



January 4, 2017

Dear Representative:

On behalf of the over 170,000 bipartisan members and supporters of the American Association of University Women (AAUW), I urge you to vote no on the Midnight Rules Relief Act of 2017 (H.R. 21). The Midnight Rules Relief Act would amend the Congressional Review Act (CRA) to allow disapproval en bloc of regulations finalized near the end of presidential terms. This bill would undermine good government and jeopardize public protections affecting public health, safety, and the environment that often are years, if not decades, in the making.

H.R. 21 is a cynical attack on good government because it presumes that **all** regulations finalized during the so-called “midnight” rulemaking period are rushed and inadequately vetted. In reality the opposite is usually true. For more than 135 years, AAUW members have been active in and aggressively supported the role of responsible public participation in policy making in our democracy. AAUW supports the vital work of government agencies to administer taxpayer funded programs through a regulatory framework which is effective and accountable. It is through public participation in the rulemaking process that we craft government actions that suit the needs of those affected by these important regulations. The public health and safety regulations targeted by H.R. 21 have often been in the regulatory process for years or decades. These agencies have considered thousands of comments from the public, including AAUW, which have informed many of these regulations. To disregard this process is an affront to the democratic principles of our government.

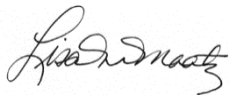
Expanding the Congressional Review Act to allow en bloc consideration is a rushed and nontransparent process that discourages informed decision-making. In addition to the public participation requirements, the agency rules targeted by this bill have met many accountability requirements including the requirement that agency must articulate a policy rationale for each rule that is supported by the rulemaking record and consistent with the requirements of the authorizing statute. In contrast, members of Congress do not have to articulate a valid policy rationale—or any rationale at all—in support of CRA resolutions of disapproval. It is an abuse of good government to use the CRA to wipe out lengthy deliberative process implementing complex rules which govern taxpayer funded programs.

Finally, there are far-reaching and negative consequences that H.R. 21’s en bloc disapproval resolutions would have. According to the CRA, resolutions of disapproval not only nullify the regulation in question, but also prohibit a federal agency from issuing another regulation that is “substantially the same” in the future, unless specifically authorized to do so by a future act of Congress. So, broad en bloc disapproval resolutions could significantly limit agencies’ ability to address pressing public threats, health, and safety issues indefinitely.

I urge you to vote no on the Midnight Rules Relief Act of 2017 (H.R. 21). Cosponsorship and votes associated with this legislation may be scored in the AAUW Action Fund *Congressional Voting Record*

for the 115th Congress. Please do not hesitate to contact me at 202/785-7720, or Anne Hedgepeth, Senior Government Relations Manager, if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa M. Maatz". The signature is fluid and cursive, with the first name "Lisa" being the most prominent.

Lisa M. Maatz
Vice President of Government Relations and Advocacy