



Written by [Michael Tennant](#) on October 8, 2013

## Government Shutdown Produces Regulatory Slowdown

Amid the various inconveniences caused by the temporary shutdown of the federal government, including the closures of national parks and the unavailability of passports, comes some good news.

According to [The Hill](#), the “shutdown has all but turned off the regulatory spigot, reducing the flow of new rules from federal agencies to a trickle.”

With only skeleton crews at many regulatory bodies — “several agencies are operating with fewer than 10 percent of their workforce,” the paper says — there simply aren’t enough people to continue issuing the dozens of diktats that normally emanate from Washington on a daily basis. As a result, the *Federal Register* has shrunk considerably, from over 400 pages with 40 rules or proposals on the day before the shutdown to an edition “less than a third the size” with “just six rules” on the fourth day of the stoppage. “More than 100 proposed regulations already forwarded to the White House’s Office of Information and Regulatory Affairs (OIRA) for approval are also frozen.”



As far as conservatives and business groups are concerned, this is cause for celebration. Most of the regulations that would have been issued under normal circumstances are almost certainly unconstitutional. In addition, they would infringe on individual liberty and hamper economic growth.

“We’re very pleased that the Obama administration’s ongoing efforts to wreck the U.S. economy with more and more heavy-handed and colossally expensive regulations [have] been put on hold,” the Competitive Enterprise Institute’s (CEI) Myron Ebell told *The Hill*.

Chief among those rules is a “series of contentious regulations as part of President Obama’s initiative to combat climate change, including rules that would limit emissions from new and existing power plants, clarify its regulatory jurisdiction over smaller bodies of water and reduce smog,” the newspaper writes.

Those rules about power-plant emissions are part and parcel of the administration’s “war on coal,” which is designed specifically to shutter existing coal-fired plants and prevent new ones from being built — all in the name of combating [alleged](#) “climate change.” Should the administration succeed in its efforts, “Americans will be hit not only with much higher electricity prices, but also with brownouts and blackouts,” argued *The New American’s* [William F. Jasper](#).

Fortunately, under the shutdown, the EPA is down to about six percent of its usual workforce,



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preventing these regulations from finding their way onto the books, thus staving off their expected ill effects for a little while.

Rep. Ted Poe (R-Texas) told *The Hill* that he's "no fan of the EPA at all" and is encouraged that "they can't do as much damage" as usual under current conditions, adding that businesses in the Lone Star State are "glad they don't have the EPA constantly issuing new regulations."

Likewise, former Sen. Blanche Lincoln (D-Ark.), who chairs the National Federation of Independent Business's (NFIB) [Small Businesses for Sensible Regulations](#) coalition, told the paper that if businesses "think [the shutdown] potentially means a week without regulations, they're thinking, 'Great, I have a week to catch up.'"

Indeed, NFIB has consistently identified "government regulations and red tape as the single most important concerns for small business owners," according to the coalition's [blog](#). "The temporary halt in new federal regulations is a welcome reprieve, but in order to modernize our outdated and inefficient federal regulatory process, elected leaders in Washington must attach the highest priority to enact reform measures to improve business conditions for job creators."

There are, of course, those who believe that Americans still aren't regulated enough — despite the fact that, according to *Human Events'* [Lawson Bader](#), "the 2013 *Federal Register* is on pace for 79,971 pages, the third-longest edition since publication began in 1936." These people — Democrats, regulators, and nanny-state lobbyists — "say that nothing less than the well-being of the American people is at stake if lawmakers are unable to end the budget impasse," reports *The Hill*.

"Anything that slows down the rule-making process ... is bad for American workers, consumers and families," Rep. Rosa DeLauro (D-Conn.) told the paper, clearly oblivious to the fact that federal regulations impose an enormous burden on all Americans. Last year, calculated [CEI](#), regulatory compliance cost Americans some \$1.8 trillion — "more than the GDPs [Gross Domestic Products] of Canada or Mexico" — or \$14,678 per family.

Centers for Disease Control and Prevention (CDC) director Thomas Frieden tried to frighten Americans into believing they would all get sick if the shutdown continues. "CDC had to furlough 8,754 people. They protected you yesterday, can't tomorrow," he tweeted last week. "Microbes/other threats didn't shut down. We are less safe."

Perhaps Frieden was onto something. After all, the folks at the Consumer Federation of America are worried sick that the lack of regulators will bring doom upon the nation. Two of them told *The Hill* that even a temporary reduction in the number of federal bureaucrats poses significant risks to average Americans.

The fearmongers will be happy to learn that despite the shutdown, the government still managed to issue 113 final regulations last week — the most published in a single week this year, Bader noted. He added that among these rules — without which, we are led to believe, Americans would be at grave risk — are "regulations for the raising and lowering of several drawbridges in Wilmington, Del.," "guidelines for a federal Blueberry Promotion and Research Program"; "new listings for seven species as either endangered or threatened"; and "establishment of four new 'viticultural areas' that winemakers can use to make their labels seem fancier."

However, it appears that most of these regulations were issued just after the shutdown commenced. "In the first two full days of the shutdown, the *Register* added 1,149 pages and described 56 final rules — roughly double and triple the norm, respectively," wrote Bader. This suggests that agencies were



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scrambling to get as many rules finalized as possible before the money ran out and the furloughs began; and as *The Hill* pointed out, the number of rules being published had diminished dramatically by the end of the week. While Bader is therefore correct that it is, in many ways, “business as usual” in Washington, as long as the shutdown continues it does not seem likely that the government will be setting any new records for issuing regulations.

Here’s to many more weeks of gridlock.



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