



Legislative Priorities on Public Safeguards for the 116th Congress – House of Representatives

America is predicated on the belief that every individual has inalienable rights. Today, we understand that the rights to “life, liberty, and the pursuit of happiness” must include the right to:

- Breathe clean air and drink clean water;
- Earn a living in a workplace that doesn’t threaten one’s life or destroy one’s health;
- An education that allows each individual to realize their full potential regardless of race, gender identity, immigration status or family circumstance;
- Access safe, affordable, life-saving medicines and healthcare;
- Financial, economic, and social institutions that operate in the public interest, providing stability and opportunity for all, not just a privileged few;
- Eat food untainted by toxins, bacteria, and other contaminants;
- Enjoy a reasonable degree of privacy from government and corporate intrusion.

Public protections through regulations ensure that Americans are free to pursue these rights. Regulations are an essential curb on private power and greed. With them, markets remain competitive, and responsible businesses can thrive. Families can protect their loved ones, and communities can prosper. Without them, crony capitalism and monopolies emerge. Democracy is corrupted and opportunity withers. A race to the bottom to accumulate short-term profits is pitted against our long-term health and economic stability.

The Coalition on Sensible Safeguards (CSS) has prioritized the following legislative objectives for the 116th Congress:

1) Put Public Protections First

- Overturn Trump’s anti-safeguard executive orders
- Restore statutory standards as the basis for regulatory decision-making by prohibiting agency reliance on manipulated cost-benefit analysis and restricting judicial imposition of cost-benefit analysis where not required
- Ensure that regulatory analysis accounts for all benefits, including co-benefits

2) Empower Citizens to Participate in Making Regulations Work

- Authorize deadline suits by prescribed periods (*e.g.*, agency failure to issue rules within one year)

- Create the Office of the Public Ombudsman to represent the public interest in the rulemaking process
- Broaden citizen suits to apply to all statutes

3) Liberate Agencies from Corporate Capture

- Abolish centralized White House regulatory review
- End the Small Business Regulatory Enforcement Fairness Act (SBREFA) panel process, which allows powerful trade groups to get a sneak peak at certain regulations and weaken or delay them before they are ever made public
- Require public disclosure of changes made during the rulemaking process
- Enact limitations on the revolving door between corporate America and government agencies

4) Protect Agency Expertise from Political Interference

- Codify the precedent of judicial deference to agency expertise in decision-making established by the U.S. Supreme Court in *Chevron v. NRDC*
- Enshrine protections from political interference for scientific determinations made by agency staff
- Maintain the independence of independent agencies by codifying the exemption of independent agency actions from centralized regulatory review

5) Strengthen Enforcement and Accountability for Regulatory Violations

- Require companies to publicly disclose regulatory violations
- Hide No Harm: criminalize actions by corporate executives to conceal products that imminently threaten American lives
- Bolster agency regulatory enforcement budgets and provide the necessary investigatory powers to root out corporate non-compliance