

Alliance for the Great Lakes • American Rivers • American Whitewater • Amigos Bravos • Arkansas Public Policy Panel • BlueGreen Alliance • Central Minnesota Chapter of Audubon • Clean Water Action • Conservation Minnesota • Earthjustice • Endangered Habitats League • Environment America • Environment California • Environment Colorado • Environment Connecticut • Environment Florida • Environment Georgia • Environment Illinois • Environment Iowa • Environment Maine • Environment Maryland • Environment Massachusetts • Environment Michigan • Environment Minnesota • Environment Montana • Environment New Hampshire • Environment New Jersey • Environment New Mexico • Environment New York • Environment North Carolina • Environment Oregon • Environment Texas • Environment Virginia • Environment Washington • Freshwater Future • Friends of the Cloquet Valley State Park • Friends of the Mississippi River • Great Lakes Committee - the Izaak Walton League • GreenLatinos • Greenpeace • Gulf Restoration Network • Hoosier Environmental Council • Iowa Environmental Council • Kentucky Waterways Alliance • League of Conservation Voters • Michigan Wildlife Conservancy • Midwest Environmental Advocates • Minnesota Center for Environmental Advocacy • Minnesota Conservation Federation • Minnesota Environmental Partnership • Missouri Coalition for the Environment • Natural Resources Defense Council • Nature Abounds • Ohio Environmental Council • PennEnvironment • Prairie Rivers Network • Religious Coalition for the Great Lakes • River Network • Save the Dunes • Shaker Lakes Garden Club • Sierra Club • Southern Environmental Law Center • Surfrider Foundation • Tennessee Clean Water Network • Wisconsin Environment • Wisconsin Wildlife Federation

January 12, 2016

Representative:

The undersigned organizations, and our millions of members and supporters, oppose the Dirty Water Resolution (S.J. Res. 22). The “Resolution of Disapproval” under the Congressional Review Act attacks the Clean Water Rule, the Obama administration’s landmark initiative to restore safeguards against pollution and destruction for lakes, streams, wetlands and other water bodies.

The Clean Water Rule restores important safeguards that once existed for a variety of water bodies. Those safeguards were eroded after a pair of Supreme Court decisions and by policies the Bush administration adopted, which left many water bodies inadequately protected or lacking the pollution control requirements of the Clean Water Act. The rule restores prior protections for many critical wetlands, which curb flooding, filter pollution, and provide habitat for a wide variety of wildlife, including endangered species and wildfowl and fish prized by hunters and anglers.

The Dirty Water Resolution is an extreme action that seeks to kill the Clean Water Rule using the Congressional Review Act, which goes far beyond stopping a disapproved administrative action. The Congressional Review Act says that an agency may not adopt “a new rule that is substantially the same” as the disapproved rule, and the breadth of that requirement is very unclear.

In the context of the Clean Water Rule, it could be read to prohibit EPA and the Army Corps from issuing any rule that establishes protections for waters that the Clean Water Rule covers, like lakes, streams, and wetlands. The Dirty Water Resolution radically undermines the agencies’ ability to clarify the jurisdiction of the Clean Water Act – despite urging from industry associations, conservation groups, members of Congress, state and local leaders, and Supreme Court justices for such a clarification.

By pursuing this anti-clean water resolution, pro-polluter members of the House of Representatives are seeking to kill a commonsense and modest rule containing scientifically-sound and legally-valid protections for the nation's waters, including critical drinking water supplies.

Restored clean water protections enjoy broad support. In polling for the American Sustainable Business Council, eighty percent of small business owners — including 91% of Democrats, 73% of Independents and 78% of Republicans — said they supported the then-proposed Clean Water Rule. A strong majority, 71%, also said that clean water protections are necessary to ensure economic growth; only six percent said they were bad for growth. Similarly, a bipartisan research team polled hunters and anglers nationwide and discovered that 83% surveyed thought that the Environmental Protection Agency should apply the rules and standards of the Clean Water Act to smaller, headwater streams and wetlands. Support for this policy was strong across the political spectrum, with 77% of Republicans, 79% of Independents and 97% of Democrats in favor.

We ask that you oppose the Dirty Water Resolution (S.J. Res. 22) because it will undermine protections for our drinking water supplies, flood buffers, and fish and wildlife habitat. This attack on clean water is not only a waste of the House's time but also an excessive and dangerous act that jeopardizes clean water for generations to come.

Sincerely,

Alliance for the Great Lakes  
American Rivers  
American Whitewater  
Amigos Bravos  
Arkansas Public Policy Panel  
BlueGreen Alliance  
Central Minnesota Chapter of Audubon  
Clean Water Action  
Conservation Minnesota  
Earthjustice  
Endangered Habitats League  
Environment America  
Environment California  
Environment Colorado  
Environment Connecticut  
Environment Florida  
Environment Georgia  
Environment Illinois  
Environment Iowa  
Environment Maine  
Environment Maryland  
Environment Massachusetts  
Environment Michigan  
Environment Minnesota  
Environment Montana  
Environment New Hampshire  
Environment New Jersey  
Environment New Mexico  
Environment New York  
Environment North Carolina

Environment Oregon  
Environment Texas  
Environment Virginia  
Environment Washington  
Freshwater Future  
Friends of the Cloquet Valley State Park  
Friends of the Mississippi River  
Great Lakes Committee - the Izaak Walton League  
GreenLatinos  
Greenpeace  
Gulf Restoration Network  
Hoosier Environmental Council  
Iowa Environmental Council  
Kentucky Waterways Alliance  
League of Conservation Voters  
Michigan Wildlife Conservancy  
Midwest Environmental Advocates  
Minnesota Center for Environmental Advocacy  
Minnesota Conservation Federation  
Minnesota Environmental Partnership  
Missouri Coalition for the Environment  
Natural Resources Defense Council  
Nature Abounds  
Ohio Wetlands Association  
PennEnvironment  
Prairie Rivers Network  
Religious Coalition for the Great Lakes  
River Network  
Save the Dunes  
Shaker Lakes Garden Club  
Sierra Club  
Southern Environmental Law Center  
Surfrider Foundation  
Tennessee Clean Water Network  
Wisconsin Environment  
Wisconsin Wildlife Federation