

Congress of the United States
Washington, DC 20515

March 18, 2015

The Honorable Ken Calvert
Chairman
Subcommittee on Interior and Environment
House Committee on Appropriations
U.S. House of Representatives
Washington, DC 20515

The Honorable Betty McCollum
Ranking Member
Subcommittee on Interior and Environment
House Committee on Appropriations
U.S. House of Representatives
Washington, DC 20515

The Honorable Mike Simpson
Chairman
Subcommittee on Energy and Water Development
House Committee on Appropriations
U.S. House of Representatives
Washington, DC 20515

The Honorable Marcy Kaptur
Ranking Member
Subcommittee on Energy and Water Development
House Committee on Appropriations
U.S. House of Representatives
Washington, DC 20515

Dear Chairmen Calvert and Simpson and Ranking Members McCollum and Kaptur:

We write to urge you to include language in the upcoming Interior, Environment, and Related Agencies Appropriations Act for Fiscal Year 2016 and the Energy and Water Development and Related Agencies Appropriations Act for Fiscal Year 2016 which would prohibit the Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers (USACE) from using appropriated funds for the "Waters of the United States" (WOTUS) proposed rule, or any substantially similar rule or guidance under the Clean Water Act (CWA).

Adoption of the currently flawed WOTUS rule by the EPA and USACE would have disastrous effects on agriculture, small business, and municipalities across the country. The language of the proposed rule is drafted so vaguely that it encompasses nearly all water sources with any hydrologic connection to downstream navigable waters, including ditches, pipes, farmland ponds, groundwater, as well as other waters traditionally regulated by the state.

This proposal runs contrary to Supreme Court decisions as well as state and tribal water laws. If implemented, this water grab would constitute an unlawful expansion of federal authority under the CWA. Currently, there are 170 bipartisan cosponsors of legislation to roll back this rule. Furthermore, more than 200 different stakeholders throughout the nation have raised serious concerns and issued public statements in opposition to WOTUS.

It is imperative that Congress act now to prevent further implementation of this terrible proposal

and prohibit the EPA and USACE from using appropriated funds for WOTUS or any substantially similar rule.

Accordingly, we ask that you include language similar to the following in the respective Appropriations Acts:

“None of the funds in this Act may be used to develop, finalize, adopt, implement, apply, administer, or enforce-- the proposed rule described in the notice of proposed rule published in the Federal Register entitled ‘Definition of ‘Waters of the United States’ Under the Clean Water Act’ (79 Fed. Reg. 22188 (April 21, 2014)); or the proposed guidance submitted to the Office of Information and Regulatory Affairs of the Office of Management and Budget for regulatory review under Executive Order 12866, entitled ‘Guidance on Identifying Waters Protected By the Clean Water Act’ and dated February 17, 2012 (referred to as ‘Clean Water Protection Guidance’, Regulatory Identifier Number (RIN) 2040-ZA11, received February 21, 2012); or any successor document, or any substantially similar proposed rule or guidance, as the basis for any rulemaking or decision regarding the scope or enforcement of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.)”

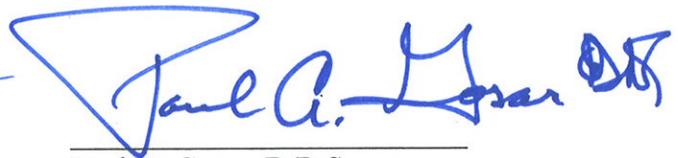
We ask that you to consider the effects that this rule, as currently being implemented, would have on important sectors of our economy, and we urge you to include prohibiting language in the upcoming Interior, Environment, and Related Agencies Appropriations Act for Fiscal Year 2016 and the Energy and Water Development and Related Agencies Appropriations Act for Fiscal Year 2016.

We thank you for your thoughtful consideration of this request, and for your continued leadership on your committees.

Sincerely,



Rod L. Blum
Member of Congress



Paul A. Gosar, D.D.S.
Member of Congress



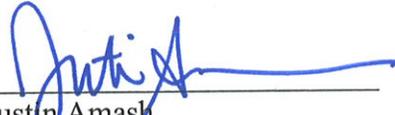
Ted S. Yoho, DVM
Member of Congress



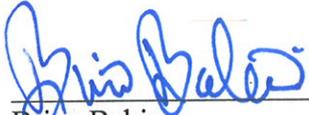
Collin C. Peterson
Member of Congress



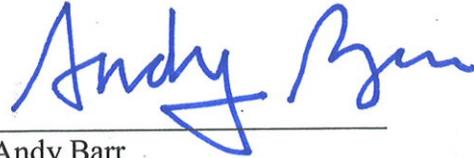
Ralph Abraham, M.D.
Member of Congress



Justin Amash
Member of Congress



Brian Babin
Member of Congress



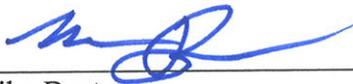
Andy Barr
Member of Congress



Joe Barton
Member of Congress



Dan Benishek M.D.
Member of Congress



Mike Bost
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Charles W. Boustany, Jr., M.D.
Member of Congress



