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December 10, 2025

Dear Representative,

On behalf of NFIB, the nation's leading small business advocacy organization, I write in support of H.R. 3898, the *Promoting Efficient Review for Modern Infrastructure Today (PERMIT) Act*. This commonsense legislation delivers a long overdue fix to the Clean Water Act's (CWA) permitting framework and will provide small business owners with much needed certainty. *A vote in favor of H.R. 3898 will be considered an NFIB Key Vote for the 119th Congress.*

In a recent NFIB member ballot, 84% of NFIB members believe that the EPA should not have the authority to regulate creeks, ponds, streams, ditches, and temporary or local bodies of water.¹ Over the last several decades small business owners have dealt with constant changes to the CWA which has prevented them from being able to plan for the future. The PERMIT Act realigns the CWA to its original intent, which is to preserve water quality while setting clear rules for businesses so that they can plan appropriately.

This bill codifies the longstanding Waters of the United States (WOTUS) exclusions from federal jurisdiction, such as water treatment systems, ephemeral streams, and prior converted cropland. By clarifying what falls outside of the scope of the CWA, this bill removes the ambiguity that has wreaked havoc on permitting decisions for decades.

Additionally, this bill cuts through bureaucratic red tape by eliminating redundant requirements and imposing strict deadlines for agency decisions. Removing these roadblocks will empower small business owners to plan and invest in their business with confidence. This legislation will also remove the constant threat of big government overreach and litigation by providing businesses with clear guidelines on what does and does not require an EPA permit.

¹ *Mandate*, vol. 579, NFIB Member Ballot, August 2021, *Should EPA authority be expanded to regulate creeks, ponds, streams, ditches, and temporary or local bodies of water?* (Yes: 9% No: 84% Undecided: 7%)

NFIB urges Congress to move swiftly to enact H.R. 3898, the *Promoting Efficient Review for Modern Infrastructure Today (PERMIT) Act*. This bill will restore certainty to the permitting process and allow small businesses to grow without being held back by unclear or excessive government regulation. *A vote in favor of H.R. 3898 will be considered an NFIB Key Vote for the 119th Congress.*

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Temple". The signature is stylized with a large, looped initial "A" and a cursive "T" followed by "em" and "ple".

Adam Temple
Senior Vice President for Advocacy
NFIB