



# Hope!

*Needed reform could be coming to the EPA swamp.*

*By Michael S. Coffman, Ph.D.*

"MUSTACHE MORNING"—SUNRISE OVER THE WIND RIVER MOUNTAINS IN WESTERN WYOMING. © JENNIFER ROBERTS

In what can only be described as a political blitzkrieg, the moment President Donald Trump was sworn in, former President Obama's Climate Action Plan's entire website disappeared. Part of this disappearing act included Obama's economy-destroying Clean Power Plan and other pages dedicated to his environmental agenda. [See "EPA's Tidal Wave," Summer 2013 at rangemagazine.com as well as Obama's Waters of the U.S. rule, "EPA Wants It All," Winter 2015.]

Instead, Trump's "America First Energy Plan" included: "For too long, we've been held back by burdensome regulations on our energy industry. President Trump is committed to eliminating harmful and unnecessary policies such as the Climate Action Plan and the Waters of the U.S. rule. Lifting these

restrictions will greatly help American workers, increasing wages by more than \$30 billion over the next seven years." Trump's promise to eliminate Obama's climate program were finalized in a series of executive orders on March 28, 2017.

By expanding its power to control all carbon emissions and water over the entire United States, including the mud puddle in your backyard, the EPA would be able to control all human activity. No one would escape its jackbooted enforcement of its oft-baseless rules. Very few urbanites understand the depth of corruption and lust for more and more power that's at the heart of the EPA. Fortunately, President Trump does.

Although the election of 2016 was incendiary and anti-Trump emotions have run

high, his campaign promise to "drain the swamp" is critical if we are to maintain our government of the people, by the people, and for the people as President Lincoln so eloquently penned in the Gettysburg Address.

During the first month of his presidency, Trump authorized the completion of the Keystone XL and Dakota Access pipelines, as well as signing legislation quashing the Office of Surface Mining's Stream Protection Rule and thereby saving thousands of coal-mining jobs. Center stage in Trump's reforms was the EPA.

## **The Agency**

One of Trump's immediate actions was to freeze all the EPA's contracts and grants for climate research, environmental justice and pollution-prevention programs. The order

also imposes a gag order preventing EPA staff from discussing the freeze outside the agency. Other agencies had lesser restrictions imposed on them.

Why the draconian impositions clamped on the EPA? Because the EPA is probably the most corrupt agency in the federal govern-

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ment (check “Secret Science” and “Green Billionaire\$,” Winter 2015). It uses pseudo-science, or no science, to base its rulemaking upon and generally refuses to allow peer review to question its severe rules. It also has a revolving-door policy with radical environmental groups, especially the Natural Resources Defense Council. The EPA is staffed almost exclusively with former NRDC and other advocacy attorneys.

The EPA’s abuse of U.S. citizens and companies has been covered up by a compliant mainstream media which pick up the cry that our environment is being destroyed and the perpetrators must be punished and reined in with little or no mention of whether its regulations are even needed. Just how the EPA enforces its mandates was revealed to the world when Al Armendariz, at the time head of its Region Six office based in Dallas, told a group of EPA employees learning EPA enforcement methods: “The Romans used to conquer little villages in the Mediterranean. They’d go into a Turkish town somewhere, they’d find the first five guys they saw and they would crucify them. And then you know that town was really easy to manage for the next few years.”

Armendariz continued: “And so you make examples out of people who are in this case not compliant with the law.... [Y]ou hit them as hard as you can...and there is a deterrent effect there. And companies that are smart see that, they don’t want to play that game, and they decide at that point that it’s time to clean up.”

The EPA quickly claimed this was not its culture, but hundreds of people and companies will tell you otherwise.

The case Armendariz was talking about dealt with a hydraulic fracking company

accused of polluting groundwater. Once again the EPA used pseudoscience to justify its accusations and actions. After further real research it was clearly shown that the fracking had nothing to do with the contamination. The EPA had to withdraw its lawsuit and stop its harassment of the company.

Don’t worry about Armendariz, however. He resigned from the EPA and went to work at an excellent salary for the Sierra Club. Environmentalists take care of their own, regardless of whom they hurt.

The Trump transition team has identified around \$800 million in budget cuts for the EPA. Writing for Axios Media, Steve Helber quoted the EPA Action Plan written by Myron Ebell (who headed up the Trump transition team): “EPA does not use science to guide regulatory policy as much as it uses regulatory policy to steer the science. This is an old problem at EPA. In 1992, a blue-ribbon panel of EPA science advisers noted that ‘science should not be adjusted to fit policy.’ But rather than heed this advice, EPA has greatly increased its science manipulation.” The Action Plan gave some recommendations as to what should be done:

- EPA should not be funding scientific research.
- If EPA uses scientific data for regulation, that data must be publicly available so that independent scientists can review it (until now, much of it is not).
- EPA’s science advisory process needs to be overhauled to eliminate conflicts of interest and inherent bias.
- Science standards need to be developed and implemented to ensure that science policy decisions and epidemiological practices are based on sound science.

Former Oklahoma Attorney General Scott Pruitt was confirmed on February 17 after a bruising confirmation process. Environmentalists and progressives especially hate Pruitt and have called him every vile name in the dictionary. He was even attacked when he said he’d like to have an open debate on climate change. He has been fighting the EPA for so long that he knows where all the corruption is. Agents know that they will no longer be able to use harsh rules and fake science to punish their enemies like they have for decades. The question is whether the entrenched bureaucrats will attempt to

undermine everything Pruitt does.

Many analysts believe the EPA is so incredibly corrupt and abusive that it should be disbanded entirely. Sterling Burnett of the Heartland Institute suggests turning the power of legislative rule-making and enforcement over to the states and then having a council of the state departments of environmental protection meet once a year to handle environmental issues that cross state boundaries.

