



United States Senate

Committee on Homeland Security and Governmental Affairs

Chairman Joseph I. Lieberman, ID-Conn.

Opening Statement of Chairman Joseph Lieberman
“Federal Regulation: A Review of Legislative Proposals”
Homeland Security and Governmental Affairs Committee
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As Prepared for Delivery

Good morning. Today, we are continuing our Committee’s consideration of regulatory reform. Last month, we explored the structure of the federal regulatory process and the Administration’s recent efforts to ensure that rules and rulemaking are as effective and efficient as they can be.

Today, we’re going focus on some of the legislative proposals to revise the existing system, which is a topic that’s attracted particular attention this Congress. At this moment, six Senators have legislation now pending before this Committee on regulatory reform. I welcome and thank my many colleagues – both on and off the Committee – who are here today to explain their proposals to change the regulatory process and why they feel it is important to do so. I also want thank Cass Sunstein, the Administration’s point man on regulatory issues, who will be appearing on our second panel.

The question before us as I see it is not whether to regulate, but how to regulate. A nation without regulation would be a nation at risk. For example, last week I read a news story about the devastating effects of lead poisoning in parts of China. Workers have been absorbing dangerous amounts of lead in factories, and many children – who are particularly vulnerable to the neurological damage lead can cause – have been sickened in homes and schools near those factories. Here at in the U.S., we have known for quite a long time that air pollution and workplace safety regulations are necessary and protect workers and families living near similar industrial plants from being ill – regulations that Congress directed the agencies to put in place.

This example, and others that we can cite, such as the failure of regulation to prevent some of the bad behavior in the financial sector of the American economy, are not only correct, but something that the public wants us to do. So the question is not whether to regulate, but how.

Smart regulations don’t just help individuals. They can also help industry by providing a predictable field on which they can operate. For instance, after recent national outbreaks of salmonella and other food-borne illnesses, the food industry seemed to welcome the recent food safety law as a way to fortify consumer confidence and restore damaged sales.

Of course, many regulations do impose costs on businesses, so it is important to oversee the process continually to ensure it is achieving the greatest public benefit at the smallest cost. That is particularly important now, when our economy is struggling and businesses will be threatened by any unjustified burdens.

In that spirit, President Obama moved to strengthen the process through an executive order that clarified and toughened guidelines for evaluating the costs and benefits of proposed regulations in order to select the least burdensome ones. The President also called on agencies to review existing regulations to ensure that they are still necessary. These so-called “look back” reports are being assembled and, I gather, have identified ways to save tens of millions of dollars in reduced compliance costs as well as millions of hours of reduced paperwork for businesses and individuals. So I look forward to hearing about that effort from Cass Sunstein, who is overseeing that process as the head of the Office of Information and Regulatory Affairs.

Once again, I thank our colleagues for the work that they've done in this important area. We're really fortunate to have many members of our own committee, as well as many not on our committee, who have worked in this subject area and will testify before us today.

Senator Collins?