, and even though we are an energy capital, not just in this country, but in the world, for clean and dirty energy, unfortunately, we could not keep our own lights on, and it was all because they wanted to avoid red tape. You know what the cost of that was? It was human lives, and I think that that is what is being lost. You know what happened in Palestine or East Palestine? The cost was human lives. Unfortunately, seemingly, some people do not want to consider human lives as an actual cost. The only cost that they ever talk about is dollars. Well, let me be clear: I am not here because of corporate dollars. I am here because of people.

And so, I am curious to know, and I usually run out of time. I am going to be clear. I always run out of time because they always give me too much to do, but because of the way that you were treated, I am going to allow you the courtesy of expounding upon what it was that you were talking about with these agencies, which is pretty much what I understood, which is they only did what they were delegated to do because if ATF could do more, I am sure that we would actually get rid of the assault rifles that are constantly

killing our babies every single day in this country. But go ahead, Ms. Katzen, with the last 20 seconds.

Ms. KATZEN. Well, I appreciate your comments, and I thank you for them. And I do not disagree with anything that you said about the situation in Texas where they declined to be part of the national pool and then suffered the consequences, which were real.

And what I was trying to say earlier was that what the ATF has been doing is consistent with the authority that they had been granted by Congress. And to the extent they exceeded that authority in any way—this is the most litigious country in the world—someone will take into court. And if they really did the wrong thing, if they did not stay within the constraints, the courts will so determine. I have complete confidence in that, but thank you again for your comments, ma'am.

Ms. CROCKETT. Thank you so much. And with that, I yield.

Mr. BURLISON. The Chair recognizes himself for 5 minutes. It was said earlier today, Mr. Campau, that the board of this group of witnesses are not diverse enough. I wanted to know if you would like to make a comment to that?

Mr. CAMPAU. Oh, well, thank you, Mr. Chair. I guess I just note that the question was about whether we are from different backgrounds and different experiences. I was born into very humble circumstances and lived in government housing as a child, and grew up stirring my powdered milk into water and eating. You know, those early times were challenging, but my mother worked two shifts on the road crew building roads for us, and my father was helping to build a small business to get us out of those circumstances, out to a little home in the country.

And so, you know, my childhood was wonderful. But, you know, we certainly started off in very humble circumstances, and I watched my parents, who did not have college degrees, work very hard to get us out. So, that was my background if the comment is about background and experience, and my grandmother is from Mexico, and I guess maybe does not look like it if I am sitting here in a suit in front of you today. But I am honored to be here. Thank you for having me, and it is a pleasure to be a part of this conversation.

Mr. BURLISON. Thank you. It is an honor that you are here. Thank you. It was said earlier in a question that the Republicans or Transportation is trying to change the 1,500-hour rule. Ironically, the Transportation Committee was actually passing the FAA authorization bill across the hall that had no references whatsoever to the 1,500-hour rule. However, it did have a reference to the age that we force pilots to retire in commercial airlines from 65 to 67, and so I think that may be where the confusion is. But to touch on that subject, Professor Mulligan, what is the implication, or how does it impact the economics of the airline industry or the cost to the consumers and really to the individual when this body arbitrarily picks a date, like, but you know, the forced age of 65 for retirement?

Mr. MULLIGAN. One of the problems with regulation is it does not adapt well to changes, and, you know, companies have to adapt to change. Otherwise, another company, you know, beats them out. They lose customers, *et cetera*. And adapting, we have had a lot of

changes in the last couple of years in personnel areas, and it has been tough on airlines in many industries.

Mr. BURLISON. And so, the costs are then borne upon the consumer, right? And the individual who potentially could have saved more money, waited to retire at a later age, build more wealth, that those options are not available.

Mr. MULLIGAN. That is right.

Mr. BURLISON. And I think this may be a question for Mr. White. Are you familiar with the anti-delegation doctrine?

Mr. WHITE. Yes, I am.

