



November 29, 2011

Honorable Member
U.S. House of Representatives
Washington, DC 20515

Re: HR 3010, HR 527 and HR 10.

Dear Chairman Smith and Ranking Minority Member Conyers:

The National Association of Consumer Advocates (NACA) is a national non-profit organization of more than 1800 attorneys, law professors, and other consumer advocates who are committed to promoting justice for consumers. NACA strongly urges you to oppose all legislation that would undermine our system of public protections. In particular, we are writing about three bills, each part of a three-pronged strategy to jeopardize public protections. H.R. 10/S. 299, the Regulations from the Executive in Need of Scrutiny (REINS), H.R. 3010/S. 1606, the Regulatory Accountability Act (RAA), and H.R. 527, the Regulatory Flexibility Improvements Act, would produce the same undesirable, and represent a dangerous threat to the health and safety of the American People.

The REINS Act, the signature bill of anti-government attacks on public protections, aims to destroy a century's worth of progress in consumer protection and progress towards critically needed financial safeguards. It would delay or stop the implementation of critical public health and safety protections.

The REINS Act is a back-door way of gutting the enforcement of existing laws that some legislators do not support. It would require both the House and Senate to approve all major regulations in an impossibly short 70 legislative days. Regulations that are not approved would become void. Thus it would empower either chamber to unilaterally stop the implementation of critically important financial reform and consumer protection laws like the Dodd Frank Wall Street Reform and Consumer Protection Act.

The Regulatory Accountability Act (RAA) would also undermine the ability of government to protect the public from harm. It is a dream come true for corporate special interests. It would add layers of new bureaucratic processes to agency rulemaking and create additional opportunities for special interests to use the courts and their high priced lawyers to delay protections that have been years in the making. It would also make costs to businesses the primary factor in setting all government rules, with the public interest a secondary consideration.

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Under the RAA, agencies would find themselves on a never-ending treadmill of analyzing every possible alternative when responding to bad business practices like debt collection abuses and practices like predatory lending that they have already been given congressional authority to address. This bill is not just about procedure or the relationship between Congress and the executive branch. It's about people – your constituents.

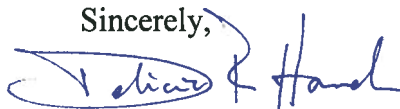
Finally, H.R. 527, the Regulatory Flexibility Improvements Act, may purport to be about small business regulations. But its scope is breathtakingly broad. Virtually any action an agency proposes – even a guidance document designed to help a business comply with a rule – could be subject to a lengthy regulatory process. By requiring additional and wasteful analyses, this bill would make it impossible for federal agencies to protect the public and respond to emerging hazards.

Blocking, weakening or delaying critical standards and safeguards will result in more economic harms and weaker consumer protections which would result in greater economic catastrophe for individuals and the nation as a whole.

Americans deserve strong consumer protections and financial transparency and accountability. Government has advanced these goals for nearly 100 years. NACA urges you to oppose both the REINS Act and the Regulatory Accountability Act, each of which would be a huge step in the wrong direction.

Thank you for your consideration of our views. Should you or your staff have any questions regarding our position, please do not hesitate to contact me directly, at Delicia@naca.net or 202-452-1989.

Sincerely,

A handwritten signature in blue ink that reads "Delicia Reynolds Hand". The signature is written in a cursive style with a large, sweeping initial "D".

Delicia Reynolds Hand
Legislative Director