

November 2, 2011

The Honorable Lamar Smith
Chairman
Committee on the Judiciary
United States House of Representatives
Washington, DC 20515

The Honorable John Conyers
Ranking Member
Committee on the Judiciary
United States House of Representatives
Washington, DC 20515

Dear Chairman Smith and Ranking Member Conyers:

The undersigned groups strongly support H.R. 3010, the “Regulatory Accountability Act of 2011,” and urge the Committee on the Judiciary to report this bill to the full House for consideration. This bipartisan legislation would modernize and update the 65-year old regulatory process, and improve how federal agencies promulgate regulations with the most significant affects on jobs and economic growth.

Recognizing the anemic condition of the American economy and continued weakness in job creation, our members believe that regulations need to be narrowly tailored, supported by strong and credible data and evidence, and impose the least burden possible, while still fulfilling Congressional intent. When agencies produce regulations that do not reflect these ideals, better mechanisms to hold them accountable are needed.

The Regulatory Accountability Act of 2011 would enhance the regulatory process by:

- Increasing public participation in shaping the most costly regulations before they are proposed;
- Requiring that agencies must choose the least costly option unless they can demonstrate a need to protect public health, safety, or welfare;
- Giving interested parties the opportunity to hold agencies accountable for their compliance with the Information Quality Act;
- Providing for on-the-record administrative hearings for the most costly regulations to insure that agency data is well tested and reviewed;
- Restricting agencies’ use of interim final regulations where no comments are taken before a regulation takes effect and providing for expedited judicial review of whether that approach is justified; and
- Providing for a more rigorous test in legal challenges for those regulations that would have the most impact.

The Regulatory Accountability Act of 2011 would build on established principles of fair regulatory process and review that have been embodied in executive orders dating back to the Clinton administration. These principles would make the regulatory process more transparent, agencies more accountable, and regulations more cost-effective. This legislation would not affect any regulations already in effect, nor would it impact enforcement under current regulations.

The undersigned groups strongly support H.R. 3010, and urge the Committee to report this bill to the full House for consideration. We look forward to working with you to move this legislation forward.

Sincerely,

Academy of General Dentistry
Aeronautical Repair Station Association
Aluminum Association
American Bakers Association
American Chemistry Council
American Farm Bureau Federation
American Forest & Paper Association
American Foundry Society
American Petroleum Institute
American Wholesale Marketers Association
Associated Builders & Contractors, Inc.
Associated Builders & Contractors, Inc. - Rhode Island Chapter
Associated Builders & Contractors, Inc. - Illinois Chapter
Associated Builders & Contractors, Inc. - Pelican Chapter (LA)
Associated Builders & Contractors, Inc. - Rocky Mountain Chapter (CO)
Associated Equipment Distributors
Associated General Contractors of America
Brick Industry Association
Colorado Roofing Association
Equipment Marketing & Distribution Association
Financial Services Forum
Industrial Energy Consumers of America
International Sign Association
International Warehouse Logistics Association
Irrigation Association
Marine Retailers Association of America
Massachusetts Aggregate & Asphalt Pavement Association
Metals Service Center Institute
National Association of Chemical Distributors
National Association of Electrical Distributors
National Association of Federal Credit Unions
National Association of Home Builders
National Association of Manufacturers
National Association of REALTORS®
National Association of Wholesaler-Distributors
National Black Chamber of Commerce
National Council of Chain Restaurants
National Electrical Contractors Association
National Federation of Independent Business

National Funeral Directors Association
National Lumber and Building Material Dealers Association
National Marine Distributors Association
National Mining Association
National Petrochemical & Refiners Association
National Restaurant Association
National Retail Federation
National Roofing Contractors Association
National Stone, Sand & Gravel Association
National Tooling and Machining Association
National Wood Flooring Association
Non-Ferrous Founders' Society
North American Die Casting Association
North American Equipment Dealers Association
Outdoor Power Equipment and Engine Service Association
Portland Cement Association
Precision Machined Products Association
Precision Metalforming Association
Printing Industries of America
Property Casualty Insurers Association of America
Retail Industry Leaders Association
SouthWestern Association
SPI: The Plastics Industry Trade Association
U.S. Chamber of Commerce

cc: Members of the House Committee on the Judiciary