

A ROADMAP TO REPEAL: REMOVING REGULATORY BARRIERS TO OPPORTUNITY



President Obama has imposed an unprecedented onslaught of regulatory costs on the U.S. economy. Since 2009, federal agencies have issued more than 600 major regulations with a total cost exceeding \$700 billion. These regulations have erected barriers to opportunity for millions of American families, resulting in the weakest workforce in nearly 40 years.

Freedom Partners strongly supports efforts by President-elect Trump and the new Congress to repeal as many of President Obama's executive actions and regulations as possible. Removing these barriers to opportunity is among the surest ways to jumpstart the U.S. economy and create more opportunity for all.

Unfortunately, repealing federal regulations is not as simple as it sounds. A successful strategy must be considered in three steps and will require action from the administration, Congress, and the courts. Additionally, Freedom Partners urges Congress to put lawmakers on record on as many of these regulations as possible so that voters can see where they stand and hold them accountable in 2018.

STEP 1. WHAT CAN BE REPEALED IN THE FIRST 100 DAYS

Executive actions, proposed regulations, and recently finalized regulations.

- **Executive Actions and Proposed Regulations:** President-elect Trump can unilaterally rescind any executive action signed by President Obama or proposed regulations that have yet to be finalized, including, but not limited to:
 - Executive order establishing a task force on commercial advocacy
 - Executive order putting a moratorium on new federal coal leases
 - Presidential memorandum requiring new federal overtime rule promulgation
 - Paris Climate Agreement requiring greenhouse gas emissions reductions
 - Proposed Environmental Protection Agency (EPA) programs incidental to the Clean Power Plan
 - Proposed Consumer Financial Protection Bureau (CFPB) payday and vehicle title loan rules
 - Proposed CFPB arbitration rules
- **Regulations Finalized On or After June 13, 2016:** Under the Congressional Review Act (CRA), Congress can avoid a Senate filibuster to repeal all regulations finalized during the last 60 legislative days, with June 13, 2016, being the cutoff date. Congress should prioritize the following:
 - Final Stream Protection Rule regarding coal mine permitting
 - Bureau of Land Management (BLM) federal lands Methane Rule
 - Environmental Protection Agency (EPA) Renewable Fuel Standard (RFS): 2017 and 2018 obligations
 - EPA Greenhouse Gas Emissions Standards: Medium- and Heavy-Duty Engines and Vehicles

STEP 2. LONGER-TERM OPPORTUNITIES

All other regulations passed before June 13, 2016 can be repealed in at least one of three ways.

- **Executive Rulemaking, Legislation to Rescind or Defund, and Judicial Challenges.** These are time-consuming processes that should begin immediately. President-elect Trump and Congress should prioritize the following:
 - EPA Rule defining The Waters of the United States
 - EPA Clean Power Plan
 - HHS Electronic Health Record Incentive Program
 - HHS Establishment of Exchanges and Qualified Health
 - DOL Overtime Rule
 - DOL Fiduciary Rule
 - FCC “Net Neutrality” Rule
 - USDA Calorie Labeling for Vending Machines

STEP 3. POLITICAL ACCOUNTABILITY

Freedom Partners will hold lawmakers who oppose regulatory relief accountable for their positions.

- **Floor Time:** Congressional leaders should devote sufficient floor time to voting on finalized regulations and putting lawmakers on record on President Obama’s most harmful regulations.
- **Voter Education:** Network organizations will educate voters about their elected representatives’ positions on regulations that impose barriers to opportunity for hardworking families.