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 continue 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 mail-in voting 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 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 many 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 to 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 government’s doors to 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 faced significant barriers to full political participation also have benefited greatly.

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

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 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 attempting to keep illegal immigrants out. 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 non-profits, 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 occurs, 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 dismiss this unwise and unjust 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.
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 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 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.

And it’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 overregulates the 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 businesses 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 region 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 burdens—our small business 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 $952.2 billion. One study found that each $1 million in 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 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 what are we 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. It was one of the most ridiculous 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, you need certainty in the marketplace. And whether you’re a farmer or a small business owner, you need certainty in the marketplace. And whether you’re a farmer or a small business owner, you need certainty in the marketplace.

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 got out and hired a new employee, I need to know that I was going to have 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.
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 one of the most important problems facing them today, followed by consumer confidence in the economy and a lack of consumer demand. Small businesses, it appears, face a regulatory cost of $10,585 per employee just to deal with the regulations, which is 36 percent higher 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. We have to keep workers on the unemployment line and drive us deeper into debt. As government continues villainizing our job creators and enacting policies that simply will not be put back to work if 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 increased regulatory creep. It's as if we go to bed one night with one set of regulations and wake up the next morning with 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 Improvement Act, and 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. The bill improves 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 business owners and 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.

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, but we aren't just listening to the usual Washington bureaucrats. We are actually small business owners who deal with the 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 again. Small business owners 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 Clintonville. It is 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 politicized before; they were not people who had ever shown 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 policy, under 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 steeple and stained glass windows and provide a full range of services from delivery to installation.

This is a jewel in my district. So many 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 75 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 after 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 want to talk a little 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 end of the tunnel, and you have heard us speak tonight about H.R. 527, which we will be voting on.

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 and job creators. Owners are the key to economic recovery and the small businesses are America’s job creators. Overwrought and 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 gentle lady yield?

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

Mr. KING of Iowa. I thank the gentle lady 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 and they would say, ‘Well, 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 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 just right all the while.

“To what purpose?” was my question, because much of that paperwork that I was filling out was going off in some...
Mrs. ELLMERS. I thank the gentleman. 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. 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 those regulations that recognition that the different agencies. We needed to be able to anticipate how they would interpret those regulations and how they would