Mr. BURLISON. OK. Maybe this is an opportunity to nerd out about this topic, but you know, the Constitution is very clear in Article I, Section 1. It says, "All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of the Senate and House of Representatives." What is the authority that Congress has to actually violate the constitution and give up that authority to the executive branch?

Mr. WHITE. I spent a semester on this. So, I will just say very briefly, from the very beginning of our Federal Government, the Supreme Court and the rest of government recognized that Congress would sometimes need to give some discretion to the departments. But giving away too much discretion to the executive risks the effect of basically transferring the legislative power itself out to agencies.

So, from the early 1800's onwards, the Supreme Court and others have grappled with this. Sometimes it has informed the way that Congress read statutes. Sometimes it has spurred the Supreme Court to declare statutes unconstitutional because they were so open-ended that they in effect gave Congress's legislative responsibility to another branch of government.

Mr. BURLISON. Are there any court cases going through today that would touch on this topic?

Mr. WHITE. Well, yes, there are coming up to the lower courts. The case I alluded to earlier in the Supreme Court regarding the CFPB's funding structure is, in many ways, a delegation case. Congress, in effect, delegated its power of the purse out to the CFPB, but cases like *West Virginia v. EPA* and others involving how we interpret statutes, they are very much infused with these similar non-delegation principles.

Mr. BURLISON. Thank you. My time has expired. The Chair now recognizes Ms. Stansbury from New Mexico for 5 minutes.

Ms. STANSBURY. Thank you, Mr. Chairman. I want to start by saying in the words of Taylor Swift, this is going to be a cruel summer if this is going to be our song, having hearings like this on a "Death by a Thousand Cuts," talking about deregulating the very programs that protect our families and communities. But seriously, do not blame me. I have to say that I knew this was trouble when I walked in, but we know this game all too well.

Our friends across the aisle call for deregulation of companies and deregulation of fundamental public health, safety, environmental rules, but yet they want to regulate our bodies, they want to regulate who we love, they want to regulate the kind of books we can read, and they want to regulate the identities of our children and their lives. Obviously, this is nothing new.

But let us talk about the dangers of deregulation if we want to talk about deregulation today. Let us talk about the Trump decision to deregulate banks, which helped to contribute to the recent failure of multiple banks. Let us talk about the deregulation of the transportation sector that led to the disaster and train derailment in East Palestine. Let us talk about the deregulation being pushed right here in this body this week over gun stabilizing braces on the very anniversary of the deadly shooting at the Pulse Nightclub in Florida. And let us talk about the failure of this body to regulate the safe use of firearms that has led to countless, countless shootings, and our communities and kids fearing for their lives. And let us talk about the deregulation of the oil and gas sector that happened during the Bush Administration that led to the largest oil spill ever in the history of the world in the Deepwater Horizon spill in the Gulf. Long story short, this kind of deregulation is not only dangerous, it is treacherous, and it costs, as my colleague said, human lives, threatening the health and safety of our communities.

Ms. Katzen, we have been here a long time this morning and you have shared a lot about your views, but I feel like much of this conversation has been muddled by the comments that we have heard from our colleagues. So, I want to give you—we are end of this hearing—really the final word to help explain to the American people why do we have regulations, why are they essential to protect the health and safety of our communities, as well as our democracy and the functioning of our institutions. And can you please explain the rigor with which, as a former OMB-er, that these regulations are drafted, reviewed, and put into place?

Ms. KATZEN. Thank you very much for that question. First, there is the misnomer. Regulations is not one thing. There are lots and lots of different kinds. We just passed Tax Day. If Tax Day is on April 15th, falls on a Saturday, you are not going to file your taxes until the following Monday. That is done by extending the time. That is done by regulation. Who can complain about that, or if there is an America's Cup race on the West Coast and you want to protect the little boats that are racing from the big ships that are coming in, you set a course. You do that by regulations. No one can complain about that. Those are kinds of things in our lives that are straightforward, that are honest, that lead us to lead an orderly life.

