However, such conduct has regrettably occurred in Houston, and I urge you to take appropriate action to ensure that it does not recur.

I am here today in the name of freedom, patriotism, and democracy. I am here to demand that the long hard-fought right to vote continues to be protected

A long, bitter, and bloody struggle was fought for the Voting Rights Act of 1965 so that all Americans could enjoy the right to vote, regardless of race, ethnicity, or national origin. Americans died in that fight so that others could achieve what they had been forcefully deprived of for centuries—the ability to walk freely and without fear into the polling place and cast a voting ballot.

Efforts to keep minorities from fully exercising that franchise, however, continue. Indeed, in the past thirty years, we have witnessed a pattern of efforts to intimidate and harass minority voters including efforts that were deemed ''Ballot Security'' programs that include the mailing of threatening notices to African-American voters, the carrying of video cameras to monitor polls, the systematic challenging of minority voters at the polls on unlawful grounds, and the hiring of guards and off-duty police officers to intimidate and frighten voters at the polls.

My colleagues on the other side of the aisle have a particularly poor track record when it comes to documented acts of voter intimidation. In 1982, a Federal Court in New Jersey provided a consent order that forbids the Republican National Committee from undertaking any ballot security activities in a polling place or election district where race or ethnic composition is a factor in the decision to conduct such activities and where a purpose or significant effect is to deter qualified voters from voting. These reprehensible practices continue to plague our Nation's minority voters.

VOTING RIGHTS ACT HISTORY

August 6, 2011, marked the 46th anniversary of the Voting Rights Act

Most Americans take the right to vote for granted. We assume that we can register and vote if we are over 18 and are citizens. Most of us learned in school that discrimination based on race, creed or national origin has been barred by the Constitution since the end of the Civil War.

Before the 1965 Voting Rights Act, however, the right to vote did not exist in practice for most African Americans. And, until 1975, most American citizens who were not proficient in English faced significant obstacles to voting, because they could not understand the ballot.

Even though the Indian Citizenship Act gave Native Americans the right to vote in 1924, state law determined who could actually vote, which effectively excluded many Native Americans from political participation for decades.

Asian Americans and Asian immigrants also have suffered systematic exclusion from the political process and it has taken a series of reforms, including repeal of the Chinese Exclusion Act in 1943, and passage of amendments strengthening the Voting Rights Act three decades later, to fully extend the franchise to Asian Americans. It was with this history in mind that the Voting Rights Act of 1965 was designed to make the right to vote a reality for all Americans.

And the Voting Rights Act has made giant strides toward that goal. Without exaggeration, it has been one of the most effective civil rights laws passed by Congress.

In 1964, there were only approximately 300 African-Americans in public office, including just three in Congress. Few, if any, black elected officials were elected anywhere in the South. Today there are more than 9,100 black elected officials, including 43 members of Congress, the largest number ever. The act has opened the political process for many of the approximately 6,000 Latino public officials that have been elected and appointed nationwide, including 263 at the state or federal level, 27 of whom serve in Congress. And Native Americans, Asians and others who have historically encountered harsh barriers to full political participation also have benefited greatly.

We must not forget the importance of protecting this hard earned right.

VOTER ID

An election with integrity is one that is open to every eligible voter. Restrictive voter ID requirements degrade the integrity of our elections by systematically excluding large numbers of eligible Americans.

I do not argue with the notion that we must prevent individuals from voting who are not allowed to vote. Yet a hidden argument in this bill is that immigrants may ''infiltrate'' our voting system. Legal immigrants who have successfully navigated the citizenship maze are unlikely to draw the attention of the authorities by attempting to register incorrectly. Similarly, undocumented immigrants are even less likely to risk deportation just to influence an election.

If for no other reason than after a major disaster be it earthquakes, fires, floods or hurricanes, we must all understand how vulnerable our system is. Families fleeing the hurricanes and fires suffered loss of property that included lost documents. Compounding this was the devastation of the region, which virtually shut down civil services in the area. For example, New Orleans residents after Hurricane Katrina were scattered across 44 states. These uprooted citizens had difficulty registering and voting both with absentee ballots and at satellite voting stations. As a result, those elections took place fully 8 months after the disaster, and it required the efforts of nonprofits, such as the NAACP, to ensure that voters had the access they are constitutionally guaranteed.

