



Advocacy partner of Environmental Defense Fund

November 29, 2017

The Honorable Trey Gowdy  
Chairman  
U.S. House of Representatives  
Committee on Oversight  
& Government Reform  
Washington, DC 20515

The Honorable Elijah E. Cummings  
Ranking Member  
U.S. House of Representatives  
Committee on Oversight  
& Government Reform  
Washington, DC 20515

Dear Chairman Gowdy and Ranking Member Cummings:

On behalf of our members and supporters nationwide, EDF Action urges you to oppose H.R. 2623, the Lessening Regulatory Costs and Establishing a Federal Regulatory Budget Act of 2017. By creating an arbitrary and unworkable rulemaking process, this bill would undermine long-standing, broadly supported public safeguards that protect Americans against contaminated food and medicines, dangerous cars and consumer products, air and water pollution, and other public hazards.

H.R. 2623 would obstruct vital protections, regardless of how great the associated economic, safety, and health benefits are, unless the agency fully offset the cost to the regulated industry or otherwise complied with their set "regulatory budget." For example, a regulation that would save billions of dollars in public health costs, but would cost, say, the tobacco industry ten million dollars to implement, would only be allowed to go forward if other unrelated, and possibly important regulations were cut. This result of this substantive "supermandate" would be the indiscriminate rewriting of a wide range of laws to require consideration of regulatory costs above all else--above benefits to consumers, costs to taxpayers, child safety, and many other important considerations.

H.R. 2623 goes further to compound these errors by requiring that for each new regulation promulgated, two existing regulations must be recommended for repeal. Under this arbitrary requirement, an existing rule that has overwhelming benefits could be identified for repeal solely to meet the statute's arbitrary cost-offset requirement. This provision again applies an indiscriminate approach without adequate consideration of consequences to any but the regulated business – not the public, the taxpayer, the environment. If the goal of H.R. 2623 is truly to identify duplicative or arcane requirements, that should be done through a targeted process that actually addresses these underlying concerns, not through an arbitrary

requirement that sacrifices common sense protections and will create damaging uncertainty for all—including regulated entities.

For these reasons we urge you to oppose H.R. 2623.

Sincerely,

Jeremy Symons  
Senior Director  
EDF Action