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AGC of America
THE ASSOCIATED GENERAL CONTRACTORS OF AMERICA
Quality People. Quality Projects.



February 14, 2017

Chairman Jason Chaffetz
House Oversight & Government Reform Committee
2157 Rayburn House Office Building
Washington, D.C. 20515

Ranking Member Elijah Cummings
House Oversight & Government Reform Committee
2471 Rayburn House Office Building
Washington, D.C. 20515

RE: Support Regulatory Reform Bills at ORG Committee Markup 2.14.17

Dear Chairman Chaffetz and Ranking Member Cummings:

On behalf of the Associated General Contractors of America (AGC) and its 26,000 commercial construction company members, I urge the House Oversight and Government Reform Committee to approve the Searching for and Cutting Regulations that are Unnecessarily Burdensome (SCRUB) Act, Regulatory Integrity Act, and Office of Information and Regulatory Affairs (OIRA) Insight, Reform and Accountability Act.

The nation's construction industry constantly adapts to economic and technological changes. Meanwhile, the existing regulatory framework rarely adjusts to such changes. Instead, federal agencies layer new regulations on top of existing ones, creating a chaotic patchwork for industry compliance. There is often little to no incentive for federal agencies to comprehensively review and address regulations that are obsolete, over burdensome or duplicative.

Federal agencies do not always engage in the regulatory process in a fully transparent or responsible manner. For instance, in 2012, the Obama administration did not publish a spring edition of the Unified Agency of Regulatory and Deregulatory Actions, which informs industry when or if agencies plan to undertake regulatory action. Additionally, federal agencies often fail to avoid duplicating or needlessly complicating existing regulatory frameworks. The Environmental Protection Agency, for example, continues to undertake a lead paint abatement regulation that confuses and duplicates existing Occupational Safety and Health Administration's standards.¹

The regulatory reform legislation before your committee would help address many of these issues with the regulatory process. Specifically:

- **The SCRUB Act:** would task a commission to identify and suggest for elimination regulations that are obsolete, ineffective, over burdensome or duplicative. It also sets forth a regulatory "Cut-Go" process, whereby agencies must repeal rules identified by the commission in order to issue new ones. The annual cost of the new rule to the U.S. economy must be offset by such repealed regulation(s). The bill also requires agencies to issue a plan for review of the rule when promulgated and for the review to occur within ten years.
- **The Regulatory Integrity Act:** would ensure that pending regulations are properly reported in a public sphere and force agencies to identify other possible duplicative or overlapping regulations.
- **The OIRA Insight, Reform and Accountability Act:** would create a Regulatory Working Group within the government to help review existing regulations and avoid duplication of existing rules.

The purpose of these bills is not partisan. Rather, it is to ensure that the regulatory process is transparent, responsible and sensible. Again, I urge you to support these bills at the committee markup.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey D. Shoaf".

Jeffrey D. Shoaf
Senior Executive Director, Government Affairs

¹ <https://www.agc.org/news/2013/07/08/agc-epa-hearing-osha-already-manages-lead-hazards-work-public-and-commercial>