

September 18, 2014

Dear Representative,

The undersigned organizations firmly **oppose H.R. 4, the so-called Jobs for America Act**. We urge you to stand against this damaging legislation, which threatens the nation's vital health, safety, environmental, and financial protections. These protections ensure that our food is safe to eat, our water is clean to drink, our air is healthy to breathe, our consumers and investors are confident in our economy, and so much more.

This legislative package includes several anti-regulatory proposals that have been repeatedly introduced and voted on but have failed to garner enough support for passage in both chambers. Many of these proposals threaten critical safeguards by seeking to add costly and time-intensive procedural hurdles to an already extensive rulemaking process. Yet these same proposals are now being bundled together and reintroduced under the guise of a "jobs" proposal. These bills could cripple the middle class and small businesses, killing jobs and harming the economy.

Our organizations stand together in strong opposition to the following flawed proposals contained in the forthcoming omnibus bill:

The **Achieving Less Excess in Regulation and Requiring Transparency (ALERRT) Act (H.R. 2804)** combines into a single package four severely defective bills—the Regulatory Accountability Act (RAA), the Regulatory Flexibility Improvements Act (RFIA), the All Economic Regulations are Transparent (ALERT) Act, and the Sunshine for Regulatory Decrees and Settlements Act. Despite repeated introductions, these harmful bills have failed to pass both chambers of Congress due to the severe damage they would cause to our health, safety, environmental, and financial protections.

- The **Regulatory Accountability Act (RAA) (H.R. 2122)** would add over 60 new procedural and analytical hurdles to a rulemaking process that is already riddled with delay. Before an agency could propose a rule, it would be required to conduct an exhaustive analysis of all direct *and* indirect costs and benefits, not only of the proposal under consideration but also of any potential alternatives. The bill would ensure a "race to the bottom" by requiring agencies choose the "least costly" option, regardless of the rule's benefits to society. Requiring agencies to perform exhaustive and unnecessary analyses and develop uncertain estimates of indirect costs and benefits would waste precious resources and delay new rules from moving forward. In the meantime, the public and environment will remain vulnerable to unnecessary harm.
- The **Regulatory Flexibility Improvements Act (RFIA) (H.R. 2542)** would require *all* agencies to host small business review panels for practically every rule that may affect small entities. This review panel requirement is currently only imposed on three agencies—the U.S. Environmental Protection Agency (EPA), the Occupational Safety and Health Administration (OSHA), and the Consumer Financial Protection Bureau (CFPB). Expanding the review requirement to all agencies would undermine their ability to implement important healthy, safety, environmental, and financial protections by wasting agency resources and diverting staff time away from more critical priorities. The RFIA would also expand the oversight authority of the Small Business Administration's Office of Advocacy—an office already under scrutiny for working at the behest of big businesses to undermine public protections.

- The **All Economic Regulations are Transparent (ALERT) Act (H.R. 2804)** would impose a moratorium on all new rules for at least six months, but possibly much longer. The bill would delay new rules from taking effect until information supplied by agencies is posted online by the White House Office of Information and Regulatory Affairs (OIRA) for at least six months. Delaying critical safeguards denies the public essential protections like clean air and water, safe food, and a stable financial system.
- The **Sunshine for Regulatory Decrees and Settlements Act (H.R. 1493)** would diminish citizens' ability to challenge agencies for unreasonable delay on implementing laws passed by Congress. The bill would impose needless procedural hurdles on agencies and would delay settlement agreements, wasting agency resources and making it prohibitively costly and time-intensive for citizens and public interest groups to challenge agency inaction, effectively stripping the public's power to hold agencies accountable for failing to comply with the law.

Another piece of the forthcoming "jobs" package is the **Regulations from the Executive in Need of Scrutiny (REINS) Act (H.R. 367)**. This radical bill would require both houses of Congress to approve all major rules within 70 legislative days and to table any rule that does not gain approval in this timeframe. In effect, this bill would delay, potentially indefinitely, major new rules from going forward, regardless of how critical a rule is to safeguarding our health, safety, environment, or financial system. Moreover, this bill would allow members of Congress to overrule the expert opinions of agency officials and scientists who Congress has tasked with developing these safeguards. This bill would not create jobs but would simply allow members of Congress to undermine health, safety, environmental and financial protection laws that the public and many businesses strongly support.

Additionally, this legislative package would also include the **Unfunded Mandates Information and Transparency Act (H.R. 899)**. This bill would grant businesses a right to information about a rule and an opportunity to submit feedback to the agency before a rule is even proposed, but the bill would not require this information be shared with the public at the same time. The bill would also require agencies to perform retrospective analyses at the request of any chairman or ranking minority member of any standing or select committee of the House or Senate. Such requests could potentially require agencies to perform a long list of retrospective reviews, diverting agency staff and resources from working on more critical national priorities and politicizing the rulemaking process.

This package includes the misleadingly titled **Small Business Capital Access and Job Preservation Act (H.R. 1105)**. Contrary to its title, this bill is not designed to benefit small business. Instead, it would exempt private equity fund advisers – who include some of the wealthiest and most significant entities on Wall Street – from basic reporting requirements designed to help regulators monitor systemic risk in the financial system and protect investors and the public. The bill ignores one of the critical lessons from the 2008 financial crisis that unmonitored markets can quickly turn into unstable markets.

Finally, the package includes the most extreme logging legislation we have seen this congress. The so called, **Restoring Healthy Forests for Healthy Communities Act (H.R. 1526)**. This bill would run roughshod over existing forest regulations and planning and would result in a massive increase in logging on national forests across the country undermining climate resilience, clean drinking water and air quality as well as wildlife and recreation uses of these important public lands. The bill includes attacks on core environmental laws including the Clean Water Act, the Endangered Species Act, the National Environmental Policy Act and undermines the public's access to the courts.

We strongly oppose this latest attack on our nation's safeguards and urge you to vote against this legislation when it comes to the House floor for a vote.

Sincerely,

AFL-CIO

American Federation of State, County and
Municipal Employees

Americans for Financial Reform

Audubon

Center for Effective Government

Center for Food Safety

Center for Responsible Lending

Center for Science and Democracy, Union of
Concerned Scientists

Citizens' Environmental Coalition

Clean Water Action

Coalition for Sensible Safeguards

Consumer Federation of America

Consumers Union

Defenders of Wildlife

Earthjustice

Environment America

Environmental Defense Fund

Farmworker Justice

Friends of the Earth

In the Public Interest

Institute for Agriculture and Trade Policy

International Union, United Auto Workers, UAW

League of Conservation Voters

National Consumer Law Center (on behalf of its
low income clients)

National Consumers League

National Council for Occupational Safety &
Health

National Employment Law Project

Natural Resources Defense Council

Network for Environmental & Economic
Responsibility of United Church of Christ

NETWORK, A National Catholic Social Justice
Lobby

Public Citizen

Sierra Club

Southern Utah Wilderness Alliance

The American Association for Justice

U.S. PIRG

United Steelworkers

United Support and Memorial for Workplace
Fatalities

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