

Congress of the United States
U.S. House of Representatives
Committee on Small Business
2301 Rayburn House Office Building
Washington, DC 20515-0515

December 22, 2023

The Honorable Joseph R. Biden, Jr.
President of the United States
The White House
1600 Pennsylvania Ave, N.W.
Washington, DC 20050

Dear President Biden:

The House Committee on Small Business (Committee) writes to express our deep concern over the aggressive regulatory burden your Administration has forced on Main Street America. Over regulation, combined with historic levels of inflation, supply chain problems, and labor force shortages, have caused Americas small businesses to face incredible hardship. In fact, over the duration of your Presidency, your agencies have passed 716 final rules costing \$436.7 billion and 236.1 million paperwork hours.¹ This Committee is concerned that these new regulations, and the cumulative effect of existing regulations, will have a disproportionate, negative impact on small businesses. To that end, in 2023, the Committee sent 54 letters to agencies regarding the impact of their proposed and final rules and will continue to advocate on behalf of small businesses in the rulemaking process. We will not sit silently by as your Administration continues its assault on the backbone of our nation.

In 2021, your Administration set the record for the most economically significant rules issued in the first year of a presidency, and the 2023 Federal Register is already almost 10,000 pages longer than the 2021 edition.² As of December 5, 2023, the Federal Register sits at 85,090 pages, making it the third longest version of this document in US history, and is on track to exceed 91,375 pages.³ Additionally, the Federal Register this year is on pace to include 5,053 proposed or final rules.⁴ If printed on standard paper in one book, this book would be over 35 feet thick.⁵ It is not possible, let alone reasonable, to believe that individuals or small businesses have the ability to sift through over 85,000 pages to ensure compliance with each new rule.

¹ Dan Goldbeck, *A Quiet End to November*, AM, ACTION FORUM (Dec. 4, 2023).

² *Cumulative Economically Significant Rules by Administration: First Year in Office*, THE GEORGE WASH. UNIV. REGULATORY STUDIES CENTER (Mar. 22, 2023); See also *Fed. Reg. Pages Published Annually*, LAW LIBRARIANS SOC. OF WASH. DC (Mar. 3, 2021), <https://www.llsdc.org/assets/sourcebook/fed-reg-pages.pdf>.

³ Ryan Young, *This week in ridiculous regulations: Au pairs and processed pears*, COMPETITIVE ENTERPRISE INST. (Dec. 4, 2023).

⁴ *Id.*; 88 Fed. Reg 1-85090 (2023).

⁵ *Paper Buying Guide*, OFFICE DEPOT (last visited Dec. 6, 2023) (Estimate assumes the document is printed double sided on 10pt paper).

It is estimated that over the course of your presidency, regulations have cost businesses more than \$430 billion.⁶ These costs are disproportionately harmful to small businesses who more frequently need outside support in compliance efforts.⁷ The Federal Register is premised on the idea that US citizens deserve to know what their government is doing and how it impacts them. It would take the average American approximately 2,900 hours to read this year's volume of the Federal Register—50 percent more time than the average number of hours individual Americans work *annually*.⁸ Inundating individuals and businesses with so much information that it is impossible for them to stay up to date hardly seems in keeping with the purpose of the Federal Register, and has turned regulatory compliance from an obligation to a profession and multi-billion dollar industry. While each page of the Federal Register does not pertain to every small business in the United States, these businesses still need to ensure that each new rule that is issued does not pertain to them.

It is important for your Administration to examine small businesses interests, which make up 99.9 percent of all businesses in the United States, when passing any new rule. America's small businesses deserve to have their voices heard and considered. We therefore request a briefing as soon as possible but no later than January 5, 2023, to address the regulatory burdens faced by small businesses and what changes can be made so individuals and businesses can more easily access and understand the laws that govern them.

To schedule the briefing or ask any related follow-up questions, please contact the Committee on Small Business Majority Staff at (202) 225-5821. The Committee on Small Business has broad authority to investigate "problems of all types of small business" under House Rule X. Thank you in advance for your cooperation with this inquiry.

In God We Trust,



Roger Williams
Chairman
Committee on Small Business

cc: The Honorable Nydia M. Velasquez, Ranking Member
Committee on Small Business

⁶ Dan Goldbeck, *A Quiet End to November*, AM, ACTION FORUM (Dec. 4, 2023).

⁷ Press Release, National Association of Manufacturers, Regulatory Onslaught Costing Small Manufacturers More Than \$50,000 Per Employee (Oct. 25, 2023).

⁸ *Average Annual Hours Actually Worked Per Worker*, ORG. FOR ECON. COOPERATION & DEVELOPMENT (Dec. 5, 2023).