



THE UNITED STATES
CONFERENCE OF MAYORS



May 16, 2025

The Honorable Lee Zeldin
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

RE: Executive Order: Directing the Repeal of Unlawful Regulations (April 9, 2025)

Dear Administrator Zeldin,

On behalf of the nation's mayors, cities and counties, we write to you regarding President Trump's Executive Order titled, *Directing the Repeal of Unlawful Regulations*, announced on April 9, 2025. The Executive Order directs federal agencies to immediately review and potentially repeal regulations deemed unlawful under ten recent U.S. Supreme Court decisions, many of which concern major environmental law and policies. The Executive Order also calls upon agencies to invoke the Administrative Procedure Act's (APA) "good cause" exception to rescind these regulations without adhering to standard notice and comment procedures.

Collectively, our organizations represent the nation's 3,069 counties, 19,000 cities and the mayors of the 1,400 largest cities throughout the United States. The health, well-being and safety of residents and communities are top priorities for local leaders. **We fully support the Administration's efforts to review, and when appropriate, revise any regulations that are found to impose significant financial burdens and compliance concerns for local governments, especially those for which the benefits to public health do not outweigh the costs. We believe the best way to achieve our mutual goals is guided by the fundamental principles of Federalism and can be achieved through meaningful engagement and collaboration with intergovernmental partners following the APA notice and comment process.**

Executive Order 13132: *Federalism* requires the federal government to consult with local stakeholders concerning the direct impacts of promulgated regulations. Local governments serve as co-regulators in implementing and enforcing many federal laws and our members take these responsibilities seriously. Given that many communities face unique challenges, it is these principles that have allowed our organizations to work collaboratively with the federal government in developing practical rules and regulations that both achieve the desired public health benefits and are implementable by all of our members.

To that end, as both regulated entities and regulators, it is critical that local leaders remain fully engaged as intergovernmental partners through the entire federal regulatory process, from initial development and implementation through any consideration of repeal or revision.

As the Agency moves forward with potentially repealing regulations, we strongly urge EPA to adhere to the APA guidelines and follow typical notice and comment procedures with its intergovernmental partners. An immediate repeal of certain regulations will likely result in direct impacts for local leaders, including abrupt changes in budget planning, operational adjustments and administrative shifts. Notice and comment opportunities with appropriate stakeholders will help ensure these impacts are identified and mitigated as best as possible.

Additionally, for these and future rulemaking processes, we urge the Agency to adhere to the requirements of the Unfunded Mandates Reform Act and EPA's own guidance on Executive Order 13132: *Federalism*, and to consider enhancing this process through a more responsive collaboration approach with intergovernmental partners. This includes offering consistent (early and accessible) comment opportunities, facilitating more dialogue-focused meetings (versus a one-sided presentation of information), and by providing Agency feedback on submitted input before final decisions are made.

We look forward to continued, meaningful and timely engagement with EPA as the Agency moves forward with reviewing and possibly repealing existing regulations that place an undue burden on local governments. If you have any questions, please contact us: Judy Sheahan (USCM) at 202-355-8540 or jsheahan@usmayors.org; Carolyn Berndt (NLC) at 202-626-3101 or Berndt@nlc.org; and Charlotte Mitchell Duyshart (NACo) at 405-326-475 or CMitchell@naco.org.

Sincerely,



Tom Cochran
CEO and Executive Director
The U.S. Conference of Mayors



Clarence E. Anthony
CEO and Executive Director
National League of Cities



Matthew D. Chase
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National Association of Counties