We need to address the election fraud that we know occurring, such as voting machine integrity and poll volunteer training and competence. After every election that occurs in this country, we have solid documented evidence of voting inconsistencies and errors. In 2004, in New Mexico, malfunctioning machines mysteriously failed to properly register a presidential vote on more than 20,000 ballots. 1 million ballots nationwide were flawed by faulty voting equipment—roughly one for every 100 cast.

Those who face the most significant barriers are not only the poor, minorities, and rural populations. 1.5 million college students, whose addresses change often, and the elderly, will also have difficulty providing documentation.

In fact, newly married individuals face significant barriers to completing a change in surname. For instance, it can take 6–8 weeks to receive the marriage certificate in the mail, another two weeks (and a full day waiting in line) to get the new Social Security card, and finally three–four weeks to get the new driver's license. There is a significant possibility that this bill will also prohibit newlyweds from voting if they are married within three months of Election Day.

The right to vote is a critical and sacred constitutionally protected civil right. To challenge this is to erode our democracy, challenge justice, and mock our moral standing. I urge my colleagues to join me in dismissing this crippling legislation, and pursue effective solutions to the real problems of election fraud and error. We cannot let the rhetoric of an election year destroy a fundamental right upon which we have established liberty and freedom.

□ 1830

GOP FRESHMEN HOUR: THE IMPORTANCE OF SMALL BUSINESS IN AMERICA

The SPEAKER pro tempore (Mr. MARINO). Under the Speaker's announced policy of January 5, 2011, the gentlewoman from North Carolina (Mrs. ELLMERS) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mrs. ELLMERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and insert extraneous material on the topic of this Special Order.

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

There was no objection.

Mrs. ELLMERS. Mr. Speaker, I am here tonight with my colleagues to discuss the importance of small business in America.

Small businesses are our job creators in America, and we here in Congress must do everything that we can to help them to be doing exactly that in creating jobs in our country.

We're here to talk about these issues. We're here to talk about the burdens that are on small business that remain intact that we can help with. We must do everything we can because right now our small business hands are tied. They are telling us over and over again that regulations and the threat of taxation uncertainty continue to hold them back from creating jobs, innovating, and investing in their own companies.

With that, I yield to my colleague from Washington.

Ms. HERRERA BEUTLER. I thank the gentlelady for allowing me the time to join her here today to talk about what this government can and should be doing to help the private sector grow jobs. That's what we're about. We want to help small businesses grow jobs.

This is a statistic most of us are familiar with. Close to two-thirds of all new jobs come from small businesses. They are truly the backbone of our economy. So what if this government started by saying, What can we do to help you, not hurt you or impede your success?

And that's what this Congress is going to be doing this week as we consider the Regulatory Flexibility Act, H.R. 527. It's a bill that strengthens existing law. It simply says a Federal rule is killing jobs if a Federal agency is then required to find a rule that's less burdensome. It's pretty cut and dried. It's something we should be doing already, but we actually have to pass a bill to require it.

When the Federal agencies here in Washington, DC, issue one rule after another, small businesses pay the price and our economy loses jobs.

For instance, take Somarakis Vacuum Pumps in my neck of the woods in southwest Washington, a business manufacturer. When I visit this business, I see a thriving facility with people at work. They're assembling products that help our economy grow. But Somarakis Vacuum Pumps doesn't have a huge team of lawyers and business accountants to handle the regulatory details. They actually need regulatory specialists to navigate the maze of Federal rules. They don't have the money; but, you know, they just might need it.

I actually brought the reason why I think they might need that. Mr. Speaker, this is pretty heavy. This is actually the list of Federal rules and regulations just for half of November. This doesn't even represent the entire month. These books I have right here represent about 2 weeks' worth of Federal regulations and rules that Somarakis Vacuum Pumps has to navigate.

