



## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

June 20, 2012

### **H.R. 4965**

#### **A bill to preserve existing rights and responsibilities with respect to waters of the United States, and for other purposes**

*As ordered reported by the House Committee on Transportation and Infrastructure  
on June 7, 2012*

H.R. 4965 would prohibit the Environmental Protection Agency (EPA) and the Army Corp of Engineers (Corps) from finalizing or implementing guidance provided in the document entitled “EPA and Army Corps of Engineers Guidance Regarding Identification of Water Protected by the Clean Water Act.” That document was sent to the Office of Management and Budget for regulatory review earlier this year. Enacting this legislation also would prohibit those federal agencies from using similar guidance as the basis for any decision regarding the scope of the Clean Water Act’s jurisdiction or in any rulemaking activities.

Based on information from EPA and the Corps, CBO expects that implementing this legislation would have no significant impact on the budget because the bill would not prohibit the agencies from using existing guidelines (predating the proposed guidance or any similar guidance) to determine whether waters and wetlands are protected under the Clean Water Act. Pay-as-you-go procedures do not apply to H.R. 4965 because enacting the bill would not affect direct spending or revenues.

H.R. 4965 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

The CBO staff contact for this estimate is Susanne S. Mehlman. This estimate was approved by Peter H. Fontaine, Assistant Director for Budget Analysis.