

Stop Corporate Capture Act

| Codifies *Chevron* Deference | Modernizes and Reforms the Regulatory Process |
| Expands Public Input and Transparency in Rulemaking |

Fact Sheet

The Supreme Court overturned the 40-year-old Chevron deference doctrine in June 2024. The ruling undermines our government's ability to promote worker safety, ensure clean air and water, and protect consumers. It helps powerful corporate interests use lawsuits to capture control over policies that help Americans.

Chevron acknowledged that Congress intended agency experts to promulgate rules and regulations to implement laws passed by Congress. This allowed Congress to set policy and guide the direction of the government, while technical experts at our federal agencies worked out the details of implementation. Without *Chevron*, it will be difficult or even impossible for our government to effectively govern, leaving all Americans vulnerable and preventing the United States from addressing current and future challenges.

The **Stop Corporate Capture Act** would codify *Chevron* into law and reform the regulatory process to end corporate capture, promote scientific integrity and public integrity, reduce regulatory delays, and level the playing field to make sure that all Americans can have their voices heard.

The Stop Corporate Capture Act would:

Protect *Chevron* Doctrine

- Codify *Chevron* deference, allowing expert agencies to conduct rulemaking in line with their reasonable interpretation of their authorizing statutes.

Modernize and Reform the Regulatory Process

- Streamline Office of Information and Regulatory Affairs (OIRA) review of regulations, creating a 120-day maximum limit on the OIRA review period.
- Clarify that courts may compel statutorily-required rulemaking, for the first time defining a one-year delay as “unreasonable” for that purpose.
- Authorize agencies to quickly reinstate any rules that were rescinded through the Congressional Review Act.
- Reform cost-benefit analysis to emphasize public benefits, including non-quantifiable benefits like promoting human dignity, securing child safety, and preventing discrimination.
- Reaffirm the primacy of agency statutory requirements over cost-benefit analyses when agencies design new regulations.

Empower and Expand Public Participation in Rulemaking

- Create an Office of the Public Advocate, charged with promoting and improving agencies' public engagement practices, while helping members of the public participate more effectively in regulatory proceedings.
- Strengthen agency procedures for notifying the public about pending rulemakings.
- Provide the public with greater authority to hold agencies accountable for unreasonable delays in completing rules.
- Provide the public with greater authority to push agencies to initiate new rulemakings.
- Require agencies to respond to citizen petitions that contain 100,000 or more signatures.

Increase Transparency and Protect Independent Expertise in Rulemaking

- Require all rulemaking participants to disclose industry-funded research or other related conflicts of interest.
- Require any submitted scientific or other technical research that raises a specified corporate conflict of interest be made available for independent public review.
- Bring transparency to the "black box" White House regulatory review process by requiring disclosure of changes to draft rules during that process and the source of those changes.
- Require agency officials to provide justification when the regulatory review process ends with a rule being withdrawn.
- Establish monetary penalties for corporate special interests that knowingly submit false information during the rulemaking process.
- Reform the "negotiated" rulemaking process so that it can no longer be abused by corporate special interests to create weak public safeguards.

Endorsing Organizations:

Coalition for Sensible Safeguards; AFL-CIO; American Economic Liberties Project; Asbestos Disease; Awareness Org; Center for Auto Safety; Center for Digital Democracy; Center For Food Safety; Center for Justice & Democracy; Center for Progressive Reform; Consumer Action; Consumer Federation of America; Consumer Federation of California; Consumers for Auto Reliability and Safety; Demand Progress; Earthjustice; Endangered Species Coalition; Economic Policy Institute; Good Jobs First; Government Information Watch; Impact Fund; Institute for Agriculture and Trade Policy; International Center for Technology Assessment; International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW); Kids In Danger; League of Conservation Voters; National Association of Consumer Advocates; National Employment Law Project; National Health Law Program; Public Citizen; Public Justice Center; Union of Concerned Scientists; United Steelworkers; U.S. PIRG; Colorado Fiscal Institute; Delaware Community Reinvestment Action Council, Inc.; New Jersey Association on Correction; South Carolina Appleseed Legal Justice Center; Texas Appleseed; Virginia Citizens Consumer Council