Let me show you, if I may, just the rules from the last 3 days—Monday, Tuesday, and Wednesday—right here.

You know, part of the reason we're here today is to illustrate the need to make it simpler and easier for small businesses to navigate this Federal maze. I mean, this is ridiculous. This is Monday, this is Tuesday, and this is Wednesday. Three days' worth of rules that Somarakis Vacuum Pumps in southwest Washington is going to need help navigating.

It shouldn't be this way, Mr. Speaker, which is why this week we're working very hard, and we're going to pass a bill that says if these rules and burdens—it puts the proof and the burden back on the government. If these rules are too burdensome, the Federal Government needs to find a better way to put forward its regulations.

Another rule that's really important is working its way through the Environmental Protection Agency and the courts. It's called the Forest Roads Rule. It's also very impactful to southwest Washington. It's crippling in that it overturns 35 years of environmental policy and would require a Federal permit on every single forest road. In essence, you have to get the same Federal permit for a road through your privately owned forestland that you would have to get for factories and industrial sites. That's not necessary.

Let's consider the impacts on public land. According to the U.S. Forest Service, it would require that agency alone 10 years to obtain the 400,000 permits necessary for the roads on public lands. What would that do to Rick Dunning, who owns a small tree farm in Clark County, Washington? He's not the U.S. Forest Service. He doesn't have unlimited lawyers and resources. He has to do this on his own.

That's what we're here tonight to do is to make it easier on these small business owners to operate in our regions and grow our economy.

With that, I thank the gentlelady for the time to talk about my support for the Regulatory Flexibility Act and for what we're doing to help grow jobs in small businesses.

Mrs. ELLMERS. I will just echo my colleague's remarks by saying that, according to the NFIB, compliance with environmental regulations costs small businesses four times more than larger firms. Larger firms do have the ability and employees in place to deal with these issues. Our small businesses simply cannot afford to do business that way.

With that, I yield to my colleague from California.

Mr. DENHAM. Thank you for your leadership on this area.

I rise in support of H.R. 527. We can't afford any more of the overregulation. Regulatory burdens from new rules just this year alone have cost American taxpayers $93.2 billion. One study found that each $1 million increase in the Federal regulatory budget costs 420 jobs. Overregulation costs us jobs around the Nation.

Let me just speak from my own perspective.

Twelve years ago, I started Denham Plastics, something that my wife and I borrowed an incredible amount of money to start a vision that we had supporting the agriculture industry with a plastics company. It has been a tough road to hoe as a small business owner. It certainly comes at great risk to our family, but it was a vision that we had, that we believed, that without any government intervention we can succeed in not only creating new customers but new jobs.

But one regulation would have put us out of business—the government-run health care. Just the 1099 provision alone, by having to report all of our customers, by having to report all of our suppliers, would have put our small business under.

From an agriculture perspective—I'm a farmer in the central valley. The EPA came down with new dust control regulations.

Now, we farm. We drive tractors. We till our land, and we're going to have dust. I mean, just by the sheer motion of a tractor driving through a field or plowing through the dirt—it's something that we've done through the history of our Nation—creates dust. But are you going to put us out of business because of it?

We grow almonds. You can't spray the trees full of water before you shake the trees and harvest the almonds. You're going to have dust.

So I've been a coauthor of a bill that gets rid of this burdensome regulation, something that would shut down our agriculture industry, not only in the central valley of California but across the Nation. We're farmers. We are going to have dust.

Some of my fellow farmers and ranchers are also aware that EPA also wanted to expand its regulation of manure as a threat of greenhouse gas. I mean, some of these things are so ludicrous that they just cost us millions of jobs, and the threat alone causes farmers to say, Do we really want to be in this business? Do our kids really want to take over the family farm?

We've got to stop this overregulation because it does cost us jobs. We've got to stop eliminating jobs before we can actually go out and create more jobs. We have to have certainty in the marketplace. And whether you're a farmer or a small business owner, the regulations affect us in such a way that, as a small business owner, I couldn't go out there and hire a lobbyist to go through the 90,000 pages of new regulations this year alone.

