



Aric Newhouse

Senior Vice President
Policy and Government Relations

November 3, 2015

U.S. Senate
Washington, DC 20510

Dear Senators:

The National Association of Manufacturers (NAM), the largest manufacturing association in the United States representing manufacturers in every industrial sector and in all 50 states, urges you to support S.J. Res. 22, a Resolution of Disapproval relating to the definition of "waters of the United States" under the Clean Water Act (CWA), introduced by Sen. Joni Ernst (R-IA).

Safeguarding our nation's water resources with clear, reasonable protections is a priority for manufacturers. However, the Environmental Protection Agency's (EPA) and Army Corps of Engineers' (Corps) new definition of "waters of the United States" raises constitutional concerns and contravenes the intent of the authors of the CWA. The agencies' new jurisdiction now includes a staggering range of small man-made and natural water bodies from ditches to ponds, even those that are usually dry or too small to appear on a map. Water that was traditionally regulated by state and local governments will now be regulated by the federal government. For manufacturers, the regulation subjects an almost limitless number of new areas to permitting uncertainty, causing additional construction costs, environmental modeling burdens and delays, and potentially exposing facilities to administrative actions and litigation.

S.J. Res. 22 would strike the final "Waters of the United States" regulation and prevent it from taking effect. It would ensure that the CWA applies to "navigable waters" and avoids overly broad interpretations of that term and the term "waters of the United States." S.J. Res. 22 would also ensure that any future efforts by the EPA and the Corps to define "Waters of the United States" will stay firmly within the jurisdictional boundaries set forth by the CWA.

The NAM's Key Vote Advisory Committee has indicated that votes on S.J. Res 22, including procedural motions, may be considered for designation as Key Manufacturing Votes in the 114th Congress.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads 'Aric Newhouse'.

Aric Newhouse

Key Manufacturing Vote