

CHAMBER OF COMMERCE  
OF THE  
UNITED STATES OF AMERICA

R. BRUCE JOSTEN  
EXECUTIVE VICE PRESIDENT  
GOVERNMENT AFFAIRS

1615 H STREET, N.W.  
WASHINGTON, D.C. 20062-2000  
202/463-5310

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TO THE MEMBERS OF THE UNITED STATES SENATE:

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, strongly supports an amendment expected to be offered by Senator Hoeven, which would prevent the Environmental Protection Agency or the U.S. Army Corps of Engineers from using appropriated funds to implement or enforce the Waters of the United States (WOTUS) rule.

The WOTUS rule goes beyond the statutory and legal authority of the Clean Water Act. Indeed, the WOTUS rule expands federal jurisdiction over water features and land uses beyond what Congress intended and beyond the lawful limits of federal Clean Water Act jurisdiction as interpreted by the U.S. Supreme Court.

The WOTUS rule was finalized in August 2015 without the agencies conducting the required regulatory impact analyses and without appropriately consulting with states or affected stakeholders. The Government Accountability Office also determined that during the WOTUS rulemaking process, EPA violated the Anti-Deficiency Act and improperly conducted grassroots lobbying to gin up public support for its flawed WOTUS rule.

The WOTUS rule is substantively and procedurally flawed, and it has left landowners and businesses in a state of regulatory uncertainty over what they can and cannot do with their property. The Hoeven Amendment would go a long way toward providing landowners and businesses the regulatory certainty they need to make improvements on their land.

For these reasons, and in order to prevent the flawed WOTUS rule and the attendant significant regulatory uncertainty from further harming the economy, the Chamber strongly supports the Hoeven Amendment. **The Chamber urges you to support the Hoeven Amendment and may consider votes on, or in relation to, this legislation in our annual *How They Voted* scorecard.**

Sincerely,



R. Bruce Josten