

2026 REGULATORY ADVOCACY REPORT

Quarter 2



WHAT TO KNOW

ARTBA's regulatory advocacy produced incremental progress during Q2, with several long-standing priorities advancing through final rules and continued agency engagement. As federal agencies implement their deregulatory agendas, ARTBA will continue advancing additional regulatory reform priorities.

KEY ISSUES



Environment

Permitting & Environmental Policy: Federal agencies advanced efforts to streamline permitting through updates to Nationwide Permits and Coal Combustion Residual regulations. ARTBA also participated in key U.S. Supreme Court litigation and submitted comments supporting efficient permitting.



Contracting

DBE: USDOT launched a national dashboard tracking state progress on recertification. ARTBA continues engaging with agencies on implementation.

PELL GRANTS: The Department of Education finalized Workforce Pell Grant regulations, adopting an ARTBA-supported recommendation that expands flexibility for registered apprenticeships and improves access to workforce training.



Safety

SILICA: ARTBA met with White House officials on MSHA's silica rule and continues advocating for a practical approach.

HEAT: OSHA updated its National Emphasis Program on heat hazards. No changes were announced to the heat rule.

DEREGULATION: OSHA signaled plans for further deregulatory actions, announcing a public hearing in August. ARTBA plans to testify.

Regulatory Comments & Legal Filings

ARTBA submitted formal communications to agencies and the courts on the following:

- **EPA/Army Corps:** Coal Combustion Residuals, Nationwide Permits
- **CALOSHA:** Worker Walkaround State Rule
- **DOL:** Joint Employer
- **EDUCATION:** Workforce Pell Grants
- **LEGAL FILINGS:** U.S. Supreme Court Review of Federal Permitting Requirements, Indiana Supreme Court Associational Standing, Minnesota Supreme Court Spearin Doctrine

Federal Agency Engagement

ARTBA met with federal officials to discuss the following topics:

- **White House Office of Information and Regulatory Affairs:** Project Labor Agreements, MSHA Silica Rule
- **EPA/Army Corps:** PFAS, DBE, Section 401, Construction General Permits, WOTUS
- **FHWA:** UAS, DBE, Buy America, Form 1273, Every Day Counts, Work Zone Safety, NEPA Assignment