



COMMITTEE ON  
**SCIENCE, SPACE, & TECHNOLOGY**  
Lamar Smith, Chairman

For Immediate Release  
February 10, 2016

Media Contact: Zachary Kurz  
(202) 225-6371

**Statement of Chairman Lamar Smith (R-Texas)**

*Midnight Regulations: Examining Executive Branch Overreach*

**Chairman Smith:** President Obama has rushed through many costly and burdensome regulations over the last seven years. These include the ozone National Ambient Air Quality standards, the Waters of the United States, and the Clean Power Plan. The Obama administration shows no signs of slowing down and no doubt will continue to pursue its partisan and extreme agenda, regardless of the price to the American people.

The speed at which these regulations are being finalized provide little certainty that these rules are based on a sound and transparent review of the underlying scientific data and analysis. The president's regulatory overreach will cost billions of dollars, cause financial hardship for American families, and diminish the competitiveness of American employers, all with no significant benefit to climate change, public health, or the economy.

According to the American Action Forum (AAF), regulatory costs topped \$197 billion in 2015. This is a cost of over \$600 for every American citizen. For 2016 alone, the Obama administration has proposed another \$98 billion in regulatory costs. According to AAF's analysis, my home state of Texas is one of the hardest hit by these burdensome regulations.

Despite heavy and growing public opposition to these proposals, the Obama administration is actively willing to commit the U.S. to costly new regulations that will do nothing to improve the environment but will negatively impact economic growth. The Clean Power Plan and the Waters of the United States rule are just more of the EPA's attempts to expand its jurisdiction and increase its control over Americans. Congress voted against these rules through the Congressional Review Act last month. And the governors of most states continue to challenge overreaching regulations in court. Yesterday, the Supreme Court blocked the administration's rules to limit greenhouse gas emissions from power plants. The Court's ruling confirms that this rule overreaches EPA's authority.

But nothing seems to deter President Obama from achieving his extreme and unconstitutional climate agenda. Now the president plans to rush through even more regulations. In the past year, the Department of Energy (DOE) proposed 15 new

energy efficiency standards, compared with just five energy efficiency standards proposed between 2009 and 2012.

The DOE now works to issue costly energy efficiency rules on everything from household appliances to vending machines, including ceiling fans, air conditioning and heating equipment, and residential boilers.

We should all be concerned about the process the EPA uses to reach their regulatory conclusions. The agency rushes to enact environmental regulations without thorough, public review of the data used to justify these rules. This hearing provides yet another example of why legislation like the Secret Science Reform Act and the Science Advisory Board Reform Act are important checks on regulatory overreach.

We should require more fairness, transparency and public engagement in the rule-making process. The president should not rush scientific analysis to appease his political supporters.

We all support energy efficiency and a clean environment. The air we breathe is significantly cleaner and will continue to improve due to the development of new technologies. Basic research and development will continue to lead the way to energy solutions. This research should be allowed to mature so the private sector can transition new technologies into the market before the federal government mandates new energy efficiency and environmental regulations.

There may be serious economic consequences if the EPA and the DOE rush forward with these proposed regulations. The cost is certain but the benefits are not. Today's witnesses will discuss how regulatory burdens fall disproportionately upon small businesses and negatively impact economic productivity. Small businesses, like individual Americans, ultimately pay for these regulations. Higher prices for goods and services combined with reduced economic activity hinder private sector innovation and cause businesses to struggle to stay open.

These proposed regulations will have an even greater adverse impact on those who live on fixed incomes, such as the elderly and the poor, who are the most vulnerable to increases in the price for basic necessities like electricity and heat. More should be done to hold this administration accountable. We must cut regulatory red tape and put America back on a path to growth and prosperity.

For this reason, I am pleased the Speaker has selected the Science Committee to help lead a taskforce to reduce costly and unnecessary regulatory burdens. Rushed regulations in a President's last year are bad for the American economy and the American people. We can't afford to rush through regulations with little substantive environmental benefit and heavy costs to our economy.

###