

MEMORANDUM

TO: House Republicans
FR: Eric Cantor
DT: Friday, May 25, 2012
RE: Summer Legislative Agenda

In line with our underlying principles for legislation, the House will move forward this summer with a number of proposals aimed at addressing job creation and the economy, reducing spending, and shrinking the size of the federal government while protecting and expanding liberty. Above all, we must continue to focus on economic growth and small business—producing results that get Americans back to work. The summer legislative schedule is detailed below for your review.

MEMORIAL DAY TO FATHER'S DAY

Nearly 7,000 American servicemen and women have lost their lives in Operation Enduring Freedom and Operation Iraqi Freedom. There's no question that these tragic losses have made our country safer. Every day that goes by quietly on American soil is yet another silent reminder of the courageous blanket of freedom that our men and women in uniform have selflessly provided for us.

As we observe Memorial Day, it is critical that we ensure for the care and support of our returning heroes. To that end, the House will take up the Military Construction and Veterans' Affairs Appropriations bill on Thursday May 31, and Friday, June 1. This year's bill maintains funding at the FY12 appropriated level, taking into account our commitment to our Armed Forces and veterans and the reality of today's fiscal challenge. Chairman Hal Rogers and Subcommittee Chairman John Culberson should be commended for their work.

We will also pass our third authorization of the nation's intelligence community and its activities since taking the majority. I expect Chairman Mike Rogers' bill (H.R. 5743) to be brought forth and passed on Thursday, May 31, in a bipartisan manner. The Intelligence Committee's work this Congress has been truly impressive in restoring both the role of congressional oversight and bipartisanship, as well as needed policy solutions in rising threat areas like cyber security.

Members should be prepared to vote on Chairman Fred Upton's FDA user fee reform bill (H.R. 5651) on Wednesday, May 30. Chairman Upton's bipartisan bill brings needed reform to the federal drug and medical device approval process, enhancing the environment for American innovation and job growth. Though these programs expire at the end of September, the Energy and Commerce Committee hopes to complete negotiations with the Senate on a final bill by July 4th.

Related to the medical device industry is the draconian tax that is scheduled to go into effect under ObamaCare. This tax, to fund a flawed law, will have a negative impact on jobs in the medical device industry. Chairman Dave Camp and the Ways and Means Committee

have done an excellent job highlighting this issue, as well as ObamaCare's ban on the use of Health Savings Accounts (HSAs), Flexible Spending Accounts (FSAs), and other accounts to purchase over-the-counter (OTC) drugs. Regardless of the outcome of the Supreme Court's decision on the constitutionality of ObamaCare, we should all be able to agree on Erik Paulsen's bill to repeal the medical device tax (H.R. 436) and Lynn Jenkins' bill to repeal the OTC ban (H.R. 5842). I expect a vote on the Paulsen and Jenkins bills as early as the week of June 4.

The remainder of our pre-Father's Day legislative agenda will be spent considering additional appropriations bills. Though we continue to work with the Committee on an exact schedule, possible bills include Energy and Water Appropriations, Homeland Security Appropriations, and Legislative Branch Appropriations. Each bill conforms to the overall level of discretionary spending authorized under the House's FY13 budget resolution and deserves our support.

As the Speaker has committed, these bills will be considered under an open and deliberative process, allowing all Members to offer amendments. In order to consider as many bills and amendments as possible, Members should be judicious in the issues they choose to raise, and expeditious in their remarks during consideration.

FATHER'S DAY TO INDEPENDENCE DAY

When we return from Father's Day, the House will turn its attention on the floor to American jobs and out-of-pocket expenses affected by domestic energy production. According to AAA, the average national price of a gallon of gasoline was \$1.84 when President Obama took office. The average today is roughly double that level. That additional cost acts as a drag on the already-sluggish economy and a tax on struggling American consumers, especially small businesses and the middle class.

Some Democrats argue that increasing domestic oil and natural gas leases and regulatory reform won't affect the price at the pump today. This is the same argument they made 10 years ago that has prevented production today and contributed to domestic refinery closures.

The real tragedy is that thousands of jobs go unrealized as a result of the President's energy policies—jobs that could bolster our slow economic recovery. It is critically important that we promote and invest in America's energy resources, encouraging—not discouraging—states like North Dakota, Ohio, and Pennsylvania to lead a domestic energy boom.

