

COALITION FOR SENSIBLE SAFEGUARDS

The Honorable Darrell E. Issa
Chairman
U.S. House of Representatives, Committee
on Oversight and Government Reform
Washington, D.C. 20515

The Honorable Elijah Cummings
Ranking Member
U.S. House of Representatives, Committee
on Oversight and Government Reform
Washington, D.C. 20515

February 10, 2014

Dear Chairman Issa and Ranking Member Cummings:

The Coalition for Sensible Safeguards (CSS) is writing to express our opposition to H.R. 2804 – the All Economic Regulations are Transparent (ALERT) Act of 2013. This bill will impede the government’s ability to implement critical new public health and safety protections in a timely manner.

We are particularly concerned with the provision contained in Section 652(a) that would delay important rules, essential to protecting the health, safety, and welfare of the American public, until six months after information supplied by agency heads is posted on the Internet by the Administrator of the Office of Information and Regulatory Affairs (OIRA), unless such rules meet certain limited exemptions. As a result of this requirement, the benefits of critically needed regulations-whether measured in lives saved, environmental damage averted, or money saved-would be put on hold unnecessarily for six months or longer. This amounts to a six-month regulatory moratorium, even after the often lengthy period required for developing and finalizing these regulations. Such delays could extend well beyond that initial six-month period should the OIRA Administrator fail to post the required information in a timely manner.

In addition, the reporting requirements mandated by the bill amount to little more than wasteful busy-work for chronically under-resourced agencies. Much of the information required for monthly submission by agency heads on proposed or finalized regulations is duplicative of information already provided via the Regulations.gov website. With respect to the information required under Section 650 (6)(B) regarding the cost of proposed rules, it is unclear whether the dollar categories relate to annual or cumulative costs, and we note the absence of a requirement

for similar information regarding rule benefits. What is clear is that this bill's one-sided focus on regulatory costs is intended to provide a highly distorted picture of the value of critical safeguards that all Americans depend on. By focusing exclusively on regulatory costs, these reporting requirements give the misleading impression that regulations are an inescapable drain on society.

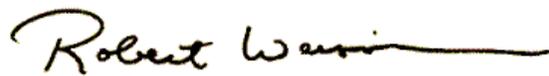
Finally, CSS has long advocated for improving the transparency of the federal rulemaking process. Unfortunately, the requirements of the ALERT Act of 2013, which would delay important public protections and waste scarce government resources, fail to provide needed transparency improvements in the regulatory review process. Instead, the reporting requirements mandated under the ALERT Act of 2013 would *undermine* transparency by generating meaningless data that seems calculated to provide a distorted picture of the U.S. regulatory system. We are left only to conclude that the aim of this bill is to advance a politicized campaign against critical public safeguards, rather than a serious attempt to provide needed transparency about a rulemaking process that ought to work for the public interest instead of special corporate interests.

We strongly urge you to oppose H.R. 2804.

Sincerely,



Katherine McFate, President and CEO,
Center for Effective Government
Co-chair, Coalition for Sensible Safeguards



Robert Weissman, President,
Public Citizen
Co-chair, Coalition for Sensible Safeguards

The Coalition for Sensible Safeguards is an alliance of consumer, labor, scientific, research, good government, faith, community, health, environmental, and public interest groups, as well as concerned individuals, joined in the belief that our country's system of regulatory safeguards provides a stable framework that secures our quality of life and paves the way for a sound economy that benefits us all.