



AMERICAN
SUSTAINABLE
BUSINESS
COUNCIL

November 15, 2016

Dear Representative:

On behalf of the businesses and business organizations represented by the American Sustainable Business Council, I urge you to oppose H.R. 5982, an anti-regulatory bill misleadingly named the Midnight Rules Relief Act.

Any attempt to prevent implementation of regulations would have the unintended consequence of shifting the burden of proof for environmental, health and safety issues back to taxpayers and away from powerful corporate interests. Undermining the capacity of regulatory agencies to do their jobs, as this bill appears designed to do, would not foster productive growth among small and mid-sized firms.

The American Sustainable Business Council (ASBC) is a growing national coalition of businesses and business organizations committed to advancing policies that support a vibrant and sustainable economy. ASBC, through its partner organizations, represents over 200,000 businesses and more than 325,000 business professionals, including industry associations, local and state chambers of commerce, micro-enterprise, social enterprise, green and sustainable business, local living economy groups, woman and minority business leaders, and investor networks.

While some inside the Beltway claim that regulations are holding back our economic recovery, ASBC has a different view. ASBC, along with other small business organizations, released a national, scientific poll of small business ownersⁱ, which found that small businesses don't see regulations as a major concern.

The polling confirmed that small business owners value regulations if they are well-constructed and fairly enforced. It is important to note that the majority of those polled were self-identified Republicans, further emphasizing that this is more about what is fair and good for all business.

- Small business owners believe certain government regulations play an important role.
- 86% believe some regulation is necessary for a modern economy, and 93% of respondents believe their business can live with some regulation if it is fair and manageable.
- 78% of small employers agree regulations are important in protecting small businesses from unfair competition and leveling the playing field with big business.
- 79% of small business owners support having clean air and water in their community in order to keep their family, employees and customers healthy.
- 61% support standards that move the country towards energy efficiency and clean energy.

Supporting the ASBC poll is a Wells Fargo/Gallup poll of small businesses conducted in October 2014, which found that only seven percent mentioned regulations as being an important challenge.

As currently written, this bill would preempt any rule submitted during the final months of the presidential administration. Supporters of the bill argue that any rules finalized during the 'midnight'

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rulemaking period are inadequately scrutinized. But a report by Public Citizen suggests that rulemaking finalized in the last months of the presidential administration receive more vetting than other rules and are often related to routine administrative issues.

Blocking, weakening or delaying critical standards and safeguards will only worsen the uneven economic playing field that leaves many small- and medium-sized businesses at a competitive disadvantage. It also inhibits innovation in new technologies that can create good, sustainable jobs as well as safer products, workplaces and communities. I urge you to vote against H.R. 5982.

Sincerely,

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

David Levine
CEO and Co-founder

ⁱ http://asbcouncil.org/sites/default/files/files/Regulations_Poll_Report_FINAL.pdf