



March 6, 2024

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

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 represents millions of Americans and advocates for effective regulations to protect the public strongly opposes the Comment Integrity and Management Act of 2024, H.R. 7528, and the Modernizing Retrospective Regulatory Review Act, H.R. 7533, which will be considered by the Committee tomorrow, March 7, 2024.

Both bills minimize the importance of effective regulation and meaningful participation in the regulatory process. Implementation of strong and robust regulatory safeguards is critical to protecting consumers, workers, the environment, and public health and safety. Public participation in the rulemaking process is not only essential to democracy but an important way to ensure that individuals affected by regulations can make their voices heard about the impacts of regulations to their communities. These bills, while purporting to modernize retrospective review and adding technological tools to assess mass comments, would do nothing to improve protections for the American public. Instead, they would condition unobjectionable provisions with other provisions that would discourage public participation and unnecessarily expand retrospective review.

While certain provisions of the Comment Integrity and Management Act of 2024, H.R. 7528, address the very real problem of public comments that are computer-generated or “fake,” the bill inappropriately conflates those comments with genuine, mass comments by including specific provisions related to mass comments rather than restricting the scope of the bill to address only computer-generated or “fake” comments. Mass comments are a critical avenue for members of the public, particularly those who benefit most from new regulatory protections and are in vulnerable communities, to participate in the rulemaking process. Mass comments also help balance influence from corporations and regulated entities that have traditionally dominated participation in the rulemaking process by bringing underrepresented voices forward in consensus.

We are deeply concerned that by unnecessarily including provisions applying to mass comments in this bill, agencies will be inclined to view mass comments with suspicion, thereby placing less weight on such public comments compared to other public comments. Thus, the public will be discouraged from submitting mass comments and agencies will lose a critical perspective in the development of rules.

Likewise, the Modernizing Retrospective Regulatory Review Act, H.R. 7533, contains provisions that go beyond the stated intent of the bill, which is to incorporate use of new technology such as artificial intelligence in existing agency retrospective review processes. The bill would result in expansion of such retrospective review beyond what is already required by law. Namely, the bill creates new requirements for retrospective review plans, with vague or insufficient definitions. Sections (c) and (d) of the bill would effectively provide any agency head with new and open-ended authority to mandate a retrospective review of any regulation the agency head chooses, rather than only those regulations that are subject to retrospective review under current law. This would be time-consuming for agencies and could deplete the resources they need for their regulatory priorities, especially since many of these agencies are critically underfunded.

This bill should focus on technologies that improve retrospective reviews already required under current statutory authorities, rather than serve as a vehicle to significantly expand the number of retrospective reviews agencies are required to do. If this bill was truly focused on simplifying regulatory review by encouraging the use of more technology-friendly formats (as in sections (a) and (b) of the bill), then sections (c) and (d) would not be necessary. Making matters worse, the bill imposes a one-sided focus on retrospective review that encourages agencies to make changes that weaken such regulations to reduce burdens on regulated entities rather than strengthen regulations to more effectively protect the public from harm.

CSS urges the House Oversight Committee to oppose the Comment Integrity and Management Act of 2024, H.R. 7528, and the Modernizing Retrospective Regulatory Review Act, H.R. 7533, 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. 7528 and H.R. 7533.

Sincerely,



Rachel Weintraub
Executive Director
Coalition for Sensible Safeguards

Cc: Members of the House Oversight Committee