

Roman Buhler
Director, The Madison Coalition

Thank you for the opportunity to testify before the Committee today.

I am the Director of the Madison Coalition, an organization dedicated to restoring a balance of state and federal power.

America is in danger of adopting new style of government. In past years Presidents governed by working to pass laws in Congress.

But in recent years it seems that some in the Executive Branch believe they can govern with regulatory edicts simply dictated from Washington.

State legislators like you here in Kansas and around the nation have an opportunity to take a stand in support of a permanent end to "regulation without representation" and to help ensure that federal regulations, like federal laws, have the consent of the governed.

We can no longer be satisfied with a government where bureaucrats dictate the rules that govern us.

A bipartisan majority in the U.S. House of Representatives recently voted for a Bill called the REINS Act (Regulations from the Executive in Need of Scrutiny) to require that major new federal regulations be approved by Congress.

But it is very unlikely that such a law could get the support of the necessary 60 votes in the U.S. Senate, even if America elected a President who would sign it.

Furthermore, the constitutionality of such a law could be challenged in Court and, even if upheld, a law could be repealed or waived by a future Congress.

An Amendment to the U.S. Constitution, on the other hand, could permanently rein in federal regulators and help to restore the checks and balances intended by the authors of our Constitution.

Most Americans understand that Washington is gridlocked on major issues, and even the election of a new President will probably leave advocates of limited government short of the 2/3 vote to propose an Amendment or even the 60 senate votes needed to enact permanent, fundamental reforms.

But there is a way to break the deadlock in Washington.

Just as Rep. James Madison, the first Floor Leader of the U.S. House of Representatives took advantage of pressure from the states to help persuade Congress to propose the Bill of Rights, which took effect just a little more than 224 years ago on December 15 1791, a partnership between state leaders and reform-minded leaders in Congress could achieve results today.

In fact, three times in American history, states have helped to force Congress to propose Amendments that states wanted.

In our time a constitutional amendment to permanently require that major federal regulations be approved by Congress could, by reducing the risk of capricious over regulation, jump-start American economic growth and help create millions of new jobs.

It could protect our constitutional rights and personal freedom against infringement by federal regulators.

Polls show that voters favor a constitutional amendment to require Congressional approval of major regulations by a 2-1 margin.

A potential bipartisan political coalition in the states that could force Congress to act already exists.

There is bipartisan support among state legislators for urging Congress to propose curbs on Federal regulators. Many legislators in both parties have good reason to distrust federal regulators.

In fact, 15 state legislative chambers have already passed Resolutions urging Congress to curb federal regulators by proposing the Regulation Freedom Amendment which says:

"Whenever one quarter of the Members of the U.S. House or the U.S. Senate transmit to the President their written declaration of opposition to a proposed federal regulation, it shall require a majority vote of the House and Senate to adopt that regulation."

This Amendment ensures that any regulation controversial enough to earn an objection from one quarter of the Members of the U.S. House or U.S. Senate will have to be approved by Congress before it can go into effect.

As support for the Regulation Freedom Amendment grows, it will become more and more difficult for opponents to explain why bureaucrats in Washington should keep their power to dictate rules to the American people.

But pro-limited government leaders in Washington and those who seek to become leaders need to recognize that the nation's capital is too divided and too many of its politicians too fond of their own power to reform itself.

America is looking for new leaders who will follow James Madison's example and help mobilize the power of states to curb the power of Washington.

America is looking for leaders who will build a partnership between reform-minded state and federal leaders to reform our government.

Regulatory abuse is only one example of federal misconduct. The irresponsible borrowing that threatens the long term solvency of America is another. The imposition of unfunded federal mandates on states is still another.

Your leadership here in Kansas for the Regulation Freedom Amendment could help to build a partnership for restoring constitutional limited government in America.

Your leadership here in Kansas could help empower the states to take power out of Washington and bring it back to the states and the people, where it belongs.

I urge you to pass HCR 5022 urging Congress to propose the Regulation Freedom Amendment.

