



## Construction Industry Round Table

## Regulatory News

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### **02/24/2017 - New EPA Administrator Intends to End the Practice of “Sue and Settle”**

In the “*elections have consequences*” realm: signaling a complete 180 degree turn-about in agency policy, the newly appointed Environmental Protection Agency (EPA) Administrator, Scott Pruitt told the [Wall Street Journal](#) that he plans to end the “sue and settle” process, whereby advocacy groups sue federal agencies seeking to compel them to immediately settle behind closed doors, within the agency without public input. Pruitt stated “There is a time and place to sometimes resolve litigation...but don’t use the judicial process to bypass accountability.” The article also quotes Pruitt as saying “We need to end this practice of issuing guidance, to get around the rule-making procedure. Or rushing things through, playing games on the timing.” CIRT has been a long-time advocate for ending this disingenuous process, which often cuts out the impacted parties and also end-runs the regulatory rulemaking procedures, based on court orders (that the agency often times “secretly” wanted in the first place).

While the elimination of “sue and settle” has not been considered yet by Congress this year, this announcement is the step in the right direction to ensure transparency within government agencies.