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# Rep. Smith Passes Legislation to Protect Taxpayer Dollars, Rein in EPA

JULY 27TH 2018 BY DEE LOFLIN

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Washington, D.C. - The U.S. House of Representatives passed Congressman Jason Smith's (MO-08) legislation to protect taxpayer dollars and end the EPA practice known as 'sue and settle' Wednesday.

'Sue and settle' is the practice of environmental advocacy groups suing the Environmental Protection Agency (EPA) in order to dictate the EPA's regulation writing process. Instead of defending itself, the agency settles the lawsuit out of court in a closed-door agreement. Under current law, the legal fees of the outside organization in these settlements can be picked up by American taxpayers.

"When federal agencies settle lawsuits with outside advocacy groups behind closed doors, the outcome is costly new regulatory burdens with taxpayers picking up the tab," said Congressman Smith. "It's bad enough that the taxpayer ultimately pays for these regulations, but under current law it's the taxpayer footing the bill for attorney fees. That is absurd."

In the first term of the Obama administration, sue and settle agreements resulted in over 100 new regulatory actions burdening states, businesses, consumers, and local communities with more than \$1 billion in annual costs. Smith's amendment restricts federal agencies from using American taxpayer dollars to pay for legal fees for settlements under the Clean Air Act, the Clean Water Act, and the Endangered Species

Act.

“My amendment prevents American taxpayer dollars from being used to pay the legal fees of outside advocacy groups for settlements. Organizations can sue whoever they want, but they cannot do it on the backs of taxpayers,” said Congressman Smith.

In October the Trump administration adopted Congressman Smith’s recommendation and stopped the ‘sue and settle’ practice, but current law does not prohibit future administrations from changing the policy.

“The American people are tired of an unaccountable federal government and we have the opportunity to do something about it. This is a necessary step to rein in over-regulation and bring transparency to the unelected bureaucracies,” said Congressman Smith.

This is the latest action by Congressman Smith to rein in the EPA and increase accountability in government bureaucracies.

Congressman Smith has worked with the Trump administration to repeal the Obama administration EPA’s ‘Waters of the United States Rule,’ a massive power grab attempt to over-regulate and claim jurisdiction of every rain puddle on farmers’ fields.

In 2017 the House passed Congressman Smith’s Searching for and Cutting Regulations that are Unnecessarily Burdensome (SCRUB) Act. The SCRUB Act would require the government to identify and eliminate costly and unnecessary regulations still on the books, many of which were created by the EPA.

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