

Ohio Attorney General Mike DeWine's Fight Against Federal Overreach

Attorney General DeWine has taken action against instances of federal overreach during the Obama administration. Among the examples:

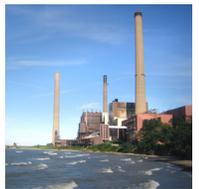
Race car modifications

- The Obama administration buried language in a regulation that would have prohibited engine modifications, even if the modifications were on vehicles used solely for competitive racing.
- DeWine led attorneys general from several states in providing comment that the language was not authorized by Congress and contradicted the meaning of the law.
- The issue is important because the country's two largest consumer racing equipment retailers, Summit Racing Equipment and JEGS High Performance, are located in Ohio.
- The controversial language was rescinded after DeWine raised his concerns.



Multiple regulations under the Clean Air Act

- The Obama administration has used EPA regulations to try to enact policies far beyond what has been authorized by Congress.
- In *Michigan v. EPA*, the states successfully challenged mercury regulations as being beyond congressional authorization.
- Currently, Ohio has joined litigation fighting the Obama administration's "power plan" and additional unauthorized regulations of coal-powered electric plants.
- These regulations would provide very negligible environmental impact, according to studies, while likely triggering much higher energy costs. For states with coal plants such as Ohio, it would be all pain and no gain.



Waters of the United States

- The Obama administration issued regulations that sought to define "Waters of the United States."
- The federal government has regulatory authority over navigable waters in the U.S.; however, the regulation defines waters in such an overbroad fashion that it includes areas clearly not navigable by boat, for example:
 - Normally dry creek beds.
 - Dry land within a few hundred feet of such creeks.
 - Land that may flood once every hundred years.
- The rule only excluded "puddles" and "certain swimming pools."
- The rule is currently being litigated.



Contraception mandates/religious liberty

- After Obamacare was enacted, the Obama administration wrote rules to require contraceptive coverage as part of Obamacare plans.
- The overbroad rules required even groups with religious objections, such as facilities run by religious orders, parochial schools, and closely held family businesses, to pay for contraceptive coverage.
- In the Hobby Lobby case, the U.S. Supreme Court found that the mandate, as applied to closely held family businesses, violated the Religious Freedom and Restoration Act because other groups received accommodations that alleviated them of the mandate.
- The mandate as applied to other groups is still being litigated, the lead plaintiff being the Little Sisters of the Poor.

