



### *CPR Editorial Memorandum*

## **Barack Obama's Path to Progress in 2015-16: Thirteen Essential Regulatory Actions**

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President Obama's prospects for moving major elements of his policy agenda through Congress were poor even before last week's elections. With a new Republican majority coming to the Senate, the best the President can probably hope for is to protect the gains he made in his much more productive first term using his veto pen and Senate filibusters.

But the President has another path to progress, one that offers him an opportunity to help safeguard the environment, enhance worker safety, protect the nation's food supply, and more, while at the same time, burnishing his legacy. A new white paper from the Center for Progressive Reform lays out 13 specific regulatory actions that the President can and should take before the end of his term, covering a range of domestic issues. Congress has already done the bulk of its work on these issues, by passing the Clean Air Act, the Occupational Safety and Health Act, and other significant pieces of legislation granting authority to the Executive Branch, and in some cases creating a statutory obligation for it, to adopt rules that would enforce their provisions.

The process of developing regulations can be maddeningly slow, in some cases lasting many years. But all of the 13 measures identified in the CPR white paper are far enough along in that process as to be within the Administration's reach, provided the President is willing to act by sending a clear message to the relevant agencies that they need to be finished with their work by the middle of 2016, a date that would protect the rules from easy repeal by a new President.

To emphasize, he need not strain the bounds of his authority to move on these regulations. He simply needs to see to it that the various agencies of his Administration move in a timely way, with an appropriate sense of urgency.

The rules identified in [Barack Obama's Path to Progress in 2015-16: Thirteen Essential Regulatory Actions \(or here in PDF\)](#), come out of the Environmental Protection Agency (EPA), the Food and Drug Administration (FDA), the Department of Labor, and the Department of Transportation. All are now years overdue. Each day, people get ill and too many die because earlier administrations dragged their feet on these problems. By finalizing these rules, the President can save thousands of American lives.

Because time is short and so much work remains to be done, the white paper also recommends that the President appoint a senior White House advisor to be the point person to organize and ride herd over the considerable effort that will be required to make these and other rules final by no later than June 30, 2016. The "Essential 13" regulatory actions highlighted in the white paper are:

- [National performance standards to limit greenhouse gas emissions from fossil-fueled power plants](#). EPA rules that would reduce climate-disrupting greenhouse gas emissions from new and existing fossil-fueled power plants, saving thousands of lives.
- [Preventive controls for processed foods](#). FDA rules that would prevent catastrophic foodborne illness outbreaks caused by processed foods, such as the recent *Salmonella*-tainted peanut butter outbreak that killed nine people.
- [Produce safety](#). An FDA rule that would prevent catastrophic foodborne illness outbreaks caused by tainted fresh produce, such as the recent *Listeria*-tainted cantaloupe that killed 33 people.
- [Imported food safety](#). FDA rules that would hold imported foods, which comprise 15 percent of all foods consumed in the United States, to the same high standards that apply to foods produced domestically.
- [Silica standard](#). An OSHA rule to better protect the 2 million U.S. workers exposed to dangerous levels of silica dust in the workplace.
- [National ozone air pollution standard](#). An EPA rule that would annually prevent up to up to 12,000 premature deaths.
- [“Waters of the United States” regulatory definition](#). An EPA rule to ensure that wetlands and smaller water bodies receive the full protections of the Clean Water Act.
- [Child farm-labor safety rules](#). EPA and Department of Labor safeguards to better protect vulnerable child agriculture workers, one of whom dies in a farming-related incident roughly every three days.
- [Crude-by-rail safety standards](#). A Department of Transportation rule that would prevent train derailments and crashes involving the more than 415,000 rail-carloads of flammable crude oil traveling across the United States each year.
- [National stormwater pollution controls](#). An EPA rule that would prevent harm to lakes, rivers, and streams caused by polluted stormwater.
- [Coal ash waste disposal standards](#). An EPA rule to require power plants to better manage the more than 129 million tons of coal ash they produce annually, in order to prevent contamination of adjacent ground and surface waters, as well as disastrous spills.
- [Concentrated animal feeding operation water pollution standards](#). An EPA rule to regulate disposal of the more than 500 million tons of manure produced each year.
- [Permit “eReporting” for the National Pollutant Discharge Elimination System](#). An EPA rule that would strengthen the agency’s ability to respond to water pollution violations.

I hope you’ll find space on your editorial/opinion pages to discuss these important regulatory actions. You can find more information about these proposals on CPR’s website at <http://www.progressivereform.org/13RulesIntro.cfm>, (or in PDF form at <http://www.progressivereform.org/articles/13Rules1406.pdf>). I’d also be delighted to speak with you, and can be reached by contacting Erin Kesler at 202-747-0698 or at [ekesler@progressivereform.org](mailto:ekesler@progressivereform.org). Thanks very much.