



Chairman Jim Jordan  
U.S. House Committee on the Judiciary  
2138 Rayburn House Building  
Washington, DC 20515

Ranking Member Jerrold Nadler  
U.S. House Committee on the Judiciary  
2138 Rayburn House Building  
Washington, DC 20515

June 9<sup>th</sup> 2025

**Re: Please Oppose, H.R. 421, the “Small Business Regulatory Flexibility Improvements Act” (SBRFIA)**

Dear Chairman Jordan and Ranking Member Nadler,

On behalf of Earthjustice, I urge you to oppose H.R. 421, set for full Committee markup this Tuesday in the House Judiciary Committee. H.R. 421, titled the **Small Business Regulatory Flexibility Improvements Act (SBRFIA)**, inappropriately increases the authority of the Office of Advocacy in the Small Business Administration. The Office would generally act as a voice for polluting and large corporations, as well as the trade associations dominated by them, rather than small businesses or the taxpaying public. This anti-regulatory bill purports to address a non-existent problem while posing a significant threat to public health and environmental protections. In the interest of public health and environmental protections that keep us all safe, we urge you to oppose the anti-regulatory bill H.R. 421.

Federal agencies are responsible for numerous essential environmental, health, and safety measures, as well as public protection measures that we all rely on. The bill creates burdens of time, money, and resources on already underfunded federal agencies by adding a multitude of unnecessary new analytical requirements for rulemaking and guidance documents that could impact small businesses, including indirect effects. Rulemaking already involves numerous requirements, staff, expertise, and administrative record creation that can take years to complete, now made more challenging with fewer staff and a flattened budget. This legislation would further delay the finalization of policies and eat into an already tight budget.

One of the most egregious components of H.R. 421 is its creation of mechanisms to provide corporations and polluting industries a get-out-of-jail-free card if they violate federal policy and are considered a “first-time offender” to that particular agency. An agency head is stripped of their discretion in enforcing policies by imposing a civil fine. While there are exceptions to this rule, like a violation that “presents a danger to public health or safety or a danger to the public interest, the legislation still allows a safe harbor for “first-time offenders” to “correct” the noncompliance within 24 hours. The agency head must weigh several factors before allowing or denying them the grace period. If they do not provide a grace period and still



issue a civil fine, they must report the issuance to Congress. These provisions, in essence, aim to create loopholes in compliance and accountability avoidance for large corporations and trade associations, rather than small businesses.

This anti-regulatory bill is a dangerous assault on public protections that keep us all safe and healthy. We ask that you **OPPOSE** H.R. 421 at Tuesday's House Judiciary Committee markup.

Sincerely,

**Brielle L. Green, Esq.**

Earthjustice

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