Representative James Comer
Chairman
House Oversight Committee
2157 Rayburn House Office Building
Washington, DC 20515

Representative Jamie Raskin
Ranking Member
House Oversight Committee
2157 Rayburn House Office Building
Washington, DC 20515

February 2, 2024

Dear Chairman Comer and Ranking Member Raskin:

The Coalition for Sensible Safeguards (CSS), an alliance of over 180 labor, scientific, research, good government, faith, community, health, environmental, and public interest organizations that represent millions of Americans and advocate for effective regulations to protect the public, strongly opposes H.R. 262, the All Economic Regulations are Transparent Act of 2023 (ALERT Act), which will be considered by the Committee next week.

The public and policymakers need clear, useful, objective, and high-quality information about the federal regulatory system in order to assess its performance and inform proposals that would make our system of regulatory safeguards more robust and responsive. The ALERT Act's data gathering and reporting requirements would instead tend to mislead and misinform.

Of particular concern is the bill's one-sided focus on regulatory costs, which would provide a highly distorted picture of the value of critical safeguards that all Americans depend on. Section 651 of the bill requires agencies to report on the estimated costs and other "economic effects," including employment impacts, of their rules. Yet, it would not require agencies to report on the benefits of their rules, such as lives saved, ecosystems protected, or people protected from risky financial activities. This omission is particularly strange given that the achievement of such benefits is why Congress authorized agencies to issue regulations in the first place. Though certain types of benefits are difficult or impossible to fully capture in numerical or monetary terms — such as the value of clean air and clean water to society, it is nonetheless essential that they be considered as part of any meaningful evaluation of the regulatory system's impact and performance.

We are similarly concerned with the provision contained in Section 653(a) that would delay important rules, such as those that safeguard the health, safety, and welfare of the American public. Under this section, these rules would be delayed until six months after information supplied by agency heads is posted on the internet by the Administrator of the U.S. 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 delay amounts to a six-month regulatory moratorium, which is added to the often lengthy period of several years 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 wasteful busy-work for chronically under-resourced and under-staffed 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 and in the semi-annual Unified Agenda.

CSS urges the House Oversight Committee to oppose the ALERT Act and encourages the Committee to evaluate proposals that offer real and meaningful reforms to strengthen the regulatory process, such as H.R. 1507, the "Stop Corporate Capture Act."

We look forward to assisting the Committee in ensuring our regulatory process is working effectively and efficiently to protect the American public.

We strongly urge you to oppose H.R. 262.

Sincerely,

Rachel Weintraub
Executive Director
Coalition for Sensible Safeguards

Cc: Members of the House Oversight Committee