



FACT SHEET: SAFEGUARD SHUTDOWN BILLS

Proposed Radical Bills Would Halt the U.S. Regulatory System

For more information: <http://sensiblesafeguards.org/protecting-us-from-safeguard-shutdown-bills>

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The House of Representatives will soon consider three radical bills proposed by Republican members: [H.R. 4078](#), [H.R. 4607](#) and [H.R. 3862](#), that would, in an unprecedented move **halt all regulatory action on national safeguards** that protect the health and safety of Americans and bolster the nation's economy.

Combined, these bills would halt or delay virtually ALL regulations and do absolutely nothing to stimulate the economy or new job opportunities. They would shut down safeguards that give Americans confidence in the products at the grocery store, the safety of their workplaces, the cleanliness of the water system, the soundness of our financial system, and the safety of vital infrastructure.

ABOUT THE BILLS

- [H.R. 4078](#), *the Regulatory Freeze for Jobs Act*, would halt all "significant regulatory action" for two years or until the national unemployment rate falls below six percent. It contains no provisions that would create jobs or help the unemployed. Given the title of the act, it is cruel irony that it would freeze national safeguards that workers and all Americans rely upon. It would block environmental, workplace, public health, financial, and other national regulations that protect citizens. It not only would halt final rules but would also shut down the development of rules, prohibiting agencies from seeking information or soliciting public comments on proposed safeguards.
- [H.R. 4607](#), *the Midnight Rule Relief Act*, would essentially shut down regulatory agencies as soon as a new president is elected. At any given time, including after a presidential election, there are many rules that have been under development for months, if not years. These rules should not be blocked just because their finalization date happens to fall at the end of a president's term. A new administration has the power to withdraw or amend rules it objects to.
- [H.R. 3862](#), *the Sunshine for Regulatory Decrees and Settlements Act*, would prevent the federal government from having to follow the law; it would reward individuals who want the federal government to keep breaking the law because it benefits them. Consider the situation in which a federal agency commits a gross violation of a federal law and a state challenges that violation in court. Currently, state and federal agencies can quickly resolve that legal violation through a consent decree or settlement agreement without wasting judicial resources while ensuring federal law is upheld and the state's valid legal interests are safeguarded. H.R. 3862 throws a wrench in this streamlined process by giving third parties the right to obstruct and delay a plaintiff's legal right to ensure the law is followed and the plaintiff's interests are protected. By

interfering with a court's ability to oversee consent decrees and the ability of parties to enter into settlements, this bill would cause delay, greatly increase the costs of litigation and impede the resolution of lawsuits.

HOW THE BILLS WILL HURT AVERAGE AMERICANS

1. **Public Health and Clean Air** – These bills would continue to prevent the U.S. Environmental Protection Agency from implementing [standards defining power plants, industrial boilers, process heaters and cement plants](#) compliance with the Clean Air Act. Those structures are the largest emitters of mercury and toxic air pollutants. Compliance would curb their harmful impact on the respiratory health of millions of Americans.
2. **Food Safety** – Each year, 1.2 million people get sick, 7,125 are hospitalized, and 134 die from foodborne illnesses contracted from contaminated produce. Illnesses and food recalls also hurt the U.S. agriculture and food industries. The [Food Safety Modernization Act](#), passed with support from both industry and consumer groups, calls for new regulations on produce handling on large farms and an inspection system for foreign farms to be in place by 2013. Its implementation depends on rulemaking that would be blocked by the proposed bills.
3. **Workplace Safety – Beryllium**, a toxic substance (lung cancer and other fatal and chronic diseases) exposed to workers in the electronics, nuclear, and metalwork industries. Current 1950s-based standards allow workers to continue to be exposed to levels higher than ruled safe for nuclear power plant workers. The three proposed bills would stop the Occupational Safety and Health Administration from updating exposure standards to protect all workers.
4. **Energy and Environment** – The proposed bills would block the U.S. Department of Energy from implementing the [Energy Security and Independence Act](#), delaying for five years [updates of energy efficiency standards](#) for a wide range of products. The estimated lost savings for the U.S. economy would be \$48 to \$105 billion. The bills also would halt the Federal Trade Commission's rulemaking [for energy efficiency labeling](#) designed to protect consumers from misleading and deceptive claims about product energy savings.
5. **Veterans Benefits** – The proposed bills would block rules to ensure the [Family and Medical Leave Act](#) is applied fairly to military service personnel. They would also prevent the full implementation of the [Retroactive Stop Loss Special Pay Compensation](#) rule that pays back the debt that we all owe to soldiers who stayed for prolonged periods in Iraq and Afghanistan.
6. **Medical Devices** – The proposed bills would block the [Food and Drug Administration's long-awaited rules](#) to ensure all implanted medical devices, (such as artificial hips and implantable heart valves) can be tracked in the event any are found to be unsafe and recalled.
7. **Hunting** – Bird hunting could be shutdown by the proposed bills because they would block the U.S. Fish and Wildlife Service from issuing the annual "[Migratory Bird Hunting: Late Seasons and Bag and Possession Limits for Certain Migratory Game Birds](#)" rule that determines the appropriate bird hunting season for each state.

Keep America Strong and Safe

Health, safety, environmental, financial, and other safeguards make our country stronger and safer – and the public relies on them. The Clean Air Act, the Safe Drinking Water Act, the Occupational Safety and Health Act, and the Food, Drug, and Cosmetic Act are only a few of the landmark laws that have improved life in America.

- These laws [save tens of thousands of lives and billions of dollars annually](#).
- Economic studies (see: [1](#) and [2](#)) show that America's regulatory safeguards give the U.S. economy a competitive advantage
- A majority of [Americans say regulatory safeguards should be preserved](#)