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MINORITY OFFICE
234 CANNON HOUSE OFFICE BUILDING
(202) 225-9486

Committee on Rules
U.S. House of Representatives
H-312 The Capitol
Washington, DC 20515-6269

Statement of Hon. Martin Frost
November 13, 2001
Freedom to Manage Act of 2001

Mr. Chairman, the proposal submitted to this Committee from the President of the United States is interesting, to say the very least. That the President – this one or any other who follows him in office -- should advocate the notion that the Congress of the United States should essentially roll over and play dead is laughable, oblivious of the division of responsibilities given to the three branches of government by the Constitution of the United States. To suggest that the Congress of the United States have absolutely no say – other than yes or no – in a proposal to repeal, amend or create federal law flies in the face of what every school child in this country knows: the Congress makes laws, and the Executive carries them out. It is not our role to serve as yes men for the President – no matter who sits in the Oval Office.

Mr. Chairman, I must raise a question about why the majority on this Committee has given us a “discussion draft” which represents a so-called refined and revised version of the President’s submission. I must ask if it is the intention of this Committee to pursue this matter? And, if so, when might we expect that further hearings will be scheduled so that other Members of Congress, besides our distinguished colleague, the Senator from Tennessee, might have the opportunity to present their views on this broad grant of legislative authority to the President of the United States?

We are holding this hearing today because this Committee has original jurisdiction over rules and procedures in the House of Representatives. But, Mr. Chairman, I believe the Members of this Committee have the responsibility to think carefully about initiating or advocating a process which would in effect, take away legislative authority from the standing committees of this body as well as the standing committees of the Senate. We should think carefully about granting the President and his representatives the sole authority to determine how laws should be amended, if they should be repealed, or if new laws should be enacted to the Executive’s exact specifications. Is this Committee willing to give up our fundamental and basic role which is to determine the rules for the debate of legislative proposals in this body? This proposal would give the President the

right to set the terms of debate in both the House and the Senate for what could be major legislative initiatives.

If that is the case, Mr. Chairman, then this committee -- as well as all the others in both Chambers -- might as well pack up and go home. I find it ironic that just last week this Committee was in a hurry to report legislation purported to give legislative committees more time to conduct oversight, yet now we are holding a hearing that will take away any authority those committees have to determine which laws need to be repealed, amended, or created.

This is potentially a slippery slope, Mr. Chairman and I hope we, as representatives of the Legislative Branch, are ready to dig in and not give this proposal any traction.