

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