

# Obama Is Latest to Hunt for Elusive ‘Dumb’ Rules

WASHINGTON — There is a federal regulation that dictates that place names on new highway signs must be spelled with just one capital letter — like This, not THIS.

Federal rules say that beef from a state-regulated slaughterhouse cannot be sold in other states, but bison from the same slaughterhouse can.

And as [President Obama](#) told the nation on Tuesday, one federal agency until recently listed saccharin, a common coffee sweetener, as a form of toxic waste.

It has become an article of faith in Washington that the government’s extensive rulebook is riddled with burdensome requirements that are unnecessary, contradictory or, to borrow a phrase from the president, “just plain dumb.”

His administration, like its predecessors, [has now promised a thorough weeding](#).

But specialists on both sides of the political aisle say that the president is wasting the government’s time. They say there are few rules so dumb, duplicative or outdated that everyone can agree they serve no purpose. Rather, most regulations reviled by some are cherished by others, meaning that any effort to reduce regulation is a political process, not a question of housekeeping.

“The history of these kinds of efforts is that they don’t matter very much,” said Peter Van Doren, editor of [Regulation](#) magazine, a publication of the libertarian [Cato Institute](#), which generally advocates for less regulation.

Gary Bass, executive director of [OMB Watch](#), a nonprofit that generally advocates for more regulation, said the cost of the search was likely to outstrip the benefits.

“If saccharin is the most serious example the administration can come up with, then it does not justify doing these lookbacks,” he said.

It is clear that the government’s rulebook keeps getting longer. The amount of time businesses and individuals must spend answering questions from the government — filing taxes, applying for permits, submitting reports — has increased by more than 30 percent in the last decade, [federal data show](#). The annual burden now amounts to more than one day per person.

The Obama administration has championed historic expansions of financial and health care regulation, and it has toughened a wide range of other rules.

The efforts are deeply controversial. House Republicans voted this week to repeal the health care law. Business groups have blasted the administration for impeding job growth and dampening the economic recovery.

But those are not the rules the White House is pledging to prune. Instead, echoing a promise made by every president since [Jimmy Carter](#), it is promising to find the regulations that are not controversial at all — just plain dumb.

There is little reason to think this search will prove more fruitful than its predecessors.

Even the [rules of the road signs](#) have powerful friends. Advocates for senior citizens say that This is easier to read than THIS.

Those who complain about the prevalence of silly and outdated rules rarely cite specific examples. Several business groups asked to name specific candidates for the president's project, including the [United States Chamber of Commerce](#), never called back.

The Business Roundtable, an association of chief executives of nearly 200 large American companies, cited a proposed expansion of protected habitats for the spotted owl under the Endangered Species Act.

The government “is restricting activity on lands that may be suitable habitat for the spotted owl, irrespective of whether the owl is present in that region,” the group said in an e-mail. “This draft plan has the potential to shutter mills and destroy jobs as fiber supply from both federal and private lands is constrained.”

Of course, while spotted owl protections are bitterly opposed by the timber industry, they are supported by environmental groups.

There also are institutional obstacles to erasing regulations. When agencies are told to conduct reviews, they usually conclude that the current rules should be kept, [according to a 2007 report](#) by [Government Accountability Office](#), an arm of Congress.

Even when agencies find that the cost of a given regulation does exceed the benefit, political considerations often keep the rules on the books. In 2007, Congress passed a law named in honor of a 2-year-old child crushed as his father backed down the driveway that effectively required the installation of rear-view video cameras in cars.

The [National Highway Traffic Safety Administration](#), charged with writing the new rules, found that the technology would save lives, but — assuming a human life was worth about \$6.1 million — that the cost would exceed the benefits by more than \$1 billion.

Nonetheless, the agency proposed just such a requirement, noting that it was responding to the will of Congress and that “there is a special solicitude for protection of children.” Under the rule auto makers would be required to start installing cameras by 2014.

A federal law already requires agencies to review regulations that affect small businesses every 10 years. Congress also created an Office of Advocacy in the [Small Business Administration](#) as an ombudsman for the concerns of businesses. Since 2007, that office has asked businesses to nominate “outdated and ineffective rules.” [It then produces a Top 10 list](#) of rules that it presses other agencies to rewrite.

So far, only one highlighted rule has been changed. After four years of lobbying, the government agreed to end a practice of withholding from architects and engineers 10 percent of their fees for work on federal projects until the job was done.

Other industries still are waiting. Dry-cleaning machines, which emit hazardous gases, must be tested for compliance with the [Clean Air Act](#). The machines have changed dramatically since the rules were written in the 1980s, making it very difficult for business owners to conduct the tests. For more than a decade the industry has petitioned the [E.P.A.](#) to update the rules, so far without success. An E.P.A. spokesman declined to comment.

“They say they’re working on it, but not with any great diligence,” said Bill Fisher, chief executive of the Drycleaning and Laundry Institute, the industry’s trade group. “I think it’s to them a relatively minor thing.”

Persuading the E.P.A. to lift saccharin from the list of toxins took seven years.

The agency declared the sweetener a hazardous substance in 1980, after the [Food and Drug Administration](#) declared it a potential human carcinogen. Over time science bent in the other direction, and in December 2000, President Clinton removed the requirement that saccharin-sweetened products carry a warning label.

In April 2003, the Calorie Control Council, an industry group representing makers and users of artificial sweeteners, petitioned the E.P.A. to remove saccharin from the list of hazardous substances — noting that the rest of the government no longer regarded the substance as hazardous. But not until April 2010 did the E.P.A. propose a revision. There were no objections and, in December, the change was made.

The result of this seven-year slog?

Lyn O'Brien Nabors, the president of the Calorie Control Council, said she did not think it would produce significant savings for businesses nor result in lower prices for consumers. "Saccharin is a very inexpensive food ingredient," she said. "I don't think it would have enough of an impact on the costs to make a difference."