

March 10, 2023

The Honorable Jim Jordan
Chairman of the House Judiciary Committee
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Jerold Nadler
Ranking Member of the House Judiciary Committee
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Jordan and Ranking Member Nadler:

The Coalition for Sensible Safeguards (CSS) strongly supports legislative consideration of the **Stop Corporate Capture Act** in the U.S. House of Representatives.

To tackle the pressing challenges we face as a nation – including the climate crisis, growing economic inequality, and racial injustice – we must have a robust, responsive, and inclusive federal regulatory system. We do not have such a regulatory system today. Instead, after decades of neglect and underinvestment, our regulatory system is now rife with delay, unbridled corporate influence, inadequate transparency, and weak public accountability. The regulatory system has also failed to keep up with innovation and technological advances, and it must do more to properly account for social justice and equity impacts.

Unfortunately, this Committee’s focus on the Regulations from the Executive in Need of Scrutiny (REINS) Act of 2023, H.R. 277, shows that it is headed in the wrong direction. The REINS Act would make it even harder to regulate in a system that is already struggling. The Stop Corporate Capture Act is important now more than ever to help move this Committee and the regulatory process writ large in the right direction.

The Stop Corporate Capture Act offers the necessary comprehensive blueprint for modernizing, improving, and strengthening the regulatory system to protect the public more effectively. It would level the playing field for all members of the public to have their views accounted for in regulatory decisions that affect them; promote scientific integrity; and restore our government’s ability to deliver results for workers, consumers, public health, and the environment.

Among the essential reforms this bill would introduce are the following:

End Unbridled Corporate Influence

The Stop Corporate Capture Act brings transparency to the “black box” of the White House regulatory review process, which has become a focal point for corporate lobbying. The Act accomplishes this by requiring disclosure of changes and the sources of those changes to draft rules during that process. Furthermore, the Act makes it a federal crime for corporations to submit false information in order to influence regulators during the rulemaking process.

Prioritize Social Justice and Equity

The Stop Corporate Capture Act creates an Office of the Public Advocate, charged with promoting agencies' public engagement practices and helping members of the public to participate more effectively in regulatory proceedings, especially people from structurally marginalized communities. The Office of the Public Advocate will research the social equity impacts of the regulatory process and perform social equity assessments of pending rules when requested by the public. The Act also strengthens agency procedures for notifying the public, particularly members of structurally marginalized communities and non-English speakers, about pending rulemakings.

Restore Scientific Integrity and Independent Expertise

The Stop Corporate Capture Act codifies *Chevron* deference, the long-standing principle that prevents judges from allowing their political preferences to influence their decisions in cases involving regulations by requiring courts to defer to government agencies that Congress empowered to protect the public. The Act also requires anyone submitting scientific or other technical research to agencies during the rulemaking process to disclose any potential conflicts of interest the research may raise. In addition, a provision of the Act bars the White House from unreasonably delaying essential safeguards by empowering agencies to resume work if the regulatory review process fails to conclude after sixty days. Importantly, the Act authorizes agencies to quickly reinstate any rules that were rescinded through the Congressional Review Act.

Congress must pass the Stop Corporate Capture Act to enact critical and long overdue reforms to our nation's regulatory process that work for the public interest. We once again urge you to support this necessary and groundbreaking bill.

Thank you for your attention to this important matter.

Sincerely,

Robert Weissman
President, Public Citizen
CSS Co-Chair

Susan Weinstock
CEO, Consumer Federation of America
CSS Co-Chair