



April 21, 2016

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 Senator Hoeven's amendment #3811 to prohibit funding for developing, implementing, or enforcing the "Waters of the U.S." (WOTUS) regulation in any fiscal year. **ABC strongly urges your support of this amendment, and will consider this a "KEY VOTE" for our scorecard on the 114th Congress.**

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 consistently urged the agencies to clarify the limits of federal jurisdiction over waterways consistent with Supreme Court decisions and congressional intent. By prohibiting the funding for the Corps of Engineers to move forward with the WOTUS rule, this amendment 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 the Hoeven WOTUS amendment #3811 and will consider this a "KEY VOTE" for our scorecard on the 114th Congress.**

Sincerely,

Kristen Swearingen  
Vice President of Legislative & Political Affairs