Now, there are some big-ticket items, and these are the things that people get very agitated about, but on the big-ticket items what happens is a very long process. It can take a year, but more likely 2, 3, or 4 years for the staff to develop the science, the technology, to put out a notice of proposed rulemaking that invites comments from those who will benefit by the rule and those who will be burdened by it. Those comments are reviewed carefully, thoughtfully, and they are reportedly determined to see whether this makes sense. And then the rule will be going through OIRA review, which also looks at the economics. Is this going to have more benefits than costs?

Ms. STANSBURY. Thank you, Ms. Katzen. We are running short on time, but I think it is essential to punctuate this final point. And as somebody who worked at OMB, perhaps one of the only members sitting up here on the dais who has actually worked on

regulations and understands the process, they go through extensive review. They include public review. They include a process that looks at the economic impacts. And those who are regulated are not untouchable, and, in fact, if we do not have commonsense regulations, this is why we cannot have nice things. And with that, I yield back.

Mr. BURLISON. Your time has expired. The Chair now recognizes Mr. Burchett from Tennessee for 5 minutes.

Mr. BURCHETT. Thank you, Mr. Chairman. I would note for the record you are wearing something from the Jim Jordan collection today.

Mr. White, do you think Congress has ceded too much of its decision-making power to executive agencies?

Mr. WHITE. Yes, I do. And if I may add, Presidents love to say, if Congress will not act, therefore, I will. I think the reverse is also true. It is because Presidents act so much that the Congress does not.

Mr. BURCHETT. OK. You mentioned in your testimony that the administrative agencies are imposing regulations through increasingly unaccountable and unsteady methods. Could you provide examples of that trend?

Mr. WHITE. Well, a couple of examples that I offer in my written testimony center around the Federal Trade Commission, where for the last couple of years, it has systematically pulled down guidance documents and other materials that gave a measure of legal certainty to the processes around mergers and acquisitions and consumer protection, and they have replaced it with legal uncertainty.

Mr. BURCHETT. Do you think those methods have eroded public trust in our government?

Mr. WHITE. Oh, I absolutely do. I think that people now have come to understand that the administrative process is both everything and nothing. It is everything in that it seems to touch on every subject under the sun, and it is all or nothing. But it is also nothing in that people just assume, well, the next Administration will change everything anyway.

Mr. BURCHETT. Thank you. Professor Mulligan, I was going to say I will take a mulligan, but I am sure you have heard that your whole dadgum life, so I will not even say that.

The regulatory burdens imposed by the Biden Administration forced businesses to spend apparently more than 218 million hours on paperwork, or 24,000 years. I am not sure who did the math, but I will stand by that. How might this affect a business' productivity?

Mr. MULLIGAN. Well, there are two types of regulations that you mentioned. Basically, they take more resources to do what they used to do, and that is definitely a hit to productivity. Other regulations are more redistributive, that they take money from the smaller businesses and kind of give it to the bigger businesses, and that more affects capital investment and things like that rather than productivity per se.

Mr. BURCHETT. Do you think that consumers are affected negatively by overregulation?

Mr. MULLIGAN. Definitely. And in my testimony, particularly in Figure 2, was a dramatic one that a lot of us noticed. FCC regula-

tion was really preventing more economical internet plans from coming in the market and people were overpaying.

Mr. BURCHETT. OK. This Administration apparently has increased the number of regulations since 2021, and it has cost the taxpayers, according to my notes, \$318 billion with a “B.” How do these regulations, how do they get down to the American household? Maybe some specifics if you had. Sorry to put you on the spot, but—

Mr. MULLIGAN. Well, there are rising prices as with the internet, also making it difficult for new companies to come in in the medical area. In my testimony, I mentioned the Economic Report of the President, 2020. We had more analysis of how FDA made it difficult for even generic drugs to come in. That made drugs too expensive. Prescription drug prices people notice a lot. As soon as President Trump got that situation under control, we saw drug prices fall for the first time in 46 years. So those are examples.

