

October 18, 2011

The Honorable Jim Cooper  
1536 Longworth House Office Building  
United States House of Representatives  
Washington, DC 20515

Dear Congressman Cooper:

We, the undersigned, representing a cross-section of American industries and businesses, applaud you, Rep. Marsha Blackburn (TN-7) and Rep. Mary Bono Mack (CA-45) for your legislative efforts to protect forests globally and American businesses and consumers here at home. Specifically, we commend you for genuinely listening to the concerns that we have with certain elements of the Lacey Act and sponsoring HR 3210, the RELIEF Act, to address those concerns, while improving and protecting the integrity of Lacey.

We especially value how you have accurately identified, and are attempting to correct, several of the specific issues the business community has been raising for more than three years.

Our associations have long advocated the establishment of an "innocent owner" provision within Lacey, while simultaneously supporting enhanced enforcement against the true targets of Lacey: criminals who knowingly violate the law. Honest business owners who willingly incur the high costs of complying with the Lacey Act must know that they have the right to seek the return of goods acquired through the exercise of due care but without their knowledge run afoul of some part of the Lacey Act.

We also share with you the belief that goods and materials produced or imported prior to 2008 when the Act took effect should be exempted. Opponents of the "innocent owner" provision can hardly argue that a musician or antiques dealer traveling with pre-2008 wood products exemplifies the bad actors that Lacey is designed to catch. Yet, without the protection of the "innocent owner" provision, they could, in fact, have their property seized under Lacey.

Thank you for initiating a discussion on the value of the declaration requirement. We believe that a more thorough examination of this requirement is appropriate to determine whether it is an effective enforcement tool to advance the environmental goals of the law.

Representative Cooper, your bill is a positive first step towards bringing the intent of the Lacey Act – preserving forests around the world from the ravages of illegal logging – in line with the practical effects of its implementation. We look forward to working with you and others who advocate an even-handed approach to forest conservation and honest and fair business regulations.

Sincerely,

American Home Furnishings Alliance  
International Wood Products Association  
National Association of Home Builders  
National Association of Music Merchants  
National Marine Manufacturers Association  
National Retail Federation  
Recreational Vehicle Industry Association

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