

CHAMBER OF COMMERCE  
OF THE  
UNITED STATES OF AMERICA

NEIL L. BRADLEY  
EXECUTIVE VICE PRESIDENT &  
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March 14, 2018

The Honorable Trey Gowdy  
Chairman  
Committee on Oversight and  
Government Reform  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Elijah Cummings  
Ranking Member  
Committee on Oversight and  
Government Reform  
U.S. House of Representatives  
Washington, DC 20515

Dear Chairman Gowdy and Ranking Member Cummings:

The U.S. Chamber of Commerce supports H.R. 50, the “Unfunded Mandates Information and Transparency Act of 2017.”

The Unfunded Mandates Reform Act of 1995 (UMRA) requires agencies to undertake a qualitative and quantitative assessment of the anticipated costs and benefits of the federal mandate before promulgating a final rule. For rules costing over \$100 million, UMRA requires the agency to identify and consider a reasonable number of regulatory alternatives and select the least costly, most cost-effective, or least burdensome alternative that achieves the objectives of the rule. Alternatively, the head of the agency must publish with the final rule an explanation of why the least costly, most cost-effective, or least burdensome method of achieving the rule’s objectives was not chosen.

However, agencies routinely engineer the regulatory process to avoid UMRA’s requirements. The Government Accountability Office has found that many statutes and final rules containing significant unfunded mandates were enacted or published without being identified as federal mandates at or above UMRA’s thresholds. Worst of all, there is no mechanism to obtain meaningful judicial review for UMRA violations, so agencies can easily get away with skirting the law’s requirements.

H.R. 50 would fix many of these problems. It would close loopholes that agencies use to circumvent UMRA and provide for enhanced stakeholder participation, meaningful UMRA oversight, and judicial review. The bill would also enhance the ability of Congress to identify unfunded mandates in legislation it considers. The Chamber urges you to vote in favor of this bipartisan legislation, and to report it to the full House as expeditiously as practicable.

Sincerely,



Neil L. Bradley

CC: Members of the House Committee on Oversight and Government Reform