It also works on wages. People who have less can even spend on these more expensive things because they are not as productive, as in the example you gave, because wages and productivity are closely linked together. A company cannot really pay a worker more than that worker can produce.

Mr. BURCHETT. And what was the cost to each household? Do you have an average on that?

Mr. MULLIGAN. Of the Biden regulations?

Mr. BURCHETT. Yes, sir.

Mr. MULLIGAN. Through the end of 2022—I have not gotten into this year’s, which are also quite interesting—I think it was \$9,600 on average per household.

Mr. BURCHETT. OK. And that is not included in inflation as well. Is that—

Mr. MULLIGAN. Some of it is reflected in inflation, much of it is not.

Mr. BURCHETT. Much of it is not?

Mr. MULLIGAN. Is not.

Mr. BURCHETT. All right. I believe that is about it, I believe. Mr. Chairman, I will relinquish my 30 seconds.

Mr. RASKIN. Will the gentleman yield?

Mr. BURCHETT. Sure. Why not? I will regret it, but go ahead, Mr. Raskin, because you know I love you, brother.

Mr. RASKIN. Well, I was just going to ask did you have nothing funny left to say.

Mr. BURCHETT. No, I am just tired. I have been running back and forth. Dadgum, I went to the Hill to give one of my incredible speeches that I understood Steven Spielberg was probably waiting in the wings to talk to me because Matthew McConaughey wanted to play me in the Tim Burchett story, but I am not going to. He cannot even walk the streets of Texas now. They said that he walks down Texas, and in Texas they go, are you Tim Burchett, and he says, no, I am Matthew McConaughey, and then he just lowers his head and walks away.

[Laughter.]

Mr. BURLISON. The gentleman’s time has expired. I now recognize Mr. Goldman of New York for 5 minutes.

Mr. GOLDMAN. Thank you very much, Mr. Chairman. I appreciate that the Majority is holding this hearing today, although I certainly wonder if they will ever learn the lessons from the devastating impact on the economy that Republican deregulation has had, including the 2008 financial crisis, the ensuing Great Recession, and the recent Silicon Valley Bank failure.

But it is a little surprising that this is the hearing we are having when the only thing that I hear my Republican friends talk about outside of this room is this so-called Biden bribery investigation. But then again, perhaps I should not be surprised because a hearing would require them to present credible evidence to support these debunked allegations against the President and when all they have is specious disinformation.

So let me take a minute to correct that disinformation. We have heard so much about this FBI 1023 Form and how it includes sensational allegations about a massive, alleged bribery scheme by President Biden, so I was really eager to read that document this week. Did the Majority actually find some actual evidence of wrongdoing by the President? Of course not, but it is even worse than that. This document that they will not stop talking about is shockingly just a 3-year-old secondhand, hearsay, uncorroborated, rehashing of Rudy Giuliani's bogus allegations that he got from corrupt Ukrainian officials.

Now, we all know that Former President Donald Trump was impeached because he tried to extort President Zelensky to announce an investigation into this Ukrainian company, Burisma, that would benefit Trump's political campaign. The theory goes that the then Vice President urged Ukraine to fire its prosecutor general because he was investigating Burisma, and the President wanted to help his son who was on the Burisma board. You know where Rudy Giuliani got this information from? That fired prosecutor general himself, the corrupt prosecutor general, and we know with absolute certainty now that the truth is exactly the opposite.

And to be very clear, then Vice President Biden executed official United States foreign policy, shared by the EU and the IMF, to urge Ukraine to fire the prosecutor general because he was not prosecuting corruption in Ukraine, and there was no Ukrainian investigation into Burisma. That was a British investigation, which collapsed because the corrupt Ukrainian prosecutor general refused to help with it.

