



Statement for the Record

of

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for the

**House Committee on the Judiciary's
Subcommittee on the Administrative State, Regulatory
Reform, and Antitrust**

hearing on

**"Reining in the Administrative State:
Reclaiming Congress's Legislative Power"**

March 10, 2023

The United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union (USW) is North America's largest industrial union representing 1.2 million active and retired members. We welcome the opportunity to comment and submit this statement on the subject of today's hearing.

We strongly believe that the Administrative agencies play critical roles in implementing the laws that Congress passes through regulations. Regulations are imperative for protecting public health, welfare, and safety, as well as our shared environment. For our members, regulations allow them to work and live in safer, cleaner, more prosperous communities across the country. Regulations also help level the playing field among businesses and encourage innovation.

Legally, Congress grants federal agencies authority to promulgate and enforce regulations where necessary using their policy, scientific, and technical expertise. The current rulemaking process requires that professional experts work diligently to collect and process complex information. Additionally, agencies must solicit and incorporate input from a broad range of interested stakeholders when designing new rules.

For example, USW members who work in oil refineries and chemical plants and their communities are protected by strong process safety management regulations. Our members who work in gas utilities and on pipelines are protected by regulations from the Pipeline and Hazardous Materials Safety Administration (PHMSA). Steelworkers who make steel for automobiles have more job security because fuel economy rules incentivized their employers to innovate and invest in making stronger, lighter steel. These are just a few examples of the benefits to USW members.

It is also imperative to note that the current regulatory process isn't perfect. However, legislation like H.R. 277, the Regulations from the Executive in Need of Scrutiny Act of 2023 (REINS Act), represents an extreme threat to public health and safety. This legislation would obstruct the ability of federal agencies to enact rules by inappropriately injecting congressional dysfunction and political considerations into the regulatory process. H.R. 277 would require both houses of Congress to approve every major regulation within 70 session or legislative days before it can take effect. By doing nothing or through partisan gridlock, Congress could stop all major regulations from being finalized, including those that are not controversial. Thus, this risks blocking agencies' efforts to fulfill their statutory mandates to pursue public protections and significantly wasting federal government resources.

We believe that improving and strengthening the regulatory process is critical to ensuring that our federal agencies are transparent, accountable, and effective at delivering strong regulatory protections for consumers, workers, public health, and the environment. That is why we encourage the Subcommittee to evaluate legislative proposals that provide a roadmap for reforming the regulatory process, such as the "Stop Corporate Capture Act", which is being reintroduced for the 118th Congress today. This legislation would reduce special interest influence on the rulemaking

process, increase transparency around federal agency decision-making, clear procedural bottlenecks that delay regulatory protections, empower the public to hold agencies accountable for enforcing the rules, and build a foundation for consideration of social equity in the rulemaking process.

The American people and American businesses need smart and sensible regulations to ensure that all players in our economy are held to the same standards. We stand ready to assist the Subcommittee in its important work to ensure that our regulatory process is transparent, assessible, and protective of the public. Thank you.