

**Ross E. Eisenberg**

*Vice President*

*Energy & Resources Policy*

July 30, 2013

The Honorable Doc Hastings  
Chairman  
Committee on Natural Resources  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Peter DeFazio  
Ranking Member  
Committee on Natural Resources  
U.S. House of Representatives  
Washington, DC 20515

Dear Chairman Hastings and Ranking Member DeFazio:

The National Association of Manufacturers (NAM), the largest manufacturing association in the United States representing over 12,000 manufacturers in every industrial sector and in all 50 states, supports H.R. 2728, the “Protecting States’ Rights to Promote American Energy Security Act.” H.R. 2728 would prohibit the Department of the Interior from regulating hydraulic fracturing in any state that has a regulatory structure in place for such activities.

States have long been the primary regulators of hydraulic fracturing, and the NAM believes states should remain in that role, and is concerned that federal regulations could harm any potential gains resulting from increased exploration of shale oil and gas. Where there is a perceived deficiency in any one state’s regulatory mechanisms, the federal government should work with the state to fill in the gaps rather than imposing a one-size-fits-all federal rule on states where no deficiencies exist. Just last year, no fewer than 12 federal agencies were considering some form of oversight or regulation of the practice of hydraulic fracturing, and manufacturers are deeply concerned about the possibility of overregulation of shale gas.

Passage of H.R. 2728 would prohibit the Department of the Interior from enforcing federal hydraulic fracturing regulations in states that already have a regulatory structure in place. This legislation would require the federal agencies to “defer to State regulations, permitting and guidance, for all activities related to hydraulic fracturing,…” H.R. 2728 does not prohibit federal regulations from implementing base line standards in states where there are no established rules to regulate hydraulic fracturing. This allows the federal government to work with states that do not have rules in place until the state has put in place rules to regulate hydraulic fracturing. States have safely regulated hydraulic fracturing for decades and are continually updating their regulations

to ensure maximum protection; there is no need for the federal government to duplicate or preempt what states are already doing well.

The NAM supports H.R. 2728 because it will allow states, which are clearly in the best position to regulate these activities, to regulate hydraulic fracturing based on local geology and conditions on the ground. We believe that this bill will avoid long delays in federal permitting and substantial costs associated with another layer of federal regulations. Natural gas is critical to manufacturers and plays an important role in the revitalization of our manufacturing sectors. The NAM urges the Committee to approve H.R. 2728.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Eisenberg", is placed over a light green rectangular background.

Ross Eisenberg  
Vice President  
Energy and Resources Policy

Cc: Members, Committee on Natural Resources