□ 1840

We have to stop the regulations that are killing businesses throughout the Nation. H.R. 527 is one way to do that. We need flexibility. Most of all, we need certainty. We've got to be able to plan our businesses, not for a month, not for 2 months, not for 1 year. When you're in business, when you're out there borrowing capital, when you're putting your home into a second mortgage because you want to have the American Dream and create a business and want to go out and hire new people, you have to have some certainty. I can't go to my wife and say, Let's take a second out on our home, and maybe we might make it next year.

With regulations, we don't know what's going to happen. We need to be able to plan for 5 years, 10 years. We need to be able to plan on putting our kids through college. Before I go out and hire a new employee, I need to make a commitment to that employee that we're going to have ongoing employment, and I need to make a commitment to that employee's entire family, who depends on us for that new job.

So the regulations that are killing our businesses across the Nation have to end. We need flexibility. We need certainty as a business. We need it in order to create jobs in this great Nation.

Mrs. ELLMERS. I thank my colleague from California. Your perspective alone, as a small business owner and as a farmer, really gives us that strong idea of what we're really facing.

Many of us here in Washington now are and have been small business owners, and we understand the burdens that we are having to undertake and that the rest of America is dealing

with. In fact, Mr. Speaker, I'm going to just talk a little bit about some statistics and poll data.

According to a recent Gallup Poll, small business owners in the United States say complying with government regulations is the most important problem facing them today, followed by consumer confidence in the economy and a lack of consumer demand. Small business firms bear a regulatory cost of $10,585 per employee just to deal with the regulations, which is 36 percent higher, there again, than larger businesses. Small business is what drives our economy, yet it is what is continuously targeted, and we must act on it with the bill that we will pass tomorrow, H.R. 527.

I spoke a little bit about the excessive costs of dealing with environmental regulations. According to the Small Business Administration, regulations cost the American economy $1.7 trillion annually, which is an enormous cost. You can see by our unemployment rate why we continue in this. Until we are able to cut the excessive, overbearing regulations that are facing our businesses, we will not turn this economy around. That is why we must act now. That is why, of the many bills we have passed over to the Senate, we repeatedly ask for a vote so that we can get started. We could do this tomorrow if these bills were voted on.

One last bit of information before I introduce my next colleague.

Of the administration's new regulations—''new'' regulations—200 are expected to cost over $100 million each. Seven of those new regulations will cost the economy more than $1 billion each. We cannot continue on this path.

With that, I yield to my colleague from Illinois.

Mr. SCHILLING. I thank the gentlewoman from North Carolina for inviting me to participate today.

The best thing about having the opportunity to represent the residents of Illinois' 17th District is the ability to just listen to their concerns and then taking those concerns back here to Washington, D.C.

As I travel throughout the area, I listen, and I am also asked what worries me. I worry about unemployment and about the uncertainty facing our families in our district. I am worried that more is not being done to create an environment of certainty that promotes long-term growth in our jobs sector.

Government does not create jobs. We need to be clear about that. Government creates an environment for job creation by the private sector. Folks simply will not be put back to work if government continues villainizing our job creators and enacting policies that keep workers on the unemployment lines and drive us deeper into debt. As a small business owner myself, I understand how this hinders the ability to create jobs.

Back in August, I invited local business owners throughout our area to participate in a business roundtable where we discussed what government can do to empower the private sector, spur job creation, and grow our economy. These business owners are the people we are asking to lead us into economic recovery and to put Americans back to work.

I was pleased to see folks from all sorts of industries present eager and great ideas and thoughts on issues that basically are causing them to struggle in this economy. They shared with me that the high energy costs, rising taxes, mixed messages from Washington, D.C., and the uncertainty from the Illinois State government are stifling the creation of an environment of economic success.