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Member of Congress



Steve Chabot
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Chris Collins
Member of Congress



Doug Collins
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K. Michael Conaway
Member of Congress



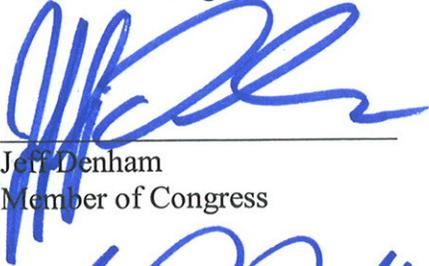
Kevin Cramer
Member of Congress



Rick Crawford
Member of Congress



Rodney Davis
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Jeff Denham
Member of Congress



Ron DeSantis
Member of Congress



Sean P. Duffy
Member of Congress



Jeff Duncan
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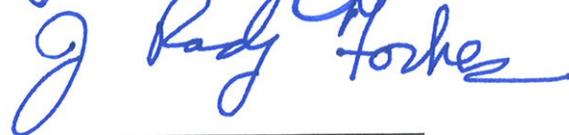
Tom Emmer
Member of Congress



John Fleming, M.D.
Member of Congress



Bill Flores
Member of Congress



J. Randy Forbes
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Trent Franks
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Chris Gibson
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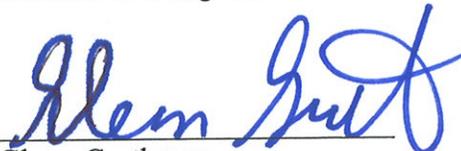
Louie Gohmert
Member of Congress



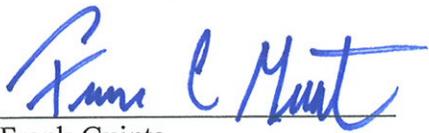
Bob Goodlatte
Member of Congress



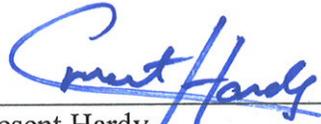
Sam Graves
Member of Congress



Glenn Grothman
Member of Congress



Frank Guinta
Member of Congress



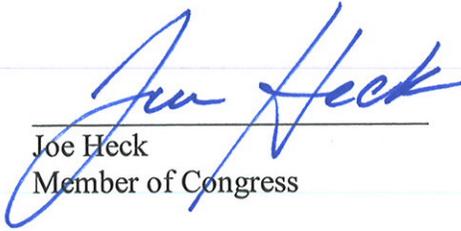
Crescent Hardy
Member of Congress



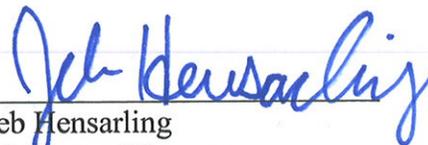
Gregg Harper
Member of Congress



Vicky Hartzler
Member of Congress



Joe Heck
Member of Congress



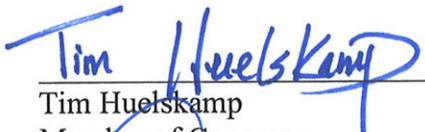
Jeb Hensarling
Member of Congress



French Hill
Member of Congress



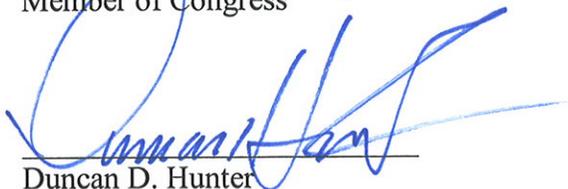
Richard Hudson
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Bill Huizenga
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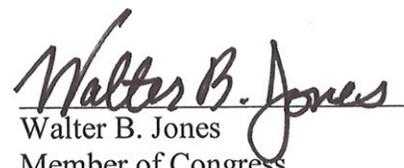
Lynn Jenkins
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Bill Johnson
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Sam Johnson
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Walter B. Jones
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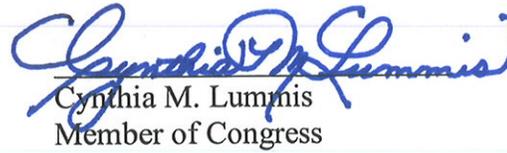

Mike Kelly
Member of Congress


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Doug Lamborn
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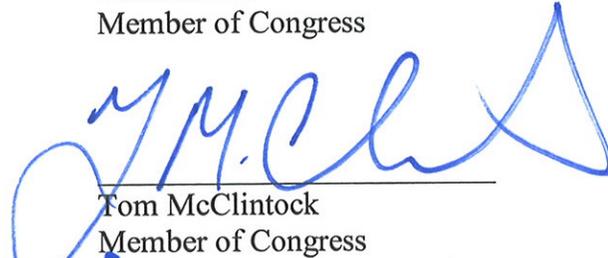

