



April 30, 2015

United States House of Representatives
Washington, DC 20515

Dear Representative:

On behalf of Associated Builders and Contractors (ABC), a national trade association with 70 chapters representing nearly 21,000 chapter members, I am writing to express our support for H.R. 1732, the Regulatory Integrity Protection Act of 2015. **ABC strongly urges your support of this legislation, and will consider this a “KEY VOTE” for our 114th Congressional Scorecard.**

This legislation would require the U.S. Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers (Corps) to withdraw the flawed “waters of the U.S.” (WOTUS) rule and develop a new proposed rule after engaging in meaningful stakeholder consultation.

We are deeply concerned about the rulemaking jointly proposed by EPA and the Corps to redefine WOTUS under the Clean Water Act. The agencies stated purpose is to provide clarity and certainty regarding federal jurisdiction over water consistent with the limitations set by Congress and affirmed by the U.S. Supreme Court. Instead, the proposed rule uses undefined terms and new definitions with familiar terms in a way that creates confusion and new regulatory liabilities, while providing the agencies with almost unlimited authority to regulate at their discretion.

There is significant disagreement between the federal agencies, the states, local governments, and the regulated community about the scope and effect of the rulemaking. The introduction of H.R. 1732 follows months of respectful urging of EPA and the Corps to withdraw the proposed rule and work with these stakeholders to develop a proposal that respects the jurisdictional limitations imposed by Congress and affirmed by the U.S. Supreme Court.

It is important for Congress to set parameters for further agency action on a WOTUS rule so that the final result reflects congressional intent. Additional time, outreach, oversight and transparency are needed to ensure that all concerns are properly addressed in a final rule that achieves the regulatory clarity vital for a thriving U.S. economy. Congress must act now to guide agency action. Acting before a rule is final provides the best opportunity and path to ensure that a final rule is practical, reflects Congressional intent, and achieves environmental benefits along with the clarity and balance necessary for robust economic activity.

By requiring EPA and the Corps to withdraw the proposed rule, H.R. 1732 appropriately initiates a process that will further protect our nation’s environmental assets, assure our ability to engage in robust economic activity, and earn broad support from state and local officials and the regulated community. **ABC urges you to vote YES on H.R. 1732 and will consider this a “KEY VOTE” for our 114th Congressional Scorecard.**

Sincerely,

Geoffrey Burr
Vice President, Government Affairs