

CHAMBER OF COMMERCE
OF THE
UNITED STATES OF AMERICA

R. BRUCE JOSTEN
EXECUTIVE VICE PRESIDENT
GOVERNMENT AFFAIRS

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WASHINGTON, D.C. 20062-2000
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June 15, 2016

The Honorable Thad Cochran
Chairman
Committee on Appropriations
United States Senate
Washington, DC 20510

The Honorable Barbara Mikulski
Vice Chairwoman
Committee on Appropriations
United States Senate
Washington, DC 20510

Dear Chairman Cochran and Vice Chairwoman Mikulski:

The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses of all sizes, sectors, and regions, as well as state and local chambers and industry associations, and dedicated to promoting, protecting, and defending America's free enterprise system, urges you to consider the following recommendations as you prepare to consider the Fiscal Year 2017 Interior, Environment, and Related Agencies Appropriations bill.

The Chamber supports a prohibition on use of appropriated funds to implement the National Ocean Policy. The Administration's National Ocean Policy was developed without explicit Congressional authorization and would create a significant barrier to economic development across many sectors of the economy. While the policy is notionally directed at ocean use, it also potentially allows for additional regulation of water runoff from every geographic corner of the country needlessly stifling activities ranging from agriculture to manufacturing to road building.

Additionally, the Chamber supports any efforts to include a provision that would prohibit the Army Corps of Engineers (Corps) or the Environmental Protection Agency (EPA) from using any funds to implement or administer any change to the definition of waters under the jurisdiction of the Federal Water Pollution Control Act. The final "waters of the United States" rule by EPA and the Corps will expand this definition and negatively impact job creation and economic growth.

The Chamber strongly urges you to prohibit implementation of EPA carbon regulations on new and existing power plants, as currently proposed. These proposed rules would pose a significant threat to not only the diversity and reliability of the U.S. electricity system, but would negatively impact nearly every sector of the economy. Accordingly, the Chamber encourages any and all policy and budget actions necessary to reduce the potential harm that would be posed by these proposed rules.

The Chamber supports provisions that would provide for the reasonable implementation of the 2015 National Ambient Air Quality Standards (NAAQS) for ozone. These provisions would enable states to implement the 2008 ozone standards first before having to implement the 2015 ozone standards, and to address permitting concerns in areas that meet the 2008 standard

but fall short of the 2015 standard. These commonsense measures would allow for a balance between environmental stewardship and economic growth because states can continue to take steps to improve air quality without expending resources unnecessarily and stymying economic development and job creation.

The Chamber supports prohibitions on the use of appropriated funds to implement or enforce the Bureau of Land Management's proposed rule regarding "Waste Prevention, Production Subject to Royalties, and Resource Conservation," or to propose, implement, or enforce any rule to address methane emissions from oil and natural gas sources under sections 111(b) or 111(d) of the Clean Air Act. The Chamber supports policies that promote the leasing, exploration and development of the nation's oil and natural gas resources in a responsible manner, balancing environmental protection and economic impacts. Allowing these burdensome and redundant regulatory actions to go forward could lead to higher energy prices, greater challenges in obtaining necessary environmental permits, and threats to international competitiveness from higher operating costs.

The Chamber also urges provisions prohibiting implementation of the Office of Surface Mining's (OSM) Stream Protection Rule (SPR). Set to be finalized this summer, the SPR would essentially eliminate the current regulatory framework of state-led cooperative federalism and replace it with a one-size-fits-all federal regulatory program that threatens to block safe and responsible development of the nation's coal reserves. Unless and until the agency identifies failures or otherwise demonstrates that existing state regulatory programs, and the current federal-state balance, are underperforming, obsolete, or otherwise ineffective the existing programs should remain in place.

The Chamber urges you to provide full funding for contract support costs owed to federally recognized tribes and Alaska Native Corporations. Full funding would help ensure tribal self-determination, continue to foster economic development in Indian Country, and avoid establishing a harmful precedent between the federal government and contractor community overall.

Lastly, the Chamber strongly opposes adoption of any provision that would blacklist government contractors solely on the basis of a change in the location of their corporate domicile. Debarring contractors who are in full compliance with U.S. law would undermine the principles of full and open competition and best value for the taxpayer. Moreover, enactment of such proposals could place at risk the jobs of American workers who provide goods and services to the U.S. government.

The Chamber appreciates your consideration of these recommendations as you consider the Fiscal Year 2017 Interior, Environment, and Related Agencies Appropriations bill.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Bruce Josten", written in a cursive style.

R. Bruce Josten

cc: Members of the Committee on Appropriations