



January 5, 2016

RE: Floor vote on H. R. 1155, the Searching for & Cutting Regulations that are Unnecessarily Burdensome Act of 2015 (SCRUB Act)

Dear Representative,

The Coalition for Sensible Safeguards (CSS), which includes more than 150 diverse labor, environmental, consumer, public health, food safety, financial reform, faith, and scientific integrity groups representing millions of Americans, strongly opposes H.R. 1155, the Searching for and Cutting Regulations that are Unnecessarily Burdensome Act of 2015 (SCRUB Act).

The SCRUB Act would establish a new “regulatory review” commission funded at taxpayer expense and charged with identifying duplicative, redundant, or so-called “obsolete” regulations to repeal, and would do nothing to identify the numerous gaps, shortfalls, and outdated regulatory standards that leave the public vulnerable to the next public health tragedy or environmental disaster. The commission would operate with little meaningful oversight, transparency, or public accountability to ensure that its recommendations do not subvert the public interest.

The bill also provides the commission with a highly biased mandate that prioritizes industry’s narrow costs concerns above the public’s broad interest in health, safety, and environmental protection. Under the bill, the commission’s goal to achieve a 15 percent reduction in the cumulative cost of regulations would result in the repeal of critical safeguards, even *when the benefits of these rules are significant, appreciated by the public, and far outweigh the costs.*

Moreover, the commission would be redundant and duplicative since an existing Executive Order<sup>1</sup> already requires federal agencies to identify and remove outdated or ineffective regulations. The administration’s retrospective review initiative, and its continuing work in this area, has significantly reduced the existing stock of unnecessary regulations.

Any regulation that the commission targets would either be eliminated immediately or through an extreme “cut-go” system that the bill would create. Under this system, a covered agency would be required to remove an existing regulation of equal or greater cost from its cut-go list before it can issue a new regulation.

Cut-go will mean that any agency efforts to respond to any emerging hazard with any rule or guidance document or even more information may be stymied by the need to find something to cut. And since repealing rules requires a lengthy process, crucial life-saving rules, now often delayed for years, will be further delayed, if not sidelined altogether.

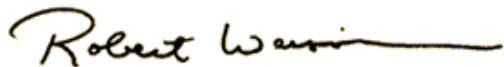
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<sup>1</sup> Exec. Order 13,563, 76 Fed. Reg. 3821 (Jan. 21, 2011).

Under the bill, an agency can select only rules identified by the commission for repeal, even if the agency has identified a rule that is better suited for elimination. Nor do the proposed “cut-go” procedures take into account the many regulations that are mandated by Congress with a statutory deadline or those that are subject to court-ordered deadlines. The SCRUB Act makes it impossible for agencies to bypass the “cut-go” procedures, no matter how urgent the circumstances may be.

The American people are the ones who bear the human, emotional, and economic impacts of health and safety disasters that continue to occur far too often. Congress should be proactively looking for ways to improve our regulatory process and system so that it produces strong and effective regulations that work for the public instead of looking for ways to benefit wealthy corporations at the expense of American families. We strongly urge opposition to the SCRUB Act.

Sincerely,

A handwritten signature in black ink that reads "Robert Weissman". The signature is written in a cursive, flowing style.

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.*