



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

July 23, 2012  
(House Rules)

## STATEMENT OF ADMINISTRATION POLICY

### H.R. 4078 – Regulatory Freeze for Jobs Act of 2012

(Rep. Griffin, R-AR, and 20 cosponsors)

The Administration is committed to ensuring that regulations are smart and effective, that they are tailored to advance statutory goals in the most cost-effective and efficient manner, and that they minimize uncertainty. H.R. 4078, the Regulatory Freeze for Jobs Act, would undermine critical public health and safety protections, introduce needless complexity and uncertainty in agency decision-making, and interfere with agency performance of statutory mandates. Accordingly, the Administration strongly opposes House passage of H.R. 4078.

When a Federal agency promulgates a regulation, the agency must adhere to the robust and well understood procedural requirements of Federal law, including the Administrative Procedure Act, the Regulatory Flexibility Act, the Unfunded Mandates Reform Act, the Paperwork Reduction Act, and the Congressional Review Act. In addition, for decades, agency rulemaking has been governed by Executive Orders issued and followed by administrations of both political parties. These require regulatory agencies to promulgate regulations upon a reasoned determination that the benefits justify the costs, to consider regulatory alternatives, and to promote regulatory flexibility.

This Administration is committed to a regulatory system that is informed by science, cost-justified, and consistent with economic growth. Through Executive Order and the direction of the President, agencies must also ensure that they take into account the consequences of rulemaking on small businesses. Executive Order 13563 requires careful cost-benefit analysis, increased public participation, harmonization of rulemaking across agencies, flexible regulatory approaches, and a regulatory retrospective review. Through Executive Orders 13579 and 13610, the Administration also has taken important steps to promote systematic retrospective review of regulations by all agencies. Collectively, these requirements promote flexible, commonsense, cost-effective regulation.

Passage of H.R. 4078 would seriously undermine the existing framework. H.R. 4078 would also add layers of procedural burdens that would interfere with agency performance of statutory mandates, unnecessarily delay important public health and safety protections, and undermine and potentially delay important environmental reviews. For example, H.R. 4078 would create excessively complex permitting processes that would hamper economic growth. It would also spawn excessive regulatory litigation, and introduce redundant processes for litigation settlements. It also addresses numerous problems that do not exist, such as a moratorium on "midnight" rules.

In these ways and many others, the Regulatory Freeze for Jobs Act would impede the ability of agencies to protect public health, welfare, safety, and our environment, as well as to promote economic growth, innovation, competitiveness, and job creation.

If the President were presented with H.R. 4078, his senior advisors would recommend that he veto the bill.

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