### **Global Warming**

During his campaign, Trump claimed he would withdraw the United States from the Paris Climate Accord, which he did on Inauguration Day. The accord was actually a treaty that was never ratified by Congress because President Obama could not get the 60 votes needed for passage. Instead, Obama merely signed it and claimed the authority to implement his economy-destroying Climate Action Plan, which included his Clean Power Plan.

Although Obama’s various climate plans are now defunct, many people are still convinced that humans are responsible for global warming and that we are heading for a meltdown. They use the claim that 2016 was the warmest year in history (by 0.01°F), even though Britain’s Met Office—the office most responsible for providing climate data to the U.N.’s Intergovernmental Panel on Climate Change—said that the warm year was due to the strong El Niño that peaked in 2016. “A

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particularly strong El Niño event contributed about 0.2°C to the annual average for 2016,” cautioned Peter Scott, acting director of the Met Office. It was not global warming. Yet mainstream media continue to blather about the “fact” that 2016 was the warmest year in history. It has gotten so bad that almost anything it says about global warming is fake news or outright propaganda.

### **The REINS Act**

On January 5, the brand new session of the U.S. House of Representatives passed the Regulations from the Executive in Need of Scrutiny Act of 2017 (H.R. 26), referred to as the REINS Act. According to the congress-

sional summary: “The bill requires Congress to approve all new major regulations, meaning any regulation having an impact of \$100 million or more annually on the economy.... A joint resolution of approval must be enacted within 70 session days or legislative days after the agency proposing a major rule submits its report on such rule to Congress in order for the rule to take effect.”

The REINS Act is a vast improvement over the Congressional Review Act (CRA) of 1996, which allowed Congress to review rules and vote them down if desired in a joint resolution. Since one political party was in power in one house or the presidency while the other party was in power in the other house or presidency, any effort to pass a resolution to block a rule wound up gridlocked. Hence, it was rarely used. Despite the tens of thousands of rules promulgated since 1996, the CRA was used less than a half-dozen times to block an unwanted rule. Of those, the president only signed one resolution. During the Obama administration, only two resolutions blocking a rule were passed by Congress. Not surprisingly, Obama vetoed both.

In the current 115th session of the Republican-dominated Congress, the CRA is suddenly back in play and most if not all of the last-second rules secretly imposed by the Obama administration just before he left office were reviewed using the CRA.

The REINS Act still suffers from the reality that political partisanship will stop many of the efforts to block a rule. What makes this bill superior to the CRA is that Congress *must* vote up or down on every resolution to block a rule. By forcing Congress to vote, the REINS Act allows the public to be aware of the rule and its consequences and who supports or opposes it. It is highly unlikely that Obama’s clean energy rule or Waters of the U.S. would ever survive such a vote. In the future, the agency will carefully craft the rule to conform to the intent of the legislation rather than merely expand its power and budget, as has been the case in the past.

Environmentalists and progressives have screamed and conducted acts of violence to protest Trump’s alleged destruction of the environment by pulling the plug on his predecessor’s avalanche of regulations. Yet, most of those regulations provide little to no measurable benefits while

imposing staggering costs on the economy and citizens.

As an example, Jamie Rappaport Clark, Defenders of Wildlife president and CEO, said of Trump’s January 30 executive order directing agencies to get rid of two rules for every new one imposed: “This executive order is foolish and dangerous. Arbitrarily

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declaring that two federal regulations must be revoked for every new one issued is absurd. This is no way to lead our nation. Federal rules and regulations keep our drinking water clean, our environment safe, and our children healthy. Forcing an agency to get rid of two of its regulations every time it enacts a new one to carry out its mission to protect the public will only create chaos.... President Trump says that this order is meant to cut red tape for small business, but it’s just another concession for big businesses that don’t want to follow environmental laws. This is a disturbingly reckless order that puts people, communities, wildlife and habitat at risk of losing vital protections for no good reason.”

Clark’s statement is typical of most radical environmentalists: overexaggerate to the extreme the danger of doing anything they

They blame the top “one percent” for this financial pain when, in fact, it was caused by the tens of thousands of new unnecessary regulations they helped promulgate during prior administrations.

### **Regulations**

We all complain about taxes. In its annual 2016 Ten Thousand Commandments, the Competitive Enterprise Institute estimates that in 2015 taxpayers paid \$1.82 trillion to the IRS while regulations cost citizens \$1.885 trillion that same year. Those regulatory costs add up to nearly \$15,000 per U.S. household each year. And people wonder why they can’t make ends meet.

Also realize that the 114 laws enacted by Congress in 2015 spawned 3,410 new rules printed on 80,260 pages of the Federal Register. All these new rules had to be read, understood and implemented by both large and small businesses. Large businesses can hire a team of lawyers to sift through it and incorporate the new rules into their operation and pass the costs along to customers; for small businesses it isn’t so easy. While some of these rules are needed, most are written to expand the size and the power of the agency promulgating them, and many small businesses simply can’t afford their implementation.

Those protestors who believe Trump is

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object to. Like the hysteria they have generated over global warming, these eco-zealots claim people, communities and the Earth itself are in danger if the action isn’t stopped or their every demand is not met. The mainstream media faithfully regurgitate the eco fearmongering, and uninformed people believe it as truth.

Environmentalists, progressives and the liberal press are no friend to people or the environment. While all Americans want clean water and air and a healthy planet, these activists have brought us nothing but pain, joblessness, and a falling standard of living with little environmental benefit.

wrong in attempting to roll back regulations should rethink the evidence and check the facts. It should be obvious that unnecessary regulations are stifling our economy with no benefit to the American people. ■

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