



March 16, 2017

The Honorable Ron Johnson
Chairman
U.S. Senate
Homeland Security & Governmental Affairs Committee
Washington, DC 20515

The Honorable Claire McCaskill
Ranking Member
U.S. Senate
Homeland Security & Governmental Affairs Committee
Washington, DC 20515

RE: Committee mark-up of S.21, Regulations from the Executive in Need of Scrutiny Act of 2017 (REINS Act)

Dear Senator:

The Coalition for Sensible Safeguards (CSS), an alliance of over 150 labor, scientific, research, good government, faith, community, health, environmental, and public interest groups, strongly opposes S. 21, the Regulations from Executive in Need of Scrutiny Act of 2017 (REINS).

REINS represents one of the most radical threats in generations to our government's ability to protect the public from harm. The bill will essentially halt the implementation of critical new public health and safety safeguards, financial reforms and worker protections, making industry even less accountable to the public. It will only benefit those corporations that wish to game the system and evade safety standards and do nothing to improve protections for the American public.

REINS would require both houses of Congress to approve a major rule, with no alterations, within a 70-day window. If both chambers are unable to approve a major rule, it would not take effect and would be tabled until the next congressional session. In other words, *by doing nothing*, Congress would prevent existing laws from being effectively implemented. It would stop all major rules, including the large number of non-controversial rules agencies produce every year, from going through.

Currently, it takes years for a federal agency to produce the rules necessary to implement and enforce public safeguards and protections. For example, the EPA standards on greenhouse gas emissions and fuel economy for light vehicles took years of development – despite being supported by both environmental groups and the auto industry – before federal regulators finally got a rule on the books. REINS would allow congressional inaction to block such common-sense, non-controversial rules.

Congress already has the first and last word when it comes to agency rulemaking, making the REINS Act needless and redundant. Agencies can only exercise authority that has been delegated by Congress in authorizing legislation. Any agency attempt to overstep these bounds is likely to result in judicial scrutiny and reversal of the agency action. And under the Congressional Review Act (CRA), Congress already has the authority to review and nullify a rule by passing a resolution of disapproval. Indeed, this Congress' irresponsible use of the CRA to attack common-sense safeguards makes clear how calls to make Congress more accountable over the regulatory process would in practice make Congress even more accountable to special interests. Congress should be repealing the CRA, not making it worse through the REINS Act.

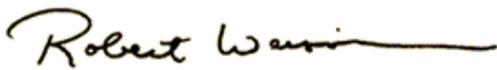
Federal agencies employ personnel with policy, scientific, and technical expertise to produce smart and sensible regulations. Allowing Congress to have the final say on regulations would give lobbyists, big business, and those who provide legislators with campaign contributions even more influence over the regulatory process, with the REINS process giving them yet another chance to block regulatory action.

Simply put, by giving one chamber of Congress veto power over any new significant public health and safety protection, no matter how non-controversial or sensible it may be, the REINS Act would inflict the dysfunction and obstructionism that plague our political process on the executive agencies' efforts to fulfill their statutory mandates.

Congress should be searching for ways to ensure that federal agencies enforce laws designed to protect our food supply, water, air quality, financial security and much more, not throwing up roadblocks to sensible safeguards that protect the American people.

For these reasons, we strongly urge you to oppose the REINS Act.

Sincerely,

A handwritten signature in black ink that reads "Robert Weissman". The signature is written in a cursive, flowing style with a long horizontal line extending from the end of the name.

Robert Weissman, President
Public Citizen
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.