Now, there are more than 27 million small businesses throughout the United States of America. They are the lifeblood of our Nation's economy. America's small businesses create 7 out of every 10 new jobs, and they employ over half the country's private-sector workforce. We ought to be making it easier for these folks to grow and hire new workers, not villainizing them or burdening them with a broken Tax Code, unnecessary mandates, high energy costs, and uncertainty. We need to tear down the roadblocks, get government out of the way and lay the groundwork for real private-sector job creation.

Phil Nelson, president of the Illinois Farm Bureau, recently testified before the Small Business Committee.

He said, ''What really keeps me lying awake at night is the potential for more regulatory creep. It's as if we go to bed one night with one set of regulations and wake up the next morning facing a new set. Every moment that we spend fighting and then working to comply with needless, duplicative regulations takes us away from what we do best—producing food.''

My colleagues and I in the House have been focused on jobs since day one—passing more than 20 jobs bills to give small businesses the certainty they need to grow, increasing the domestic production of oil and getting Americans back to work. Unfortunately, these bills remain stuck in the Senate, but we cannot do it alone. The President and the Senate Democrats must join us.

This week, we will be voting on H.R. 527, the Regulatory Flexibility Improvements Act. This is yet another pro-jobs bill, one that helps address the problem of burdensome, reckless regulations that burden businesses and stunt job growth. The Regulatory Flexibility Improvements Act provides urgently needed help to small businesses facing an onslaught of Federal regulations. When considering regulations, agencies frequently fail to consider alternative ways to achieve the regulatory goals without imposing unnecessary burdens on America's job creators. This bill increases the ability of small businesses to provide input to Federal agencies as they consider government regulations, and it gives the Small Business Administration new authority to ensure agencies comply with a law that requires flexibility in taking regulatory action against small business.

It takes President Obama's regulatory review Executive order one step further, giving the Small Business Administration the ability to ensure new regulations are in compliance with the law while verifying that small businesses will be able to comply without hurting their ability to create jobs.

Business owners need the certainty that government will get out of the way so that they can do what they do best, which is to grow their businesses and create jobs, and the American people need real bipartisan solutions to our jobs crisis.

Let's put politics and partisanship aside and help the private sector create the jobs that Americans throughout the country so desperately need. The time has come to empower small businesses and to reduce government barriers by helping our small businesses, by fixing the Tax Code to help our job creators, by boosting competitiveness for American manufacturers, by encouraging entrepreneurship and growth, by maximizing American energy production, by paying down America's unsustainable debt burden, and by starting to live within our means.

Mrs. ELLMERS. I thank my colleague from Illinois for that very important information.

Again, as a small business owner, this information is vital to the solutions that we're coming up with here in Washington. We're not just Members of Congress who don't have the experience out there, and we aren't just listening to the usual Washington bureaucrats.

□ 1850

We are actually small business owners who deal with these real-life experiences and understand what works and what doesn't, and this simply is not working.

Mr. Speaker, in my district, where the unemployment rate hovers at about 10.3 percent, I am hearing numerous stories highlighting how small businesses are ''hanging on by a thread,'' and I say that in quotes. ''Hanging on by a thread'' is what I hear. ''Over-regulation is killing us,'' is another quote I hear over and over and over again.

They feel that they are being punished by Washington. They, years ago, felt that their competitors were the ones that they were working against and trying to compete with for a better product. Now they feel that they are working against the Federal Government and the Federal Government is working against them. The Federal Government has become their enemy.

One of the local small businesses in my district is Kivett's Incorporated in Clinton, North Carolina, owned and operated by Mr. Jerol and Telia Kivett. They are wonderful people, and I met them when I was actually running for

office. Why? Because I needed to go in. They called for a meeting with me because they were so concerned with where our country was going and what was happening to their business.

They were not people who had been politically active, they were not people who had ever sat down with a Member of Congress or a want-to-be Member of Congress, but they felt trapped and continue to feel trapped by the government regulations and all of the uncertainty, including the President's health care bill, which they know will harm them greatly.

