

June 10, 2024

Dear Member of Congress:

We encourage you to co-sponsor H.R. 8204, the Regulatory Early Notice and Engagement Act. This bipartisan legislation would reform the federal regulatory process to make it more transparent, accountable, and responsive to the public. The end result will be better regulation.

Introduced by Representatives Guy Reschenthaler (R-PA), Don Davis (D-NC), and Tim Burchett (R-TN), H.R. 8204 would require that, within one week after initiating a new rulemaking activity, a federal agency would have to make public on its website and send to Congress a regulatory early notice, which must:

- identify the problem the rule is intended to address and state whether the rule is required by law, necessary to interpret law, or made necessary to address a compelling public need, such as a material failure of private markets,
- state whether existing regulations or other laws have created, or contributed to, the problem that a new regulation is intended to correct,
- state whether the agency identified and assessed available alternatives to direct regulation, including the alternative of not regulating, and
- invite the public to provide the agency with recommendations on how to accomplish the objectives of the rule most effectively and at least cost.

The bill builds on long-established principles of sound regulation embodied in Executive Order 12866, which has been affirmed by every president since its issuance in 1993. The bill would require the U.S. Government Accountability Office (GAO) to develop and maintain a database containing each regulatory early notice and report to Congress on agency compliance with the Act.

As rules are increasingly issued, reversed, and restored with administration changes, businesses are left to navigate a sea of regulatory uncertainty and unable to plan for long-term investments. This regulatory whiplash impedes our ability to strengthen our economy in the U.S. and instead pushes manufacturing to other countries. All of this undermines national priorities, impedes domestic innovation, and threatens U.S. competitiveness. H.R. 8204 can help restore accountability through more vigorous congressional oversight of federal agencies.

Thank you for your consideration of cosponsoring this modest, common-sense reform.

Sincerely,

Alliance for Chemical Distribution
American Chemistry Council
American Cleaning Institute
American Coatings Association
American Exploration & Mining Association

American Farm Bureau Federation
American Fuel & Petrochemical Manufacturers
American Iron and Steel Institute
American Petroleum Institute
American Road & Transportation Builders Association
AmericanHort
Association of American Railroads
Association of Equipment Manufacturers
Association of the Nonwoven Fabrics Industry (INDA)
Communications Cable & Conductivity Association
Composite Panel Association
Consumer Technology Association
CropLife America
Decorative Hardwoods Association
Essential Minerals Association
International Sign Association
IPC – Build Electronics Better
Lawn & Horticultural Products Work Group
National Asphalt Pavement Association
National Association of Home Builders
National Automobile Dealers Association
National Cotton Council
National Grain and Feed Association
National Stone Sand & Gravel Association
North American Association of Food Equipment Manufacturers
North American Meat Institute
Plastics Industry Association
Polyisocyanurate Insulation Manufacturers Association
Polymeric Exterior Products Association
PRINTING United Alliance
SOCMA
Southern Crop Production Association
The Fertilizer Institute
The Recycled Materials Association
The Vinyl Institute
Treated Wood Council
U.S. Chamber of Commerce
USA Rice