

ALL MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES

The United Fresh Produce Association (UFPA) would like to urge you to vote in support of H.R. 5, the "Regulatory Accountability Act" sponsored by Representative Bob Goodlatte (R-VA). We believe this legislation will make several needed improvements to the Federal rulemaking process.

All stakeholders have a right to fair, open, and transparent rulemaking that respects the proper role of the states and the intent of Congress. For decades, there have been Executive Orders issued from both Republican and Democrat Administrations highlighting the importance of an open, transparent, and fair regulatory process. H.R. 5 is an important step forward in codifying the principles of fairness, openness and transparency that are reflected in a number of Executive Orders issued going back nearly 40 years by both Republican and Democrat presidents with respect to the rulemaking process. We believe this legislation respects the openness and fairness sought by previous Administrations and which is needed to ensure public confidence in the process, while at the same time making the process more clear and efficient.

Some of the reforms in H.R. 5 include provisions such as requiring federal agencies to use less costly regulations, rather than more costly proposals, to obtain a stated objective; requiring federal agencies to explain how their proposed regulations would impact small business owners, their employees, and customers; prohibiting any new rules with a significant economic impact from taking effect until litigation against such proposal has been fully settled without impacting existing regulations; and requiring Federal agencies to publish mandatory transparency reports.

Furthermore, Rep. Collin Peterson (D-MN) plans to offer an amendment on the floor of the U.S. House of Representatives to prohibit agencies from using social media to sway public opinion in favor of a pending agency proposal. This common-sense amendment is necessary to prevent actions taken by federal agencies such as was done by the U.S. Environmental Protection Agency (EPA) during its "Waters of the United States" (WOTUS) proposed rulemaking. The General Accountability Office (GAO) later found such actions unlawful.

To maintain openness and transparency, while also improving the Federal rulemaking process, United Fresh Produce Association urges all House members to vote in favor of the Peterson amendment and to vote "Yes" on final passage of H.R. 5. Thank you for your time and attention in this matter.