

Regulatory Forum-shopping?

Administrative procedure as a political tool for presidential intervention in Greenhouse Gas Policy in the United States

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This research examines how the White House uses legislative procedure, administrative procedure, and in-house measures on a case-by-case basis, to achieve the president's policy agenda in the field of greenhouse gas policy. The cases examined include CO₂ emission standards for light-duty vehicles, CO₂ emission standards for power plants, and ground-level ozone regulation under President Obama. As a part of the study, the author built an original database of "regulatory negotiation", effectively a rulemaking procedure, using the Federal Register from 1983 to 2013.

This study is important because there are few works about the Regulatory Review in the discipline of political science. Most studies, by legal scholars, focus on the constitutionality of the Regulatory Review and criticize what is seen as an opaque relationship between the White House staffs and interest groups.

Through empirical study using official documents of the U.S. Government, and related materials provided during the public comment process, this research demonstrates that the White House can use the Regulatory Review to shield its political decisions from congressional scrutiny or judicial review. Further, in-house analysis of the White House is becoming increasingly important as public policy moves into the domain of science.

It is anticipated that the legislative or Judicial branches of government in the United States will eventually take countermeasure against this currently unbridled power of the executive branch, so this study is on-going.