

**H.R. 712, the “Sunshine for Regulations and Regulatory Decrees and Settlements Act of 2016” (Reps. Collins (Title I), Ratcliffe (Title II) and Luetkemeyer (Title III))**

***The Problem: Agencies Hide the Ball as They Engineer New Regulatory Burdens then Impose Them on Job Creators through the Courts***

- Agencies long have been required to provide semiannual and annual disclosures about planned regulations and overall regulatory costs – disclosures that are key to America’s job creators, who must plan for new regulations’ impacts on their budgets, operations and hiring. But the Obama Administration repeatedly has refused to make disclosures on time -- and in 2012 made no disclosures until after the general election.
- Even when made on time, currently required disclosures do not give real-time information about when regulations will be promulgated and what costs they will impose. And when agencies finally propose planned new rules, they too often fail to describe their proposals in common-sense terms that any job creator or member of the public can understand.
- Finally, many of the costliest new regulations come about when agencies and their allies work in the shadows to manipulate lawsuits and consent decrees or settlement agreements to “force” regulators to put out new regulations. When they welcome these suits and willingly sign up to the resulting decrees and settlements, the agencies can more easily issue expensive, controversial new regulations – claiming that “The court made me do it.”

***The Solution: H.R. 712, the “Sunshine for Regulations and Regulatory Decrees and Settlements Act of 2014”***

H.R. 712 solves these problems by requiring:

- Greater transparency, greater intervention and public comment rights for regulated entities and the public, greater judicial scrutiny, and greater accountability for agencies when agencies propose that new regulations be required under judicial consent decrees and settlement agreements (title I, the “Sunshine for Regulatory Decrees and Settlements Act”) (Rep. Collins)
- Forcing agencies to provide more detailed annual disclosures about planned regulations and their expected costs, final rules, and cumulative regulatory costs – along with monthly, online updates on planned new regulations, so those to be affected by them know in real-time how to plan for new regulations and their impacts on budgets, planning and hiring (title II, the “ALERT Act”) (Rep. Ratcliffe)
- Requiring agencies to publish 100-word, online, plain-language summaries of all new proposed regulations (title III, the “Providing Accountability Through Transparency Act” (Rep. Luetkemeyer))