

Nos. 04-1034, 04-1384

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In the  
**Supreme Court of the United States**

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JOHN A. RAPANOS *et ex, et al.*,  
*Petitioners,*

v.

UNITED STATES OF AMERICA,  
*Respondent.*

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JUNE CARABELL, *et al.*,  
*Petitioners,*

v.

UNITED STATES OF AMERICA,  
*Respondent.*

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**On Writ of Certiorari to the  
United States Court of Appeals  
for the Sixth Circuit**

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**BRIEF FOR THE NATIONAL FEDERATION OF  
INDEPENDENT BUSINESS LEGAL FOUNDATION  
AS *AMICUS CURIAE* IN SUPPORT OF PETITIONERS**

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**QUESTION PRESENTED**

Whether the United States Army Corps of Engineers' regulations promulgated pursuant to the Clean Water Act lawfully and constitutionally vest the Army Corps with broad, land-use decisionmaking authority over essentially any and every wetland in the United States.

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