

CHAMBER OF COMMERCE  
OF THE  
UNITED STATES OF AMERICA

NEIL L. BRADLEY  
EXECUTIVE VICE PRESIDENT &  
CHIEF POLICY OFFICER

1615 H STREET, NW  
WASHINGTON, DC 20062  
(202) 463-5310

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TO THE MEMBERS OF THE UNITED STATES SENATE:

As the Senate prepares to debate and amend H.R. 3055, the Commerce, Justice, Science, Agriculture, Rural Development, Food and Drug Administration, Interior, Environment, Military Construction, Veterans Affairs, Transportation, and Housing and Urban Development Appropriations Act of 2020, the U.S. Chamber of Commerce would like to highlight several issues important to our members and to the business community. Passing this legislation is a key first step in reconciling differences between the House-passed fiscal year 2020 bills and in getting our fiscal house back in order.

**Commerce, Justice, Science**

Specifically, the Chamber supports full funding included in this legislation for:

- **The Hollings Manufacturing Extension Partnership (MEP) Program:** MEP program helps manufacturers become more competitive by improving their productivity, leveraging private sector investments, and assisting the U.S. industrial base to become an innovative high tech global competitor. The Chamber urges greater investment in the program by providing at least \$140 million for qualified MEP centers.
- **Census Bureau:** This legislation includes \$7.558 billion for the Census Bureau to ensure that 2020 decennial census and American Community Survey (ACS) programs can move forward. An inconsistent stream of funding for the 2020 decennial census could have catastrophic effects for implementing the census and ultimately result in a costly and inaccurate count. Unreliable census data would have harmful effects on businesses and the American economy. Businesses planning on expanding and growing would be faced with making decisions on where to invest based on poor data.
- **Bureau of Economic Analysis (BEA):** Increased funding of at least \$107 million as provided in this bill would enable the BEA to continue its critical work to improve the quality and depth of important economic data, improve the accuracy of GDP estimates, speed up the release of regional statistics, and provide business investment data on an annual basis.
- **Office of the United States Trade Representative (USTR):** This office is charged with negotiating new trade agreements to open international markets to exports of U.S. goods and services, protect U.S. investments abroad, and ensure effective enforcement of U.S. trade agreements. Exports have been a major source of economic growth and job creation over the past

25 years, and a fully-funded USTR that is empowered to secure additional market-opening trade agreements will benefit U.S. workers, farmers, and businesses.

- **International Trade Administration (ITA):** The Chamber supports the Senate including \$521 million for the U.S. Department of Commerce's International Trade Administration, which also provides essential technical and regional expertise relating to trade negotiations and enforcement.

The Chamber supports increased funding for the Department of Justice and the FBI to enhance their efforts to combat cybercrime, terrorism, and espionage. The Chamber supports increasing the resources that law enforcement agencies have to counter cyber threats internationally. Malicious cyberattacks cost our economy approximately \$109 billion a year. Cyber challenges, such as protecting critical infrastructure and addressing liability concerns, require a coordinated effort by business and government. The Chamber is helping lead that partnership. We also continue to help businesses of all sizes understand, anticipate, and mitigate cyberattacks.

The Chamber supports prohibiting the Department of Justice from entering into civil settlements that require donations to organizations that are not parties to the litigation. This practice raises serious separation of powers concerns and undermines Congress's exclusive appropriations authority. Congress alone has the power of the purse, and agencies should not be allowed to circumvent the appropriations process to fund special interest groups.

The Chamber supports increasing funding for the National Institute of Standards and Technology (NIST) to \$1.04 billion. The Chamber is concerned by any potential reduction in NIST funding for the industry-government efforts on cybersecurity, including the *Framework for Improving Critical Infrastructure Cybersecurity* and Internet of Things (IoT) security. The Department of Commerce, especially NIST, has done an admirable job convening many organizations to work on key cyber issues. The Chamber appreciates that NIST has been actively meeting with foreign parties (e.g., the European Union) to press them to embrace an IoT security capabilities baseline.

