



Construction Industry Round Table

Regulatory News

A force for positive change in the design / construction industry

5/21/09 – Presidential Memo on Regulatory Preemption

On Wednesday, May 20, 2009, President Obama issued a Presidential Memorandum, instructing federal agencies to cease the practice of regulatory preemption, and to revisit rulemaking preambles from the past 10 years. On the surface this memo may seem arcane and unimportant to your daily business operations and projects, BUT if it has wide-reaching affects beyond the headlines regarding states setting their own CAFE standards for autos – then all types of environmental standards, rules, and measures as well as potentially procurement related regulations could be turned back over to state-set guidelines and requirements – thus, creating a dizzying patch-work of 50 standards and rules that you and your clients must meet to move forward on infrastructure projects. The implementation of this memo warrants a watchful eye – to determine its reach. [A copy of the memorandum can be found in the White House, Office of the Press Secretary; dated May 20, 2009, Subject: Preemption].