Kivett's Incorporated, is the largest family-owned and operated church pew manufacturer and pew refinisher in the United States. In addition, they build and refurbish other church furniture and fixtures, such as steeples and stained glass windows and provide a full range of services from delivery to installation.

This is a jewel in my district. So many are sending these jobs over to China, and yet the Kivetts have maintained their business. Their business was started by Jerol's father, I believe, back in the fifties. They have spent their lives and dedicated their lives to their business, and they are feeling that it is being pulled out from underneath them.

Mr. Kivett's company had 160 employees in 2005, and they are now down to 52—from 160 to 52. Their volume of business is down 60 percent. Their business has not made a profit in the last 3 years. That is significant. They have not increased the prices on their products either since 2005.

This has been due to the fear of losing more business, even though their costs, their costs for products, have escalated; but they have tried to maintain their business by keeping their prices at the same level. At one point they were averaging one church, church furniture for one church every day, and are now down to approximately two per week.

Mr. Speaker, how are they going to be able to keep their doors open and keep those 52 remaining employees working? Churches depend on charitable giving, and they are having a hard time finding a way to meet their operating budget, which leaves any kind of future planning completely out of the realm of possibility.

I spoke a moment ago about the health care law, the uncertainty it's creating for small businesses. Owners make it harder for us to determine—and this is coming straight from Mr. Kivett—it is making it harder for us to determine what our costs are at a time when we are struggling to meet the most basic cost of running our business.

As Mr. Kivett puts it, we are just trying to maintain and praying for the government to stop attempting to regulate small businesses and ''get out of the way.'' That is another quote I hear over and over and over again: ''Get out of the way.''

That's some of the gloom and doom that my business owners in my district are faced with. As you heard tonight from some of my colleagues, there is a light at the end of the tunnel. Mr. SCHILLING from Illinois showed you the card, the number of bills, again, that we have passed in the House with bipartisan support to create jobs.

We keep hearing how America wants jobs. We keep hearing about the 99. The 99 percent is sitting on the floor of the majority leader in the Senate, because if those bills were passed and sent to the President to be signed into law, we could have jobs created in this country. We need to decrease the unemployment rate.

We can talk about cutting spending all day long, and we are all about that, but until we get people back to work, we're not going to turn this economy around. Again, there is a light at the end of the tunnel, and you have heard us speak tonight about H.R. 527, which we will be voting on tomorrow.

We simply cannot continue the one-size-fits-all regulations produced by this administration which hinder our small businesses. This bill will help alleviate needless burdens. Economic recovery begins with our small businesses, but this will not happen unless we rein in the mass of regulations coming from right here in Washington.

The Regulatory Flexibility Act of 1980, as amended by the Small Business Regulatory Enforcement Fairness Act, requires Federal agencies to assess the economic impact of their regulations on small business. Imagine that, imagine having to run an economic impact study to find out how much damage they will be doing to small businesses if these regulations are put in place.

If the impact is significant, they must consider alternatives that are less burdensome. However, the agencies have used loopholes to get around this statute, and that is why it is so important that we pass H.R. 527, the Regulatory Flexibility Improvements Act of 2011, which would remove the loopholes and strengthen the flexibility act by increasing the power of the office of the chief counsel for advocacy to enforce the RFA, ensuring complete analysis of potential impacts on small business and forcing agencies to perform better periodic review of rules.

Regulations often impose unnecessary burdens on small business. You've heard that over and over and over again tonight, that impede their ability to create jobs. Agencies frequently fail to consider appropriate alternatives that allow agencies to achieve their regulatory objectives without imposing burdens on America's job creators, our small business owners.

The Regulatory Flexibility Improvements Act, H.R. 527, provides urgently needed help to small businesses facing an onslaught of Federal regulations. It has been 15 years since Congress last updated the Regulatory Flexibility Act of 1980. During that time, we have seen that there are weaknesses in the regulatory process that Federal agencies have exploited to the detriment of small businesses and job creators.

This bill ensures Federal agencies can no longer ignore the RFA. Job creators are the key to economic recovery and the small businesses are America's job creators. Over-regulation requires the diversion of scarce capital from job creation to regulatory compliance.

