



November 4, 2015

United States Senate
Washington, DC 20510

Dear Senator,

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 S.J. Res. 22, which nullifies the “Waters of the U.S.” (WOTUS) rule under the Congressional Review Act. **ABC strongly urges your support of this resolution, and will consider this a “KEY VOTE” for our scorecard on the 114th Congress.**

The passage of this joint resolution would require the withdrawal of the joint rulemaking by the U.S. Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers (Corps) revising the definition of the WOTUS rule, which greatly expands the Administration’s jurisdiction over water and land uses across the country under the Clean Water Act. Additionally, S.J. Res. 22 prevents the agencies from issuing a similar version of the regulation in the future, promoting stability for businesses in the economy.

We remain deeply concerned that the final rule jointly issued by EPA and the Corps to redefine WOTUS will have a detrimental impact on the construction industry. This regulation creates uncertainty over what waterways will be subject to federal jurisdiction. The lack of clarity will lead to an unnecessarily longer and more expensive permitting process for contractors, which substantially increases the cost of doing business. Additionally, this flawed regulation will almost certainly lead to fewer projects overall and negatively impact job creation in the construction industry and local communities.

Throughout the rulemaking process, we have consistently urged the agencies to clarify the limits of federal jurisdiction over waterways consistent with Supreme Court decisions and congressional intent. By requiring EPA and the Corps to withdraw its flawed WOTUS rule, this resolution will go a long way in limiting the regulatory burden on the construction industry and ensuring that our economy is not unduly harmed. **ABC urges you to vote YES on S.J. Res. 22 and will consider this a “KEY VOTE” for our scorecard on the 114th Congress.**

Sincerely,

Kristen Swearingen
Senior Director, Legislative Affairs