

Dear Representative,

February 25, 2014

Our undersigned groups strongly oppose a package of legislative measures that will be on the House floor this week. These proposals would undermine our nation's ability to set health, safety and environmental standards as well as new financial protections. Given that we have experienced multiple health and safety disasters in communities and workplaces across the country in recent years, it is the wrong time to thwart the progress of necessary public protections.

We need stronger public protections, not a weaker system of safeguards. We need better enforcement of sensible rules and public safeguards, not more needless delays.

The votes being planned to allegedly “#StopGovtAbuse,” would stop the progress made over the past several decades in cleaning up our air and water, ensuring our food, drugs, and toys are safe and halting Wall Street abuses of the public. The mini-omnibus bill of four flawed regulatory proposals (packaged into H.R. 2804) and H.R. 899, the Unfunded Mandates Transparency and Information Act, are largely retreads of old ideas that the House has already considered in previous Congresses. They will not create one new job, launch one entrepreneur or open a single new manufacturing plant. Instead they will weaken future crucial protections for American families and workers, the environment, and our financial stability; and enlarge the power of wealthy corporations to block any regulation that might affect their bottom line.

Taken together, this set of proposed laws would curtail the ability Congress has given to federal agencies to protect public health and well-being; undermine popular public protections with procedural delays; gives more power to those already working to protect the profits of oil and gas and drug industries; and emphasize the primacy of cost-benefit analysis, thereby asserting that immediate business profits are more important than long-term public health impacts. These proposals are designed, for instance, to make it more difficult for federal agencies to use scientific research about the risks from exposure to environmental pollutants and toxic materials in developing essential protections for public health and the environment. This package is extreme, with just one of the provisions (RAA, H.R. 2122) fundamentally altering 60 years of administrative laws and procedures.

It already takes an average of 4 to 8 years for an agency to establish a new rule, rules that implement existing laws. The proposed anti-regulatory legislation in these packages create a procedural gauntlet intended to stop, weaken, or at a minimum extensively delay needed public protections. These bills also would extend their onerous requirements to independent agencies, compromising the ability of the Consumer Product Safety Commission, the Consumer Financial Protection Bureau, and the Nuclear Regulatory Commission to protect the public.

We strongly oppose the following five bad bills (four now incorporated in H.R. 2804, and H.R. 899):

- The All Economic Regulations are Transparent (“ALERT”) Act (H.R. 2804), would add a six-month delay to most rules essential to protecting the health, safety, and welfare of the American public.

- The Regulatory Accountability Act (RAA) (H.R. 2122) would add dozens of new analytical requirements to the Administrative Procedure Act and undermine agency physicians, and scientists by requiring them to conduct nonsensical estimates of all the “indirect” costs and benefits of a proposed rule. It would allow special interests to challenge and block crucial protections by questioning whether agencies had analyzed every option for every rule, and picked the rule that is least costly to industry – even if more lives would be saved by a different option. By ensuring agencies “race to the bottom” to find the least costly rule, the RAA will lead to more “self-regulation” and voluntary rather than mandatory compliance with new rules. As has become obvious in deregulatory disaster after deregulatory disaster, the least costly rule to industry ends up being the most costly rule to public health and safety.
- The Regulatory Flexibility Improvements Act (RFIA) (H.R. 2542) would mandate wasteful new analyses that could be applied to virtually any action an agency attempts to undertake, no matter how tenuous the connection to small business interests. The RFIA forces agencies to hold up actions until new analyses are completed. In the meantime, lives could be lost and people could be needlessly injured.
- The Sunshine for Regulatory Decrees and Settlements Act (H.R. 1493) targets citizen suits aimed at spurring agencies to move forward with overdue and congressionally mandated protections. While consent decrees and settlement agreements provide citizens and the courts with a means of ensuring agency accountability, this bill would force them to run a gauntlet of burdensome, time-consuming, and redundant procedures—furthering slowing agency action. This bill would weaken the power of citizens to prod agencies to follow the law—and waste government resources in the process.
- The Unfunded Mandates Information and Transparency Act (H.R. 899) is premised on the notion that regulations are unnecessary. It would allow business interests to get advance notice of proposed regulations, as local governments do, and give them the opportunity to comment, but would continue to exclude voters and taxpayers from such deliberations. It also undermines the independence of important agencies that are working to put new Wall Street reforms and product safety standards in place. Finally, it forces agencies to pick the least costly rule to industry, rather than the rule that is most effective at keeping the public safe.

These flawed bills would further serve industry interests at the expense of American families. We strongly urge you to vote against them all.

American Federation of Labor and Congress of Industrial Organizations (AFL-CIO)

American Federation of State, County, and Municipal Employees (AFSCME)

Americans for Financial Reform (AFR)

Blue Green Alliance

Center for Effective Government

Center for Food Safety

Center for Science and Democracy at the Union of Concerned Scientists

Consumer Federation of America

Demos

Earthjustice

International Union, United Automobile, Aerospace & Agricultural Implement Workers of America (UAW)

League of Conservation Voters (LCV)

National Consumers League (NCL)

National Peoples Employment Project

Natural Resources Defense Council (NRDC)

National Employment Law Project (NELP)

New York Lawyers for the Public Interest

Protect All Children's Environment (PACE)

Public Citizen

United Steelworkers

U.S. Public Interest Research Group