ISSUES & INSIGHTS

Regulatory Reform

SITUATION

A number of areas of the rulemaking process are in need of reform:

- **Accountability:** The Administrative Procedures Act (APA), which governs how federal agencies may promulgate regulations, has not been updated in a significant way in 70 years. NPPC supports legislation, such as the “Regulatory Accountability Act,” that would require agencies to consider cost-effective alternatives, use the best reasonably available science and periodically review whether existing regulations are meeting their original objectives. Additionally, NPPC supports any legislation prohibiting federal agencies from using funds to advocate for comments on a proposed regulation.

- **Congressional Oversight:** Currently, Congress may only disapprove a regulation by passing a resolution pursuant to the Congressional Review Act (CRA). NPPC supports legislation, such as the “Regulations from the Executive in Need of Scrutiny (REINS) Act,” that would require congressional approval for all new major regulations – those with an economic impact of $100 million or more – allowing for the people’s voice to be heard and restoring balance between the executive and legislative branches.

- **Consistency:** Pork products are a staple in grocery stores across the United States thanks to interstate commerce. The availability of wholesome, safe and affordable pork products is undermined by an increasing patchwork of arbitrary state mandates. NPPC supports legislation that protects the free flow of commerce across state borders, prevents food costs from rising and allows consumers to continue to choose among a vast array of food products.

- **Transparency:** Increasingly, key stakeholders are shut out of the regulatory process and are often given only 30 or 60 days to comment on regulations that an agency has spent years developing. NPPC supports legislation, such as the “Regulatory Accountability Act,” that would increase public participation in developing regulations.

NPPC POSITION

*NPPC supports reducing the regulatory burden on U.S. pork producers by increasing accountability and transparency in the federal regulatory process, strengthening congressional oversight, eliminating state regulations that impede interstate commerce, broadening the scope of required economic analyses and requiring agencies to work with key stakeholders throughout the rulemaking process.*

FAST FACTS

- Regulations are consistently cited by farmers and producers as the No. 1 burden on their productivity
- Producers must expend additional resources to hire professional help to ensure compliance, or must spend their own valuable time deciphering the regulatory maze, which carries its own opportunity costs
- The ever-changing regulatory landscape also creates uncertainty for farmers and producers, hindering innovation while making it difficult to formulate investment plans or estimate next year’s returns

NPPC CONTACTS

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