



Written by [Alex Newman](#) on August 20, 2015

## Obama Threatens Veto of Bill to Rein in Regulatory Regime

Congress has created a [monster](#) that is growing [more dangerous to the U.S. economy](#), the [Constitution, and the liberties of the American people](#) with every passing day. Now, some lawmakers want to start reining in the regulatory monster with the REINS Act, if only slightly, by taking back some authorities over lawmaking that they were never authorized to give away to executive branch bureaucracies in the first place. But Obama, who last year [threatened to rule America by decree with his “pen and phone”](#) if Congress would not submit to his demands, wants none of it, and the White House has threatened a veto.



The legislation, [H.R. 427](#), formally known as the “Regulations From the Executive in Need of Scrutiny” (REINS) Act of 2015, was overwhelmingly approved in a 243 to 165 vote late last month in the House of Representatives. All Republicans and a handful of Democrats supported the measure. The Senate version, S. 226, introduced by Senator Rand Paul (R-Ky.), has not yet been voted on. If it becomes law, the REINS Act would mandate that any “major” executive branch rule, regulation, or decree — defined as having an annual economic impact of \$100 million or more — be approved by Congress before going into effect.

In essence, lawmakers, responding to outraged constituents and out-of-control bureaucracies, are hoping to slow down the Obama regulatory juggernaut that is running roughshod over the American people. Restoring accountability is also key, supporters said. “If the Obama administration wants to impose regulations that effectively operate as laws on U.S. citizens, it is important that those citizens are made aware of how the laws come to be,” Senator Paul said in a statement when introducing the legislation. “Cutting red tape and opening the regulatory process to scrutiny is an important first step in holding government accountable.”

For anyone who doubts that the sprawling regulatory regime is totally out of control, a brief review of the *Federal Register*, where federal regulations are published, should make that clear. Consider the growing avalanche of regulations just from the Obama administration: [75,000 pages of bureaucratic rules and regulations imposed in 2014 alone](#). According to a study released last year commissioned by National Association of Manufacturers, federal regulations alone [now cost the U.S. economy — businesses, workers, taxpayers, investors, and consumers — more than \\$2 trillion, with a T, every year](#). That translates to about \$15,000 annually per American household.

In the House, where previous versions of the bill have passed on a bi-partisan basis, lawmakers, citing some of those numbers, said the legislation was urgently needed. “The REINS Act is key to reforming our nation’s regulatory system so that the American people can hold Congress accountable for the law



Written by [Alex Newman](#) on August 20, 2015

---

of the land,” said Representative Todd Young (R-Ind.), who sponsored the House version this session along with over 150 co-sponsors. “While the president would prefer to act unilaterally — and he has made that abundantly clear in recent months — that’s not the way our system operates.”

“Unfortunately, when the executive branch issues regulations with a huge economic impact or negative consequences, it’s hard for the American people to hold accountable a nameless, faceless federal bureaucracy,” Young continued. “Requiring an up-or-down vote by Congress on major regulations restores the notion that the legislative branch is in charge of writing laws, brings transparency to our regulatory system, and ensures our constituents know who is responsible when burdensome regulations take effect.”

Previous efforts in recent years to pass the REINS Act and start to restrain the regulatory Leviathan Congress unleashed on America over generations passed easily in the House with support from members of both parties. However, the bid was consistently blocked by the Democrat-controlled Senate under the leadership of then-Senate Majority Leader Harry Reid (D-Nev.). Now, with Republicans in control of the upper chamber, analysts say the bill faces better prospects. But the Obama administration is already threatening a veto if it passes.

In an almost unbelievable argument, the administration [outrageously claimed](#) that allowing Congress to review major executive-branch decrees would produce “uncertainty.” “By replacing this well-established framework with a blanket requirement of Congressional approval, [the bill] would throw all major regulations into a months-long limbo, fostering uncertainty and impeding business investment that is vital to economic growth,” the White House alleged. “Maintaining an appropriate allocation of responsibility between the two branches is essential to ensuring that the Nation’s regulatory system effectively protects public health, welfare, safety, and our environment, while also promoting economic growth, innovation, competitiveness, and job creation.”

Critics promptly ridiculed and debunked the administration’s claims. In a [stinging rebuke of Obama’s veto threat](#) published by *Forbes*, for example, Policy Director Clyde Wayne Crews Jr., with the market-oriented Competitive Enterprise Institute, countered every one of the White House’s talking points — often using federal data. “Congress never should have delegated to unelected bureaus the sweeping lawmaking power they now possess, and this legislation shouldn’t even be necessary,” he observed, noting that versions of the legislation go back more than twenty years. “But it did improperly delegate, and [this bill] is necessary.”

