



February 22, 2023

The Honorable Tom Carper
Chair
Committee on Environment
and Public Works
United States Senate
Washington, DC 20510

The Honorable Cathy McMorris Rodgers
Chair
Committee on Energy
and Commerce
U.S. House of Representatives
Washington, DC 20515

The Honorable Shelley Moore Capito
Ranking Member
Committee on Environment
and Public Works
United States Senate
Washington, DC 20510

The Honorable Frank Pallone
Ranking Member
Committee on Energy
and Commerce
U.S. House of Representatives
Washington, DC 20515

Dear Chairs Carper and McMorris Rodgers, and Ranking Members Capito and Pallone:

The U.S. Chamber of Commerce has long supported building smart, modern, resilient infrastructure. The enactment of the Infrastructure Investment and Jobs Act provided transformational funding for communities across the United States to improve water services, which is important to the business community. The Chamber urges you to maintain this momentum by including water policy as a critical element in your committees' 2023 legislative agendas.

First, we cannot meet America's ambitious climate and infrastructure goals without commonsense permitting reform. This effort is among the top priorities for the Chamber and our members and should include streamlining for Waters of the U.S., Section 401, Section 404, and Nationwide Permitting programs. It should also provide the certainty that businesses, landowners, and state and local governments need.

Last year, we shared several suggestions on proposed [water](#) policies, most of which remain relevant to the ongoing debate. The following items underscore these issues and highlight our 2023 priorities:

- **Fund water provisions in the IJA that were authorized but not appropriated.** The Chamber and our coalition of stakeholders sent a [letter](#) underscoring the broad support for unfunded IJA programs, including low-income assistance pilots. Your committees should work closely with your colleagues on the appropriations committees to ensure they are adequately funded.
- **Focus on providing technical assistance (TA) to small and disadvantaged communities to access IJA funding.** The IJA gives priority to small and

disadvantaged communities for water and resilience funding. However, many do not have the wherewithal to access this funding. The U.S. Chamber recently convened our members and other stakeholders to develop a roadmap to provide small communities with a guide to accessing these funds. Additional tools are needed to deliver TA and should be part of Congress' work on the 2023 Farm Bill and other legislation.

- **Provide needed regulatory flexibility to improve water quality.** Congress should provide the regulated community with alternative compliance pathways to meet water quality requirements, including off-site stormwater, integrated planning, water quality trading, and other market-based management options. We urge you to exempt water filters from being treated as pesticidal devices under FIFRA requirements if they meet robust industry standards and certifications, encourage water filter eligibility under disaster response, and that EPA establish national PFAS treatment levels based on sound science. Also, we suggest that federal water funding recipients be required to include an evaluation of their full costs to ensure financial accountability and transparency.
- **Promote resilience and adaptation.** Congress should elevate resilience as a national priority by creating a chief resilience officer at the White House and developing a national resilience strategy to integrate actions across the government, states, the private sector, and other stakeholders. Congress should urge FEMA to fully fund the Building Resilient Infrastructure and Communities program at 6% and implement the STORM Act Resilience Revolving Loan Funds and the Community Disaster Resilience Zones Act. We also urge Congress to direct FEMA and HUD to recognize all major construction codes, including those designated as American National Standards, in their disaster resilience policies and communications to lower the costs and regulatory burdens placed on communities.
- **Catalyze technology innovation and adoption.** Congress should authorize and fund water technology innovation, starting with the IJA technology grant programs, create an industrial water reuse tax credit, continue to fund lead line mapping and replacement, foster R&D for PFAS treatment technologies, and make point-of-use/point-of-entry (POU/POE) technologies eligible for environmental justice funding. We are also pleased to report the launch of the Industrial Water Reuse Champion's Award to encourage more businesses to implement water reuse and recycling. The initial winners will be announced during the upcoming WaterReuse Association Symposium and recognized at a UN Water Conference side event. Congress should pass the Water Data Act, incentivize the use of big data and machine learning to help build smarter, more resilient infrastructure, improve the effective understanding of water demand use data and the upcoming Watershed Needs Survey, enhance system cybersecurity, and offer integration and interoperability with other lifeline infrastructure.

Prompt legislative action to support water infrastructure can provide a strong foundation for continued economic growth and environmental progress. We urge you to

join us in this effort, as the debate on the Farm Bill and other water-related legislation proceeds.

Sincerely,

A handwritten signature in blue ink, appearing to read "Neil L. Bradley". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Neil L. Bradley
Executive Vice President, Chief Policy Officer,
and Head of Strategic Advocacy
U.S. Chamber of Commerce

cc: Members of the Senate Committee on Environment and Public Works
cc: Members of the House Committee on Energy and Commerce
cc: Members of the House Committee on Transportation and Infrastructure