But do not take my word for it since what I say is not evidence because I, like my Republican colleagues, obviously have no first-hand knowledge of what happened in Ukraine in 2016. Instead, we know this from people who do have that knowledge: numerous State Department officials and members of the intelligence community who are the country's foremost experts on Russia and Ukraine, like Masha Yovanovitch, a decorated Foreign Service official, who was the Ambassador to Ukraine from 2016 until she was unceremoniously and undeservedly fired by President Trump in the spring of 2019; and Bill Taylor, another former Ambassador to Ukraine who took over from Ambassador Yovanovitch; Fiona Hill, one of the country's foremost Russia experts; and George Kent, perhaps the State Department's foremost Ukraine expert who served as Deputy Chief of Mission to Ukraine from 2015 to 2018. He said

there was a broad-based consensus that the prosecutor general never prosecuted anyone known for having committed a crime and covered up crimes that were known to have been committed.

But you know who else also debunked these allegations? Mykola Zlochevsky, the head of Burisma himself, who supposedly has all these recordings. He stated in a political article in October 2020 that he had no business dealings or meetings with world leaders, and that no one from Burisma ever had any contact with Vice President Biden or people working for him during Hunter Biden's engagement. And you know how we also know? Because the Trump DOJ knew about these allegations, examined them, and declined to prosecute them because if they did prosecute them, Bill Barr would have had to appoint a Special Counsel to investigate then candidate for President, Joe Biden.

Chairman Comer has asked why is this Committee the only committee that is investigating him, and that is the right question. Why? Because everybody else who has looked at it has found these allegations to be completely bogus, so let us move on and do what the American people sent us here to do. I yield back.

Mr. BURLISON. Thank you. The Chair now recognizes Mr. Sessions for 5 minutes.

Mr. SESSIONS. Thank you very much, Chairman. I have come back. I was not in line to ask any questions, and I have listened to our Committee. By and large, we are giving our own diatribes about the things that we want instead of asking you questions. I am going to see if I can do this in 1 minute and then give you time.

The CFPB has issued new regulations that directly impact minority-owned businesses and women. The Program 1073 or 1070, when it was originally done in 2010, the plan had 16 different pages of the bill and about nine key characteristics that they wanted people to look at. That has now turned into 900 pages and 90 different things that must be considered before giving a loan to women and minority-owned businesses. And that means this is going to be so expensive and time consuming when you got to go through instead of a few of these questions, you got to go through a list of 90.

That is what Republicans are talking about in this hearing, regulation that has gone above not just unintended consequence, but will harm what they thoughtfully were trying to impact or make better. That is what we should be asking you. Where do rules' over regulation cause unintended or bad consequences that we really should be aiming our time at? Three minutes.

Mr. CAMPAU. Congressman, I think I am not familiar with that particular rule. But one of the things that we have heard around the world and our experience here in the Federal Government and in our states is that you mentioned paperwork. Paperwork is often one of the areas where the most sort of regulatory reform dollars, if you will, can be found. And so again, it is often not necessarily changing dramatically the underlying standard, but it is making the paperwork to comply a little bit more manageable.

And that is something that Administrations for a long time have sort of said they have cared about and have worked on, but it is something where, you know, I think there have been a lot of improvements, but I think there could be an awful lot more. But

around the world we found that paperwork reduction is a key way—

Mr. SESSIONS. So earlier, we got involved in this, people accusing us of being against regulations. That is wrong. You are reading that wrong. Overregulation, is that what you are in reference to, people can get so detailed in something that they miss the advantages of having a good regulatory system?

Mr. CAMPAU. Yes, that is right. And so instead of, for example, filling out the compliance form once a week, maybe you fill it out once every 2 weeks, or once a month, or once a quarter. And just something like that does not change the standard, but it reduces the number of hours, the number of dollars that you spend to fill it all out, all of that.

Mr. SESSION. Anyone else? Yes, ma'am.

