

November 2, 2011

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

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

**RE: Oppose H. R. 3010 The Regulatory Accountability Act**

Dear Chairman Smith and Ranking Member Conyers:

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 the Managers Amendment to HR 3010. This bill represents a drastic overhaul of the Administrative Procedure Act and would override decades of legislation enacted by Congress to protect the public and workers from harm. It would add layers of new bureaucratic processes and duplicative analyses to rulemaking, unnecessarily delaying important protections that have been years in the making. Simply put, passage of this bill would result in a considerable threat to environmental standards, workplace safety rules, public health, and financial reform regulation.

The bill upends three generations of health, safety and environmental protections and laws designed to protect citizens from discrimination and corporate abuses. Rules to safeguard the public from harmful chemicals will meet near impossible roadblocks; air pollutants will be left unregulated; and not regulating work safety and labor standards will lead to unsafe work conditions.

Under this bill, agencies' "high-impact" rules and safeguards would be subject to a lengthy and burdensome "formal rulemaking" process. This time consuming process would make costs to businesses the primary factor in setting all government rules, with the public interest a secondary consideration, and it would allow new legal challenges that would tip the balance of power in rulemaking in favor of those able to hire and retain high-cost legal assistance.

Studies on the direct impact of regulations on job growth have found that most regulations result in modest job growth or have no effect, and economic growth has consistently surged forward in concert with these health and safety protections. The Clean Air Act is a shining example, given that the economy has grown 204% and private sector job creation has expanded 86% since its passage in 1970.

Americans deserve safe workplaces, clean air, clean water, and a stable economy. The landmark laws deteriorated by this proposed bill have advanced these goals for decades. I urge you to vote against the Managers Amendment to HR 3010, the Regulatory Accountability Act, which would be a huge step in the wrong direction, and back towards the 19th century when air, water and our workplaces were unregulated.

Sincerely,

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

David A. Foster  
Executive Director

Cc: Members of the U.S. House Judiciary Committee