

Bush's Backward Sprint to the Finish



In its “[sprint to the finish](#),” the Bush administration is working tirelessly to [promulgate or alter a wide array of federal regulations](#) that would [weaken government rules](#) protecting consumers, workers, and the environment.

As Rep. Nick Rahall (D-WV), chairman of the House Natural Resources Committee, told the Wall Street Journal, “This administration will stop at nothing to jam through [as many reckless proposals](#) as they can before the clock runs out.”

The Wonk Room and ThinkProgress are keeping a close eye on [Bush's Backward Sprint to the Finish](#), and have compiled [a document](#) to keep tabs on both the proposed and already enacted changes:

Health Care

- **Cutting back Medicaid:** New rules “[narrowed the scope of services](#) that can be provided to poor people under Medicaid’s outpatient hospital benefit.”

- **Allowing healthcare workers to refuse procedures for moral or religious reasons:** The rule would allow doctors, nurses and pharmacists “to refuse to participate in any procedure they [find morally objectionable](#), including abortion and possibly even artificial insemination and birth control.” The rule also makes it clear “that healthcare workers also may [refuse to provide information or advice](#) to patients who might want an abortion.”

- **Revising the rules for international drug trials:** The U.S. Food and Drug Administration recently to no longer hold pharmaceutical companies to the standards of the World Medical Association’s Declaration of Helsinki while conducting human drug trials. The new rule requires “that pharmaceutical companies comply [only with local regulations](#) where the trials are conducted.”

- **Narrowing the definition of combat related disability:** A change made by the Pentagon in March narrowed the definition of combat related disability, “costing some injured veterans [thousands of dollars in lost benefits](#).” The veterans advocacy group Disabled American Veterans called the policy revision a “[shocking level of disrespect](#) for those who stood in harm’s way.”

- **Allowing states to set premiums and higher co-payments:** A new rule “gives states [sweeping authority](#) to charge premiums and higher co-payments for doctors’ services, hospital care and prescription drugs provided to low-income people under Medicaid.” The New York Times described the rule as a “[sea change](#)” in Medicaid.

Labor

- **Making it harder to take paid time off:** Changes to the Family and Medical Leave Act (FMLA) “make it [more difficult for employees](#) to use paid vacation or personal days when they take leave for medical or family emergencies,” and state that “a worker with a chronic health condition is required to [certify doctor visits](#) at least twice a year for that condition.”

- **Allowing truck drivers to work 14 hour days:** Changes to Federal Motor Carrier Safety Administration rules “allow truckers to drive as many as [11 consecutive hours](#)” and work up to 14 hour days.

- **Requiring labor unions to file extensive financial reports:** The Office of Labor-Management Standards is moving to finalize a rule that would require labor unions to [file extensive annual financial reports](#) for trusts, such as pension funds, they have established to benefit their members (T-1 Form). This proposal is seen as an effort to overload labor unions with paperwork.

- **Making it harder to regulate toxic substances on the job:** The Labor Department is trying to complete a new rule, supported by business groups, that would “make it much harder for the government to regulate [toxic substances and hazardous chemicals](#) to which workers are exposed on the job.”

- **Stripping collective bargaining rights from federal employees:** Bush issued an executive order “that [denies collective bargaining rights](#) to about 8,600 federal employees who work in law enforcement, intelligence and other agencies responsible for national security.” [900](#) of these employees were already represented by collective bargaining units.

- **Relaxing rules on investment advisers conflicts of interest:** The new regulation “would relax the rules on when investment advisers can recommend products [sold by their own companies](#).” Consumer groups say the change “could put [retirement savings at risk](#).”

- **Revising H-2A visa rules to lower wages and encourage exploitation:** The Department of Labor issued changes to the H-2A visa that “revise the way wages are calculated and will [lower them substantially](#).” The changes also “reduce requirements for growers to prove they have [made a good-faith effort](#) to recruit U.S. workers.” The changes could lead to the easy exploitation of immigrant workers.

Environment

- **Allowing mining near the Grand Canyon:** A rule issued by the Bureau of Land Management [prevents Congress](#) from ordering emergency withdrawal of federal land from mining claims. The House Natural Resources Committee “issued such a withdrawal order in June for about [1 million acres near the Grand Canyon](#).”