Ms. KATZEN. Yes. Thank you for that question because there is a very delicate balance between asking too many questions and not enough. At the same time that we are worried about whether or not a student qualifies for student loans, or someone qualifies for welfare payments, or someone qualifies for veterans benefits, you have to get certain information, or there is a legitimate concern that we are squandering taxpayer money.

On the other hand, as you point out, if you make it too onerous to apply or too lengthy to review the materials that are submitted, then it defeats the purpose, so it is a question of judgment. And it is something on which I think there should be an ability to discuss and compromise on individual paperwork requirements rather than painting a broad brush and saying let us get rid of them all.

Mr. SESSIONS. And I agree, and I wish we had got more of this. One last point. And the problem is also when you go from 16 to 90 questions, what you are doing is putting the person, who is the customer who wants a loan, at risk in case they answer something wrong also. So, it goes deeper than just overregulation. It goes deeper to harm people.

I want to thank you for taking time to be here. This is a beating on your part, but I think that you do understand we could use some coaching on this as you write things and give us advice. So, thank you very much. Mr. Chairman, I yield back my time.

Mr. BURLISON. Thank you. The Chair now recognizes Ranking Member Raskin for closing remarks.

Mr. RASKIN. Well, thank you, Mr. Chairman, and as usual, I have found if you hang around long enough in these meetings, something good happens. And I think both sides have now professed our support for regulation today, and I think Mr. Sessions just reiterated that we all want good regulation, and both sides have registered our opposition to bad regulation.

The primary threat to American freedom today, I would argue, comes from those who want to control women's access to healthcare. So, I wish that we would deregulate women's access to healthcare and deregulate women's bodily movement across state lines as people try to impose a straitjacket on women's access to healthcare that was constitutionally protected not long ago. I did notice that after the Dobbs decision was handed down, many of our colleagues who used to talk a lot about abortion have gone completely mum about it. They used to say abortion was murder. They

used to say abortion was a Holocaust. They used to say we need a Federal ban, criminalizing abortion and people who participated in it all across the country.

Now, like the dog who caught the car, their Supreme Court, which is well packed at this point, has adopted their extremist view, and it leaves them speechless because the people of America completely reject it. And we saw that in Kansas where the people of Kansas rejected by more than 30 points an attempt to criminalize abortion in their state. We saw it in Wisconsin in a recent Supreme Court election, where the people overwhelmingly rejected their absolutist anti-choice agenda.

And so now, the cat has got their tongue. And they want us to believe that real safety rules, and auto safety rules, and air safety rules, and food and drug safety rules are a threat to freedom, but let us not look at what is really taking place across the country, which is this outrageous assault on the rights of women to obtain the healthcare they need. I believe that Virginia is the last state in the South where women can obtain access to complete reproductive services, including abortion, on the same terms that they had access to it under *Roe v. Wade*, so we should be having a hearing about that.

Another major threat to American freedom today comes from the imposition of random gun violence on the population all across America. We have rates of gun violence that are 20 times higher than that affecting the nations in the European Union. Here is a case where regulation would clearly advance not just public health and safety, but public freedom, too, because there is no freedom when people are afraid to go outside or to send their kids to school or to go to public events and concerts because of random gun violence running amok at rates not seen anywhere else in the advanced industrialized world.

Ninety percent of the American people favor a universal violent criminal background check on sales of firearms in the country. All we need to do is close the internet loophole, we just need to close the private gun show loophole, we just need to close the private sale loophole, and we will be able to save a lot of lives. We are still going to have a much higher rate of gun violence and gun death than the other countries I mentioned, but at least we will be able to save some lives that way.

I mean, we know that because a lot of the mass murderers cannot get an AR-15 until they turn 18, and then they turn 18, they go out and get it, and then they participate in a massacre. Well, it saved lives while those people were 17 or those people were 16. That was a regulation which clearly saved people's lives.

