

Support Commonsense Regulatory Reform



The American Foundry Society (AFS) has long advocated for changes to the federal regulatory process that will help ensure that rulemakings and other federal agency activities are based on sound science, transparency, rigorous technical analysis and best available data.

Federal regulation is estimated to cost more than \$2 trillion annually. The burden of regulation falls disproportionately on our members who are primarily small businesses. Dollars spent on regulatory compliance for cumbersome or duplicative regulations are dollars not spent on capital investment or hiring new employees. In the past couple of years, dozens of major regulations that carry an economic impact of \$100 million or more that have been finalized. Here are a few examples of regulations that will be exceptionally difficult for manufacturers to meet:

- **Clean Power Plan (CPP).** The Environmental Protection Agency's (EPA) Clean Power Plan upends the entire U.S. energy sector by requiring states to cut carbon emissions from power plants. CPP would increase average electricity prices in 40 states by at least 10%, costing households up to \$79 billion. It will force many coal power plants to close down, cutting jobs and putting a squeeze on our most abundant and affordable source of energy.
- **Waters of the United States (WOTUS) Rule.** EPA WOTUS expands federal jurisdiction over land features so much that simple ditches, a stream on your property that only flows when it rains, and a pond that happens to be near another covered water would become federally regulated tributaries. The rule has left businesses uncertain about what they can do with their property, and it was finalized without the required regulatory impact analyses.
- **Ozone Rule.** EPA issued an ozone rule that imposes billions of dollars of costs on state and local governments, and more than 950 U.S. counties will be in violation of it. This "nonattainment" designation would hamper development in local economies across the nation. Businesses, including foundries, could be denied federal air permits and/or prevented from expanding.

AFS also is concerned about a frequently utilized rulemaking process known as "sue and settle." Through this process, organizations sue federal agencies for failing to meet a regulatory deadline or requirement. To settle the case, the government can enter into a consent decree that compels the agency to issue new regulations without going through the traditional rulemaking process of information-gathering from stakeholders. This process lacks transparency, and costs manufacturers and taxpayers millions of dollars. This approach displaces the requirements of the regulatory process that are in place to ensure an open and fair process.

Message to Congress

AFS supports the following two bipartisan bills to reform and modernize the regulatory system and urges the Senate to take up and pass both of these bills:

- **The Regulatory Accountability Act (S. 2006/H.R. 185)**, already passed by the House, would modernize the regulatory process by increasing transparency during the rule development process, allowing interested parties to meaningfully participate in the process and making agencies consider alternatives that achieve their objective at a lower cost.
- **Sunshine for Regulatory Decrees and Settlements Act (S. 678/H.R. 712)**, also passed in the House, would bring greater transparency and accountability to the sue and settle process by requiring federal agencies to inform the public when they settle lawsuits. Affected parties would have more opportunity to participate in these agreements.

For further information, contact the American Foundry Society:

Washington Office: Stephanie Salmon, Tel: 202/452-7135, ssalmon@afsinc.org

Headquarters: 1695 N Penny Lane, Schaumburg, IL 60173, Tel: 847/824-018

Cosponsors

Thank the following Senators for cosponsoring the Regulatory Accountability Act of 2015 (S. 2006) and urge Senators not on the list to sponsor the bill:

Sen. Kelly Ayotte (R-NH)
Sen. John Cornyn (R-TX)
Sen. Joni Ernst (R-IA)
Sen. Ron Johnson (R-WI)
Sen. Angus King (I-ME)
Sen. David Perdue (R-GA)
Sen. Rob Portman (R-OH) - Sponsor

*The U.S. House of Representatives passed H.R. 185, the Regulatory Accountability Act of 2015 on January 13, 2015 by a vote of 250 - 175.

Thank the following Senators for cosponsoring the Sunshine for Regulatory Decrees and Settlements Act (S. 678) and urge Senators not on the list to sponsor the bill:

Sen. Roy Blunt (R-MO)
Sen. Capito, Shelley Moore (R-WV)
Sen. John Cornyn (R-TX)
Sen. Ted Cruz (R-TX)
Sen. Deb Fischer (R-NE)
Sen. Jeff Flake (R-AZ)
Sen. Cory Gardner (R-CO)
Sen. Chuck Grassley (R-IA) - Sponsor
Sen. Orrin Hatch (R-UT)
Sen. James Inhofe (R-OK)
Sen. Mike Lee (R-UT)
Sen. Rand Paul (R-KY)
Sen. Marco Rubio (R-FL)

*The U.S. House of Representatives passed H.R. 712, the Sunshine for Regulatory Decrees and Settlements Act of 2015 on Jan. 6, 2016 by a vote of 244 - 173.