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REINS Act Fact Sheet

The Regulations from the Executive in Need of Scrutiny Act (REINS Act) would require congressional approval of all major regulations issued by federal agencies before those regulations could go into effect. This bill represents one of the most radical threats in generations to our government's ability to protect the public from harm.

The REINS Act will delay or shut down the implementation of critical new public health and safety safeguards, financial reforms and worker protections, thereby making industry even less accountable to the public. It will only benefit those corporations that wish to game the system and evade safety standards and do nothing to improve protections for the American public.

The REINS Act is redundant and needlessly time-consuming.

Agencies already undergo rigorous reviews of their proposed rules and solicit comments from the public, business interests, and other agencies. In addition, many rules are promulgated in response to congressional directive, such as the regulations required by recent product safety, health care, and financial services laws. And under the Congressional Review Act, Congress already has the authority to review and nullify a rule by passing a resolution of disapproval. The REINS Act would force Congress to refight its previous debates, wasting time and money and paralyzing the agencies and Congress itself.

The REINS Act endangers the public.

The REINS Act would require both houses of Congress to approve a major rule, with no alterations, within a 70-day window. If both chambers are unable to approve a major rule, it would not take effect and would be tabled until the next congressional session. In other words, *by doing nothing*, Congress would prevent existing laws from being effectively implemented. It would stop all major rules and delay vital public protections, such as those limiting the amount of lead in children's products, preventing salmonella contamination in eggs, and increasing the safety of job sites where cranes or derricks are operated. These rules were promulgated to reduce injuries, illnesses, and fatalities caused by unsafe products or behavior. Allowing them to be held up or stopped by Congress would endanger the public.

The REINS Act threatens the separation of powers.

Congress already participates in the rulemaking process by writing and passing federal law that provides the blueprint for agency actions. Any agency error or misinterpretation is subject to judicial review. The REINS Act attempts to dramatically alter the separation of powers by allowing Congress to veto executive actions. Previous attempts to create a legislative veto have been overturned for violating the separation of powers. Although the REINS Act possibly skirts this issue by requiring the president's signature before a rule is overturned, this legislation does not comply with the spirit of the checks and balances system laid out in the Constitution.

The REINS Act corrupts and politicizes the regulatory process.

The REINS Act would inappropriately – but deliberately - inject political considerations into a regulatory process that is supposed to be based on objective agency science and expertise. Federal agencies employ personnel with policy, scientific, and technical expertise to produce smart and sensible regulations. Allowing Congress to have the final say on regulations would give lobbyists, special interest groups, and those who provide legislators with campaign contributions even more influence in shaping a rule.

The REINS Act is unnecessary.

The regulatory process already allows ample opportunities for input, including the opportunity for Congress to vote to nullify a rule. Requiring Congress to affirmatively pass each rule before it can go into effect would taint the regulatory process with improper political considerations, endanger the public by delaying crucial safeguards, and would usurp powers reserved to the executive and judicial branches to implement and interpret the law. The REINS Act is a deeply flawed bill that would handicap the federal agencies and add a considerable workload to a legislative body which already struggles with time constraints. Congress should be searching for ways to make federal agencies run more smoothly, not throwing up roadblocks to the regulatory process.