I said earlier, Mr. Speaker, North Carolina's unemployment rate is now 10.4 percent. This is not a statistic; this is a catastrophe.

Mr. Speaker, thank you so much for this opportunity tonight.

Mr. KING of Iowa. Will the gentlelady yield?

Mrs. ELLMERS. I yield to my colleague from Iowa.

□ 1900

Mr. KING of Iowa. I thank the gentlelady from North Carolina for yielding, and I especially thank her for leading in this Special Order hour here tonight to discuss the burden of regulation on business in this country, primarily the burden on small businesses in America.

From my standpoint and my background, I started a business in 1975. I remember the fears I had at the time. I knew I could do the work and I knew I could line up the customers. I believed I could turn a cash flow, but I didn't know that I could comply with all government regulations. And little did I know how much I was actually stepping into.

When you begin to enter into a business, you are stepping into the unknown. That unknown turned out to be that I would find out about a government agent after a government agent, one after another. They would show up. They'd send me a little mailer. They would talk to someone else in my business. They would say: Did you meet this one? Did you meet that regulation? Do you have your MSD requirements there? What about the EPA side of this? Do you know you have to post a sign that says that you're an equal opportunity employer. And by the way, that has to be in multiple languages. And in case someone shows up that doesn't speak that language, you may have another regulation to provide that interpreter that's there.

On and on and on it went. More and more of my time went away from producing goods and services that had a marketable value, and instead it was invested in complying with primarily Federal but also State regulations.

So as the years went by, I got better at it. I found out more and more to comply with, and I got greater and greater frustration within me because of this burden of filing reports, meeting deadlines, and making sure that the government bureaucrats had all of their regulations and all of the paperwork that they wanted, all the while, ''To what purpose?'' was my question, because much of that paperwork that I was filling out was going off in some

storage dungeon somewhere never to be seen again unless there was some type of litigation or regulation enforcement against me, in which case then I was confident that they would go dig it up out of the dungeon and pull up that paperwork to see if I dotted the i's and crossed the t's. But what good did it do? What good did most of that regulation do if it simply was going to go off somewhere to go into storage so if, God forbid we had an accident on the job site and OSHA would come in, they would want to make sure that I had all of my regulations in place? But that wouldn't make us more safe, the paperwork would not.

I made a comment here in the Judiciary Committee a month or so ago that of all of these regulations that we have to comply with, if you look across America, there are some really good companies in this country. Of all of them, thousands and thousands of companies in America, hundreds of thousands—actually, millions of companies in America altogether. They advertise everything under the sun that you can imagine. They have banners on their Web site. They will tell you that they are the best or first at—you name anything it is you want. Put it in the Google search. You'll find an American company that will provide it for you, and they'll advertise their quality. They'll advertise their personnel. They'll advertise the efficiency and the cost. It will go on and on and on. But there isn't a single company in America, not one, Mr. Speaker, that has a little banner on their Web site that says, ''We are in compliance with all Federal regulations.'' Not one single company takes that position, and I'll tell you why: because they know if they ever advertise that they are in compliance, there would be a Federal bureaucrat that represented an agency, or two or more, or up to 682, according to the Constitution Daily Web site, Federal agencies—and those are subdepartments and divisions, regulatory entities, 682 of them, and this count is about 5 years old, by the way—that can levy sanction actions against American businesses.

And so the number one fear I had was: Can I comply with all of these regulations? Can I identify them? Can I comply with them? And what do I do about the conflicting regulations where, if you meet one regulation, the other regulation contradicts it? You're bound to be in violation.

So today there isn't a single company in America that advertises that they are in compliance with all Federal regulations. And if they did, I think we should give them the Doo Dah of the Year Award for that because they would be surrounded by bureaucrats, Federal regulators that are in there to inspect, to make sure that they are completely in compliance.

And, by the way, they have to justify their job. So I would predict that any company that would announce that they are in compliance with all Federal regulations probably wouldn't survive beyond about 18 months before they went into bankruptcy because they would be tied up in knots and tied down and they couldn't produce those goods and services that have a marketable value.

