

# Rep. Grothman: 'They don't understand how burdensome a new regulation could be'

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(Washington, D.C.) – Congressman Glenn Grothman (R-Glenbeulah) today questioned officials on the effectiveness of three federal agencies' Regulatory Reform Task Forces during a House Oversight and Government Reform Subcommittee on the Interior, Energy and Environment hearing.

Witnesses at the hearing included The Honorable David Bernhardt, Deputy Secretary of the Department of Interior (DOI), Ms. Brittany Bolen, Deputy Associate Administrator for the Office of Policy at the Environmental Protection Agency (EPA) and Mr. Daniel Simmons, Acting Assistant Secretary of the Office of Energy Efficiency and Renewable Energy at the Department of Energy (DOE).

Excerpts of Grothman's questioning

Grothman: "I want to follow up a little bit again as far as the background of people you hire. A lot of my experience actually came at the state level, but I always felt it was a big mistake to hire people in regulatory agencies straight out of college or academics because they really don't understand how burdensome those regulations are. Are any of you, in your agencies, hiring people straight out of University or people whose only experience has been in the world of academia? Or, are you restricting yourselves, hopefully, to people who have experience with the businesses that are going to be regulated?"

Mr. Simmons: "I'll start by answering that. For the broad swath of hiring across DOE,

we meet our human capital requirements and we look to hire the best people for the appropriate job. For these entry level positions we definitely would like to have people right out of college because that's what those positions are, to give people experience. For more senior level positions we definitely want people with various types of experience to provide that necessary information. So, it all depends on the position for hiring."

Ms. Bolen: "Certainly the agency does have fellowship programs with recent graduates. But, just generally speaking, I'm aware that the political staff I think has a broad scope in their background and qualifications and levels of expertise that they can offer. But, I couldn't speak to the agency as a whole's hiring practices."

Mr. Bernhardt: "We have approximately 70,000 employees. We hire all sorts of folks. Obviously at a policy level, at a senior level, what we see in folks tend to be people who have experience in state or local government, people that have experience in regulatory paradigms that are complicated or people that have science backgrounds that are relevant to their mission."

Grothman: "I'm a little bit concerned and I would like you to comment on this. Because, having dealt with regulatory agencies, sometimes somebody who has never worked outside of government, and that's fine, they don't understand how burdensome a new regulation could be. If you change a regulation from three years ago and you thought you were complying, now you're not. That sort of thing. I'm particularly a little bit concerned with, and I realize not your entire functions are regulatory, you know if you're hiring somebody for the parks or something that's one thing, but if it's a regulatory agency that affects how somebody else is doing business or their property I think it's important to hire somebody who's been on the other side first. I wondered if you had ever considered maybe putting an administrative rule that put in requirements that people who work for the regulatory part of your agencies have to have three or four years' experience first so they understand how it looks when a new wave of paperwork is thrown at you or you have to spend perhaps millions of dollars on something when two years ago you were in compliance. Would any of you comment on if you would ever have the ability to maybe put some administrative rule in effect so you greatly increase the chance that you'll be hiring people who have experience other than just college-related if they are interacting with private individuals?"

Bernhardt: "I've never thought about the rulemaking, but I will give you a similar example. And that is, at times the folks that I think we have in our headquarters,

even if they're regulatory people, don't necessarily know what folks are actually doing on the ground and the challenges that our field offices are facing, and I've seen this. And one of the things that we're looking at is ensuring that the people that are making regulatory policy decisions actually know what the on-the-ground-effects are, even within the local regulators because I think their perspective tends to be a little different because they are there experiencing these things as well. Your idea's an interesting one. We'd have to talk to our lawyers."

Bolen: "I would have to take back your suggestion but I will offer that the office of policy, the office in which I serve, does have a program that we have re-launched that was first initiated under the Clinton Administration known as 'Common Sense' and now we have re-branded it to 'Smart Sectors', which is an opportunity for the agency to develop partnerships with the regulated community and to provide a means for career staff to get on-the-ground tours and site visits to better understand the regulated community and this is just a partnership that we re-launched several months ago that was something past administrations had done to try to bridge the gap between career staff and the regulated entities."

Grothman: "One way to make sure the staff always understands the regulated community is to make sure you hire them from the regulated community. Thank you."

Click [here](#) to view Grothman's full remarks (beginning at 1:13:48).

## Background

Earlier this year, President Trump signed two executive orders to unveil the Administration's position on regulatory reform. The first establishes that federal agencies must repeal two old regulations before issuing any new regulation. The second requires each agency to designate a Regulatory Reform Officer as well as a Regulatory Reform Task Force to identify unnecessarily costly, burdensome, outdated or redundant regulations for review or repeal.

This hearing is the third part in a series looking at Regulatory Task Forces. The first was held on Oct. 24, 2017, and the second on Nov. 14, 2017.

The Committee on Oversight and Government Reform has learned that Regulatory Reform Task Forces are producing unprecedented progress in their regulatory cleanup efforts.

For more information, please click [here](#).

Click [Part I](#) and [Part II](#) for more information on previous hearings.