Addressing the White House’s use of the word “unprecedented” to describe the REINS Act, Crews highlighted the facts. “What is unprecedented in our constitutional republic is the sweeping delegation and abdication of power from the elected to the unelected,” he said, noting that both political parties were guilty. Crews also cited *Is Administrative Law Unlawful?* author Philip Hamburger, who argued that the modern administration state represents “a reemergence of the absolute power practiced by pre-modern kings, exactly the kind of untethered power our Constitution was specifically designed to rid Americans of forever.”

In 2014, Crews continued, Congress passed and the president signed 224 laws. By contrast, executive-branch bureaucracies under Obama decreed 3,554 new rules and regulations purporting to have the force of law. The justification for the REINS Act, then, “is simple,” Crews argued: “people who make laws should be the people who we elect; not unelected, untouchable bureaucrats.” Even in the face of Obama’s veto threat, the Senate should pass the legislation and, if nothing else, force the administration to explain why it believes the American people’s elected representatives should not be



Written by [Alex Newman](#) on August 20, 2015

---

able to vote on giant, costly, liberty-crushing edicts promulgated by the bureaucracy.

Other analysts noted that even more efforts are needed, but that this could be a good start. “The REINS Act shouldn’t be an end, but a first step in getting the federal footprint reduced,” argued Neil Siefring, president of conservative-leaning Hilltop Advocacy, in a piece for *The Hill*. “Over the decades, the Republicans in the House and Senate have been complicit in increasing the size of government, warping the Constitution and taxpayers’ wallets in the process. Passing this legislation and sending it to President Obama’s desk can serve as a marker that Republicans are serious about reducing the burden of government.”

Siefring also said the bill could serve as “gateway legislation” to further action on rolling back the size of the federal government. Among those proposed actions: shrinking and eliminating unconstitutional federal programs, quashing federal schemes that are supposed to expire, and an end to creating new federal funding streams and programs. “The regulatory process has become a way for presidents to make an end run around Congress by legislating from the White House,” added Siefring, a former congressional staffer. “The REINS Act is a way to put Congress back in the game of being a check and balance on executive action.”

Of course, a better solution than the REINS Act to the regulatory tsunami sweeping over America and threatening its future would be for members of Congress to simply obey their oath of office to the U.S. Constitution. That means, for example, that all funding for unconstitutional bureaucracies would be cut, eliminating the need for Congress to vote on individual regulations. And there is nothing Obama could do about it. Obama’s “pen and phone” could be de-funded, too. Then, state and local governments can take over any useful functions those federal agencies or programs may have performed — assuming there are any — and the American people can once again enjoy the freedom bequeathed to them by the Founders.

*Photo: AP Images*

*Alex Newman is a correspondent for The New American, covering economics, education, politics, and more. Follow him on Twitter [@ALEXNEWMAN\\_JOU](#). He can be reached at [anewman@thenewamerican.com](mailto:anewman@thenewamerican.com)*

Related articles:

[Obama Imposed 75,000 Pages of New Regulations in 2014](#)

[Federal Regulations Cost U.S. \\$2 Trillion Per Year, Study Shows](#)

[Lawmakers Working to Demilitarize Federal Bureaucracies](#)

[The Tyranny of the Federal Bureaucracy](#)

[Obama Hides Executive Abuses by Calling Decrees “Memoranda”](#)

[Federal Regulations Cut Standard of Living by 75 Percent Over 56 Years](#)

[Impeachment Support Soars as Voters Say Feds “Out of Control”](#)

[White House Boasts of Obama Power Grabs as Congress Funds Them](#)

[Oppressive U.S. Tax Laws Driving Business to Flee America](#)

[Cost Estimate of Government Regulations Doesn’t Measure the Real Cost](#)



## Subscribe to the New American

Get exclusive digital access to the most informative, non-partisan truthful news source for patriotic Americans!

Discover a refreshing blend of time-honored values, principles and insightful perspectives within the pages of "The New American" magazine. Delve into a world where tradition is the foundation, and exploration knows no bounds.

From politics and finance to foreign affairs, environment, culture, and technology, we bring you an unparalleled array of topics that matter most.



[Subscribe](#)

### What's Included?

- 24 Issues Per Year
- Optional Print Edition
- Digital Edition Access
- Exclusive Subscriber Content
- Audio provided for all articles
- Unlimited access to past issues
- Coming Soon! Ad FREE
- 60-Day money back guarantee!
- Cancel anytime.