Thank you.

Roman Buhler
Director, The Madison Coalition

Here for the Record is a list of some of the supporters of the Regulation Freedom Amendment.

- 15 State legislative Chambers have passed Resolutions urging Congress to propose the Regulation Freedom Amendment.

Indiana-House and Senate

Georgia-Senate

Tennessee-Senate

North Dakota-House and Senate

South Dakota-House and Senate

Wyoming-House and Senate

Idaho-House

Utah-House and Senate

Missouri Senate

Arkansas House

(A majority of the Members of the Arkansas Senate have also endorsed the Amendment)

- Here is a partial list of political leaders who support the Regulation Freedom Amendment:

GOVERNORS

Phil Bryant, MS

Matt Mead, WY

Mike Pence, IN

Paul LePage, ME

STATE LEGISLATIVE LEADERS

NCSL (National Conference of State Legislators) President and UT Senate President Pro-Tem Curt Bramble

CSG (Council of State Governments) immediate past National Chair and TN Senate Majority Leader Mark Norris

ALEC (American Legislative Exchange Counsel) Immediate Past National Chair and TX State and Federal Power Committee Chair Rep. Phil King

TN Lt Gov/Senate President Ron Ramsey

AR former Senate Majority Leader Eddie Jo Williams GA Senate President David Schafer GA NCSL Former President Sen. Don Balfour ID House Speaker Scott Bedke IN Senate President David Long IN House Speaker Brian Bosma KY Senate President Robert Stivers KY House Majority Leader Rocky Adkins KY House Natural Resources Chair Jim Gooch MI Senate President Pro-Tem Tonya Shuitmaker MO Former Senate President Tom Dempsey NC House Majority Leader Mike Hager ND Senate President Rich Wardner ND House Majority Leader Al Carlson ND House Judiciary Chair and former National CSG Chair Rep. Kim Koppelman OH former House Speaker Pro-Tem Matt Huffman UT Senate President Wayne Niederhauser VA House Majority Caucus Chair Del. Tim Hugo WV Senate President Bill Cole WY Senate Majority Leader Eli Bebout WY former House Speaker Tom Lubnau

BUSINESS GROUPS AND LEADERS

American Farm Bureau Federation

Indiana Manufacturers Association

Indiana Bankers Association

Salt Lake Chamber, UT's Business Leader

Tennessee Chamber of Commerce and Industry Tennessee Mining Association Tennessee Association of Health Underwriters Wyoming Stock Growers Association Terry Considine, CEO Considine Investment Company Ken Burgess, Chairman, First Capital Bank, Midland, TX, Chair, Texas Bankers Association.

LEGAL EXPERTS

C. Boyden Gray, Former White House Counsel Chuck Cooper, Former Director, Department of Justice Office of Legal Counsel John Ryder, General Counsel, RNC David Norcross, fmr. RNC Gen. Counsel Tom Sansonetti, fmr RNC Gen. Counsel Mark Braden, fmr RNC Gen. Counsel Bill Crocker, fmr RNC Gen. Counsel Curt Levy, Pres. Cmtee for Justice John Eastman, Director, Center for Constitutional Jurisprudence

CONSERVATIVE LEADERS

Former U.S. Senate Majority Leader Trent Lott Former House Appropriations Chair Bob Livingston.
American for Tax Reform President Grover Norquist Let Freedom Ring President Colin Hanna Federalist Society Co-Founder David McIntosh McCain 2008 National Chair Charlie Black Former RNC Chair and Secretary of Veterans Affairs Jim Nicholson Former President NRA, David Keene, Former Ohio Secretary of State Ken Blackwell Former Virginia Attorney General Ken Cuccinelli Former National Federation of Women (NFRW) Chair Sue Lynch Former NFRW Chair Kathy Brugger Larry Pratt, Executive Director, Gun Owners of America.

CONSERVATIVE GROUPS

National Taxpayers Union
Wyoming Republican Party
South Dakota Republican Party

For more information contact:

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