Now, there is a tradeoff on this always, and it doesn't mean that we should not have wise regulations. Yes, we should. But they need to keep in mind the regulatory burden of those rules and what it does to slow down production.

Now, I've said goods and services that have a marketable valuable both domestically and abroad. That means, if you run a company, you want to go to work every day, and you look around, what do we do? We produce a product. We manufacture and market a widget. And you want to do that as efficiently as possible. So if you put 100 people out there on the factory floor to manufacture widgets, and it doesn't take but one person to run payroll and answer mail, you're in pretty good shape. You've got one of those 100 people that's tied up doing administrative duties, that's pretty good efficiency. That's 99 percent producing that product, that number one, grade A widget that you're manufacturing and perhaps invented.

But as soon as a bureaucrat comes along and says, Wait a minute. You have to have somebody here that's documenting—let's say the water that's coming in, the electricity that's coming in, the sewage that's going out. You have to have safety inspectors and you have to have safety meetings, so that once a week you line everybody up and spend 15 to 30 minutes telling them what they need to do, which is safe. Not a bad idea, but when the government calls for that, they put more on your overhead and they've shut down the production of that entire plant for that period of time that they prescribe.

And the other regulations that come along in our construction businesses, the Federal Government saying, let's see, you have to pay the Federal Government scale for your equipment operators on construction projects, Davis-Bacon wage scale. That really means union-imposed scale on those projects. And it might change the wages. In the past, I've seen them double or be cut in half, depending which direction you're going. Just going across the highway, you go into a different division and it's a whole different wage scale. The guy running the shovel gets a different wage than the guy that's running the grease gun, different from the guy that's running the machine that's being greased or having the track scooped out on it. And I have to keep track of all of that and do what the government tells me, which means not just is it costly to keep track of it all, but it consumes the efficiency on the project. It makes it difficult, if not impossible.

Mrs. ELLMERS. I thank the gentleman from Iowa.

Mr. Speaker, I just want to take the opportunity to say in closing that, as a small business owner with my husband back in Dunn, North Carolina, with our surgical practice, that we have faced exactly what my colleague is talking about, these excessive regulations that have continued through the years.

We are at a point now where we are seeing our fellow colleagues back home with medical practices closing their doors, being bought out by hospitals because they just cannot and know they will not be able to adhere to the mandates coming forward with the health care bill and all of the uncertainty with the doc fix, SGR, all of those wonderful things.

Mr. Speaker, we must act now. We can turn this economy around by acting on these regulations, by passing these regulatory decreases for our businesses so that, there again, our job creators can do what they do best, reinvesting in this country and being the job creators that they are.

With that, I yield back the balance of my time.

AMERICAN EXCEPTIONALISM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Iowa (Mr. KING) is recognized for 30 minutes.

Mr. KING of Iowa. Thank you, Mr. Speaker. I appreciate that recognition, and I appreciate the input that has come from the gentlelady from North Carolina. I came down here to change the subject, but I wanted to speak about regulation, and I'll just wrap up those thoughts that I had before the clock ticked down and take it over to this.

As I emerged into the construction business that I identified, I found myself doing seminars with other people of the same profession around the five-State area in the upper Midwest with our trade association, the Land Improvement Contractors of America. In that five-State area as I traveled around and held those seminars, I began to ask the questions of self-employed people. Most of them had started the business themselves, and they were employers doing this in the kind of way that we need to encourage more Americans to do rather than discourage them with regulation.

I began to ask them, How many agencies regulate your trade? As I asked that question, there might be 60 to 70 contractors in a room, and we would begin to write down the names of those agencies. And, yes, some of them were divisions within the agencies. You can start with the IRS and the EPA and you go on and on and on. OSHA, the mine regulators. It continues on. But we came to this number of our little narrow trade group, 43 different agencies that regulate us. And we needed to know the regulations from 43 different agencies. We needed to be able to anticipate how they would interpret those regulations and how they would