

November 30, 2011

Oppose H.R. 3010, H.R. 527, and H.R. 10

Dear Representative:

On behalf of the BlueGreen Alliance, our fifteen labor and environmental partners and the more than fifteen million people they represent, I strongly urge you to oppose three bills expected on the House floor: the Regulatory Accountability Act (RAA) (H.R. 3010), the Regulations from the Executive in Need of Scrutiny or “REINS” Act (H.R. 10), and the Regulatory Flexibility Improvements Act (RFIA) (H.R. 527). These bills, in their own right, will make it nearly impossible for federal agencies to protect public health, the environment, and consumer and worker safety.

The RAA will upend three generations of health, safety and environmental protections and laws designed to protect citizens from discrimination and corporate abuses. Rules created by agencies to safeguard the public will meet near impossible roadblocks and environmental hazards will be left unregulated. The bill would require agencies to perform additional time-consuming analyses of their rules under a “formal rulemaking” process that would tilt decisions on the side of businesses that cut corners over their competitors or the public interest. The bill increases the power of the courts over rules beyond the scope of their expertise and sets up a system giving deep-pocket Big Businesses a veto over safe workplaces, clean air, clean water, and a stable economy.

The REINS Act will require any rule with an impact of \$100 million or more on the economy to be approved by Congress within 70 legislative days, without alterations, in order to take effect. This means that politics will be the heavy hand in determining which regulations see it through to implementation, not science, nor law, nor public interest. The REINS Act would make it virtually impossible to set standards to ensure environmental and human health, such as the standards set forth by the Clean Air Act, Clean Water Act, and Occupational Safety and Health Act.

The RFIA also slows down the rulemaking process that has put so many safeguards for public health and safety into place. This legislation will force agencies to conduct more extensive regulatory impact analyses in order to determine if a regulation could conceivably have an *indirect* impact on small business, allowing big business interests to almost escape regulation altogether. This process will delay implementation of any sort of regulation proposed by an agency. It will be an unnecessary waste of agency time and money. In addition, RFIA will make the position of Chief Counsel of Small Business Advocacy, a position that lacks regulatory expertise, a super-regulator. This would only add to regulatory delay since rules would now be subject to review by the counsel, as well as OMB.

H.R. 3010, H.R. 10, and H.R. 527 are dangerous proposals to the American public, to workers and to the environment. The only jobs they will create will be for litigators and K Street lobbyists. These bills will exacerbate environmental, health and safety issues people face everyday. Through pretending to alter the regulatory process, they are essentially repealing our many environmental and public safety laws. We strongly urge you to oppose all three bills.

Sincerely,

A handwritten signature in black ink that reads "David A. Foster". The signature is written in a cursive, slightly slanted style.

David Foster
Executive Director
BlueGreen Alliance