



Key Vote

September 8, 2014

The Honorable John Boehner
Speaker
U.S. House of Representatives
Washington, DC 20515

Dear Speaker Boehner:

On behalf of the 140,000 members of the National Association of Home Builders (NAHB), I am writing to express NAHB's support for H.R. 5078, the *Waters of the United States Regulatory Overreach Protection Act of 2014*, introduced by Congressman Steve Southerland (R-FL). This bill would prevent the U.S. Environmental Protection Agency and the U.S. Army Corps of Engineers ("the agencies") from finalizing a rule that could greatly expand federal authority under the Clean Water Act (CWA). Because of the critical nature of this legislation to the home building industry, **NAHB is designating support for H.R. 5078 as a KEY VOTE.**

Earlier this year, the agencies proposed a rule that provides minimal limits to CWA jurisdiction and establishes overly broad definitions that would allow most waters to come under federal authority. This proposed rule runs counter to recent Supreme Court decisions, as well as ignores congressional intent under the CWA. Further, the agencies failed to publish the scientific report that serves as the basis for the rule, and have failed to assess the impacts this rule will have on small businesses, as required by the Regulatory Flexibility Act. We believe that only Congress holds the authority to make such sweeping changes.

For home builders, this proposed rule adds confusion and increases the cost and time needed to obtain a federal wetlands permit prior to home construction. The costs of this rule will increase the price of a home at a time when home construction is beginning to recover from the devastating effects of the economic downturn. Many American families will be priced out of the housing market if this rule is finalized in its current form.

H.R. 5078 would prevent the agencies from executing this regulatory overreach while preserving the existing federal-state relationship, protecting landowners from unnecessary regulation, and maintaining environmental safeguards. Because of the critical nature of this legislation to the home building industry, **NAHB urges you to support H.R. 5078, and designates a vote in support of H.R. 5078 as a KEY VOTE.**

Thank you for giving consideration to our views.

Sincerely,

A handwritten signature in black ink, appearing to read "James W. Tobin III". The signature is stylized and cursive.

James W. Tobin III