So, I agree with those colleagues on both sides of the aisle who say that regulation should not be used for anti-competitive purposes by big businesses against small businesses or others. I agree with that. Right now, there is a trend in the states where certain businesses want to control the use of the word "meat" or the use of the word "milk." They want to make it illegal for businesses to say that they have plant-based meat, or that they have oat milk or soy milk, or wheat milk. Well, what about leaving that to the free market and to the judgment of consumers? And yet, there is this major assault on the freedom of businesses to define their own

product and to form contractual relationships with their own consumers.

In closing, Mr. Chairman, I know that the House of Representatives and the Majority in the House is having a problem managing some internal conflict, and I feel if you live by insurrection and extortion, you suffer by insurrection and extortion. And now, the insurrectionists and legislative extortionists have their own internal insurrectionists and extortionists, and it is making it very difficult for the Majority to operate.

Well, even with all of these political problems in the House, they are trying to pass the REINS Act to unconstitutionally seize control of the entire regulatory process. And they want, basically, the Congress of the United States to pass upon every single regulation and rule in the country, on airline safety, rail safety, traffic safety, food and drug. In other words, they want to bring the entire process of protecting our people to a grinding halt, which we know exactly what would happen, as Ms. Katzen said. We are having a problem even passing a budget, and now we want to take over the entire rules-making process that has been developed over decades in order to enforce the legislative will.

This is a big country. We got 300 million people here. We have a lot going on in a modern industrialized economy and society, and nations all over the world depend on regulatory and administrative agencies to implement the will of the people as ratified by their legislature. So, this is how modern democratic society works, and to try to overthrow all of it with the REINS Act would basically make the rest of the government and the rest of the country operate the way the House of Representatives has been operating, where tiny legislative factions have been able to throw a monkey wrench into everything we are doing. And I do not think that is going to be a good future for America.

Thank you for your indulgence, Mr. Chairman. I yield back to you.

Mr. BURLISON. Thank you. I will now give closing remarks.

It has been nearly 2-and-a-half years since President Biden took office, and already we have experienced a massive regulatory blow-out, rarely, if ever, seen in our Nation's history. From proposed rules to eliminate gas stoves to regulating internal combustion engines of cars, eliminating them off the market entirely, every day seems like a new opportunity for the Biden Administration to change the way that you and I live our lives.

This was not always the case, and we know that from the economic success and regulatory freedom seen under the Trump Administration. Executive Order 13717 reined in Federal regulations and resulted in at least \$198 billion in net savings during President Trump's term in office. This is amazing when you think about how the Obama Administration imposed nearly \$900 billion of regulatory costs over just 8 years. The patterns we are seeing now are startling, and the Biden Administration appears to be going all-in on its regulatory agenda with no regard for the consequences to our economy or consumers. This House Majority, and more specifically this Committee, is committed to holding the Biden Administration accountable for their actions and overreach.

In closing, I want to say thank you to our panelists once again for your important and insightful testimony today. And with that—

Mr. RASKIN. Mr. Chairman, there is one final request, a unanimous consent request to submit an article for the record. And so, I would ask unanimous consent for this article from Politico, entitled, "Former Giuliani Associate Raises Questions About Hunter Biden's Hard Drive from Hell."

Mr. BURLISON. Without objection.

Mr. BURLISON. OK. I also have two documents—our memorandum from date May 10th and March 16th—that I will be entering into the record without objection.

So, moved.

Mr. BURLISON. And I would also like to urge Mr. Goldman and his colleagues to read our two bank records and these memorandums on the Biden family influence peddling and business schemes. These bank records do not lie.

And with that, without objection, all Members will have 5 legislative days within which to submit materials and submit additional written questions for the witnesses, which will be forwarded to the witnesses for their response.

Mr. BURLISON. If there is no further business, without objection, the Committee stands adjourned.

[Whereupon, at 1:35 p.m., the Committee was adjourned.]