Standards and best practices relevant to cybersecurity are typically led by the private sector and adopted on a voluntary basis; they are optimal when developed and recognized globally. Such approaches avoid burdening IoT cyber stakeholders with requirements coming from multiple, and often conflicting, jurisdictions. The Chamber urges the administration to work with international partners and believes that these discussions should be multistakeholder driven and occur routinely. We also want to ensure that NIST facilities are at the caliber appropriate to continue world-class research and partner with industry.

## **Interior, Environment**

The Chamber strongly urges you to appropriate sufficient funds to enable the Environmental Protection Agency (EPA) to fully implement the Frank R. Lautenberg Chemical Safety for the 21st Century Act (LCSA). LCSA amended the Toxic Substances Control Act (TSCA) to modernize the way chemicals are regulated in the United States, and it requires that

the TSCA program be funded through a combination of Congressional appropriations and industry fees.

Congress should provide the oversight to assure a coordinated and timely government response and appropriate the funding necessary to support sound scientific research and the management, mitigation, and ongoing monitoring of specific PFAS. Accordingly, the Chamber encourages you to support sufficient funding for EPA to assist state and local communities to address the contamination and remediation of per- and polyfluoroalkyl substances (“PFAS”). In addition, we oppose any provisions or amendments that would regulate PFAS as a class or otherwise circumvent existing regulatory authorities.

The Chamber opposes amendment number 1029, which would provide funding for ethylene oxide ambient air monitoring in certain communities based on the most recent National Air Toxics Assessment published by the Environmental Protection Agency. Ethylene oxide has a variety of beneficial uses and helps make many everyday products, and is most often used for the sterilization of medical supplies. EPA used a flawed assessment developed through its Integrated Risk Information System (IRIS) program that greatly overestimated the potential hazard of ethylene oxide, and deems it unsafe at levels far lower than those found in our environment. As such, any action taken should avoid using this value.

Resilience and mitigation spending pays back to the taxpayer more than \$6.00 for every \$1.00 invested. Therefore, the Chamber supports full funding for the new competitive drinking water resilience and sustainability grant program at \$4 million and the new competitive technology innovation program at \$10 million as authorized in America’s Water Infrastructure Act (AWIA).

The Chamber encourages the Committee to support full funding for the U.S. Army Corps of Engineers (Corps) Civil Works Program authorized in the Water Infrastructure Improvements for the Nation (WIIN) Act, as well as up to \$2.2 million in administrative costs and \$25 million for implementation of the WIFIA loan program – to assist in mobilizing private capital for these important projects.

The Chamber would support, if offered, language clarifying the scope of the National Pollutant Discharge Elimination System (NPDES) permitting program administered under Section 402 of the Clean Water Act so that subsurface discharges, including those into groundwater, are not regulated under the NPDES program. Non-point source programs and other statutes already regulate these types of discharges and the Chamber believes that duplicative regulation is overly burdensome and unnecessary.

In addition, the Chamber supports the full funding for the Land and Water Conservation Fund at \$465 million and suggests that green infrastructure be included as an eligible activity for land acquisition and open space funding projects. Green infrastructure is often a more cost effective and flexible method for water management in such projects.

## **Transportation, Housing and Urban Development**

The Chamber supports full funding of the Fixing America's Surface Transportation (FAST) Act and Federal Aviation Administration Authorization Act of 1994. The Chamber encourages the Committee to maximize all available transportation resources by utilizing all revenue collected from transportation users into the transportation trust funds. These investments would support critical transportation improvements across the United States, providing for employment in the near-term as well as economic competitiveness in the long-term.

In addition, we urge you to include a provision in the bill permanently blocking the impending 12 percent across-the-board cut to each public transit agency throughout the country. We greatly appreciate your leadership in ensuring that the Continuing Appropriations Act, 2020 (P.L. 116-59, Division A) included a provision temporarily preventing this cut, but further and immediate action is needed to ensure that this harmful provision does not take effect in FY 2020.

The Chamber appreciates your consideration of these recommendations as you continue debate on H.R. 3055, Commerce, Justice, Science, Agriculture, Rural Development, Food and Drug Administration, Interior, Environment, Military Construction, Veterans Affairs, Transportation, and Housing and Urban Development Appropriations Act of 2020.

Sincerely,

A handwritten signature in blue ink, appearing to read "Neil L. Bradley", with a stylized flourish at the end.

Neil L. Bradley