

## OVERVIEW

In 2013, the federal government imposed \$112 billion in new net regulatory costs on employers (requiring nearly 160 million hours of paperwork burdens), and is set to add another \$87.6 billion in 2014. Many of these regulations have been or will be imposed on the construction industry. ABC is committed to reforming the broken federal regulatory process, and ensuring industry stakeholders' voices are heard and rights are protected.

## ABC SUPPORTS

- Comprehensive regulatory reform, including across-the-board requirements for agencies to evaluate the risks, weigh the costs and assess the benefits of regulations. This will better allocate limited resources and target efforts toward achieving our collective environmental, health and safety goals.
- Periodic review of regulations to ensure they are necessary, current and cost-effective. The construction industry should not be forced to operate according to burdensome or inappropriate rules that are not justified for current times.
- Legislation that would reform the Administrative Procedure Act by strengthening existing checks on federal agencies. This would foster more cost-effective regulations through a more transparent process.
- Legislation that would require federal agencies to more closely examine regulatory impacts on small businesses.
- Legislation that would enhance openness and transparency in the regulatory process by requiring early disclosure of proposed consent decrees and regulatory settlements. Agencies should be required to solicit public comment prior to entering into consent decrees with courts in order to provide affected parties proper notice of proposed regulatory settlements and make it possible for affected industries to participate in the actual settlement negotiations.
- Legislation that would streamline the current process for developers and contractors to obtain federal environmental permits and approvals. This would prevent jobs from being deferred or never being created because of dysfunctional permitting processes.

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## ABC OPPOSES

- Unnecessary, burdensome and costly regulations resulting from the efforts of Washington bureaucrats who have little accountability for their actions.
- Sub-regulatory, "de facto" rulemaking, in which regulatory provisions are proposed as guidance or administrative interpretations in an effort to circumvent federal rulemaking procedures and avoid stakeholder participation.

## BACKGROUND

The Obama administration continues to issue rulemakings that detrimentally impact the construction industry. In some cases, these regulations are based on conjecture and speculation, lacking foundation in sound scientific analysis. For the construction industry, unjustified and unnecessary regulations translate to higher costs, which are then passed along to the consumer or lead to construction projects being priced out of the market. This chain reaction ultimately results in fewer projects, and hinders businesses' ability to hire and expand.

ABC members understand the value of standards and regulations when they are based on solid evidence, with appropriate consideration paid to implementation costs and input from the business community.

Federal agencies must be held accountable for full compliance with existing rulemaking statutes and requirements when promulgating regulations to ensure they are necessary, current and cost-effective for businesses to implement.