Therefore, Chairman Doc Hastings and Chairman Upton will be bringing forward a series of bills from their respective committees during the week of June 18 to encourage production on federal lands and lessen the burden of job-inhibiting red tape. Mike Coffman, Cory Gardner, Bill Johnson, Doug Lamborn, Scott Tipton, and Ed Whitfield, as well as the entire House Energy Action Team (HEAT), will be instrumental in this debate.

Job creation often starts at the local level with small businesses but all too often federal policies stand in the way of economic growth. By employing sound, scientific management, government can play a role in fostering growth at no cost to the taxpayer. Where appropriate, through reducing bureaucratic delays, transferring or selling land, and modifying restrictive land use designations, we can give a green light to needed infrastructure. Members on both sides of the aisle have locally-tailored bills such as these and Chairman Hastings and the Natural Resources Committee have done an excellent job in bringing them forward. I expect a number of these bills to come to the floor the week of June 18.

Finally, we will close out the month of June with the consideration of additional appropriations bills and stop-gap measures.

INDEPENDENCE DAY TO AUGUST

Americans will rightly be focused on the effects of the Supreme Court's ObamaCare decision when we return from July Fourth. Although we do not know how the Court will rule, we are prepared to move forward to ensure that the whole unworkable law is fully repealed.

Of course, we will also be focused on economic growth during the month of July. It's too hard to be a small business owner in America right now and we've got to turn that around. First among our efforts will be passing Tim Griffin's bill (H.R. 4078) aimed at cutting government red tape to make it easier for small businesses to create jobs. Under the Griffin bill, there will be a moratorium imposed on any new regulation, save for health and emergency, until unemployment drops below six percent nationally.

Additional Members, like Reid Ribble and Ben Quayle, have legislation to get government regulations off the back of our job creators. The Ribble bill (H.R. 4607) curtails so-called "midnight regulations," while the Quayle bill (H.R. 3862) shines a light on the preponderance of "sue-and-settle" agreements. We will be working with Chairman Lamar Smith and the Judiciary Committee to schedule as many of these proposals as possible throughout July.

The music industry and small business owners across the country watched nervously as the federal government recently raided Gibson Guitar. Whether intended or not, a 2008 law amending the over 100-year old Lacey Act resulted in the raid. Just as fast as Congress can create unintended consequences, we can also fix them. Jim Cooper and Marsha Blackburn have introduced a bill (H.R. 3210) that helps protect small business jobs from government criminalization. The Natural Resources Committee is currently working to advance the bipartisan Cooper bill so that it can be considered on the floor in July.

Our constituents have been—or will soon be—impacted by the closure and hours of operation changes to U.S. Postal Service (USPS) facilities across the country. This is the result of yet another government backed entity that cannot meet its financial obligations and is in need of vast reforms to its business plan and operations. Chairman Darrell Issa,

Subcommittee Chairman Dennis Ross, and the Oversight and Government Reform Committee have passed a responsible proposal (H.R. 2309) to reform the USPS, and we will be working to bring their bill to the floor.

In July, we will also be voting on Ron Paul's bill authorizing an audit of the Federal Reserve and report to Congress (H.R. 459).

Very little of what we do this summer will be able to offset the harm to small businesses if the largest tax increase in American history is allowed to go into effect on January 1, 2013. In fact, the Congressional Budget Office (CBO) warned us earlier this week that this massive tax increase will likely contribute to what would "probably be judged to be a recession."

Working families and small business should not be saddled with the uncertainty of a looming tax increase as they attempt to invest and grow for the remainder of this year. That's why Chairman Camp and the Ways and Means Committee have been working on pro-growth reform to simplify the tax code.

Knowing that comprehensive reform will take time, we must ensure that while Congress is working to bring about competitive change, government does not increase the cost of business. Therefore, before we leave for August, I expect to schedule a vote on legislation preventing the largest tax increase in history. The Senate should join us in providing this very basic level of certainty prior to November.

CONCLUSION

We have a busy legislative agenda planned this summer and our schedule will undoubtedly require further additions. I hope this memo provides you and your constituents with an outline of our pro-growth plan for the months ahead. Have a safe and blessed Memorial Day.

Sincerely,
Eric