- **Allowing federal agencies to discount global warming when assessing risks to endangered species:** The goal of the change is to “is to eliminate a long-standing provision of the Endangered Species Act that [requires an independent scientific review](#) by either the U.S. Fish and Wildlife Service or the National Oceanic and Atmospheric Administration of any federal project that could affect a protected species.” Instead, individual agencies would decide whether a project could harm an imperiled species.

- **Weakening the Endangered Species Act:** The rules would [eliminate the input](#) of federal wildlife scientists in some endangered species cases, [by allowing] the federal agency in charge of building, authorizing or funding a project to determine for itself whether a project would be likely to harm endangered wildlife and plants.

– **Eliminating environmental reviews of fishing regulations:** A rule change proposed by National Marine Fisheries Service would repeal a requirement that “environmental impact statements be prepared for certain fisheries-management decisions.” Instead, the government would “[give review authority to regional councils](#) dominated by commercial and recreational fishing interests.”

– **Allowing more emissions from power plants:** The Environmental Protection Agency is “finalizing new air-quality rules that would make it [easier to build coal-fired power plants](#), oil refineries and other major polluters near national parks and wilderness areas” by weakening the Clean Air Act.

– **Opening protected wilderness areas to energy development:** Despite being blocked by “federal court and administrative rulings,” the Bureau of Land Management is “reviving plans to [sell oil and gas leases](#) in pristine wilderness areas in eastern Utah that have long been protected from development.”

- **Letting factory farms voluntarily decide if they need permits to discharge waste into waterways:** The new rule “asks companies that run confined animal feeding operations to voluntarily apply for permits to discharge waste into waterways. If the operators don’t think they pollute enough, they are under [no obligation to get permits](#).”

- **Altering the definition of solid waste:** This rule “effectively exempts about [1.5 million tons of hazardous waste](#) that is recycled from a regulation that required such material to meet strict labeling, transportation and disposal rules.”

- **Allowing snowmobiles in Yellowstone:** Overturning a ban on snowmobiles put in place during the Clinton administration, the National Park Service “[proposed that 318 snowmobiles](#) would be allowed in Yellowstone per day while 50 would be given access to Grand Teton. That’s down from a combined 605 snowmobiles in a plan that was rejected by a federal judge in September.”

- **Allowing coal companies to dump dirt and rock into streams:** A proposed rule by the Office of Surface Mining “would allow coal companies to [dump rock and dirt](#) from mountaintop mining operations into nearby streams and valleys.”

Civil Liberties

- **Allowing guns in national parks:** The Department of the Interior [finalized](#) a rewrite to “the policy for the national parks, with the idea that federal regulations should “mirror” state laws on guns in parks.” The decision allows “[concealed, loaded firearms](#) at 388 of 391 national park sites.”

- **Broadening law enforcements monitoring abilities:** The new rule “would broaden the scope of activities authorities could monitor to include organizations as well as individuals, along with [non-criminal activities that are deemed ‘suspicious.’](#)”

- **Issuing final rules to implement the REAL ID Act:** The Department of Homeland Security issued a final rule to implement the REAL ID Act that sets minimum standards for state-issued driver’s licenses and identification cards. This rule has “rendered REAL ID virtually useless as a security measure, while still [posing serious privacy problems.](#)” The rule places no limit on the permissible uses of the REAL ID card by governmental or commercial entities, leading to concern that the REAL ID card will become a de facto national ID card.

Taxes

- **Significantly reducing corporate taxes:** The Internal Revenue Service has been “[unusually aggressive](#) in doing what it can to lower corporate taxes, going above and beyond what has been allowed in the past.” The changes “[drain billions of dollars](#) of badly needed tax revenue at a time when the federal deficit is mushrooming.”

Administration

- **Protecting political appointees by shifting them to permanent posts:** The administration’s shifting of political appointees to civil service posts in the Interior, Labor, and Housing and Urban Development departments, “at least initially will deprive

the incoming Obama administration of the chance to install its preferred appointees in [some key jobs.](#)”