Blaine Luetkemeyer
Member of Congress

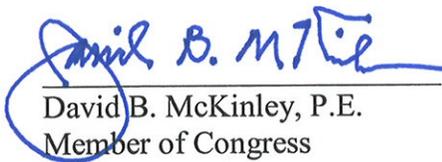

Cynthia M. Lummis
Member of Congress

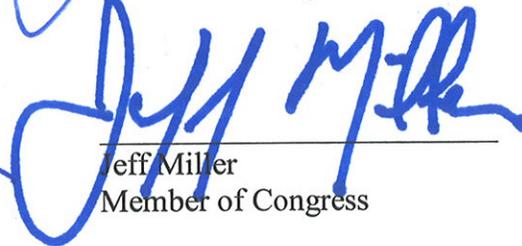

Tom MacArthur
Member of Congress


Tom Marino
Member of Congress


Thomas Massie
Member of Congress

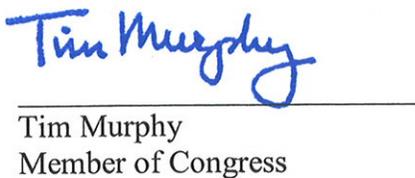

Tom McClintock
Member of Congress


David B. McKinley, P.E.
Member of Congress

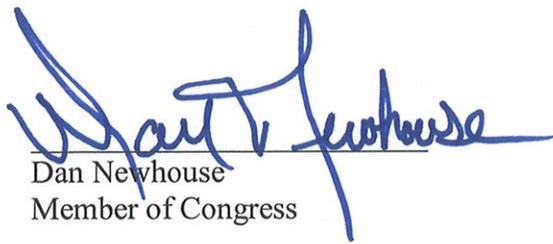

Jeff Miller
Member of Congress


Markwayne Mullin
Member of Congress


Mick Mulvaney
Member of Congress


Tim Murphy
Member of Congress


Randy Neugebauer
Member of Congress

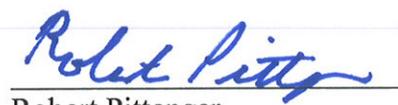

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Kristi Noem
Member of Congress


Pete Olson
Member of Congress


Steven Palazzo
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Steve Pearce
Member of Congress


Robert Pittenger
Member of Congress

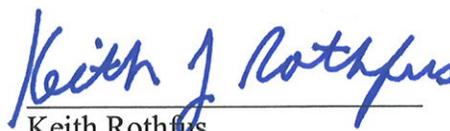

Mike Pompeo
Member of Congress


John Ratcliffe
Member of Congress


Tom Rice
Member of Congress


Phil Roe
Member of Congress

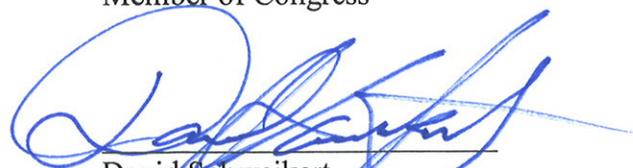

Todd Rokita
Member of Congress

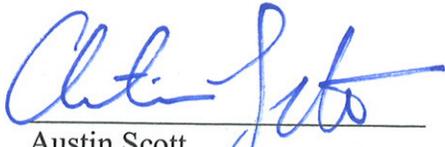

Keith Rothfus
Member of Congress


David Rouzer
Member of Congress

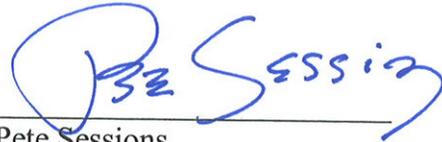

Matt Salmon
Member of Congress


Steve Scalise
Member of Congress

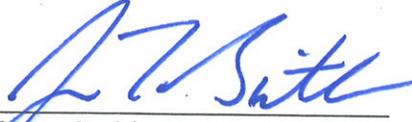

David Schweikert
Member of Congress



Austin Scott
Member of Congress



Pete Sessions
Member of Congress



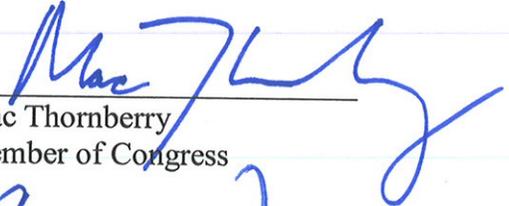
Jason Smith
Member of Congress



Steve Stivers
Member of Congress



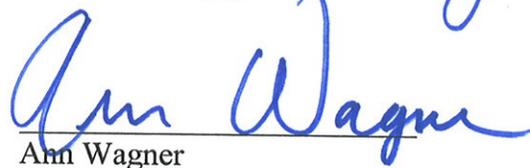
Glenn "GT" Thompson
Member of Congress



Mac Thornberry
Member of Congress



Scott Tipton
Member of Congress



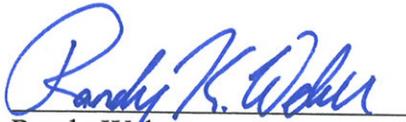
Ann Wagner
Member of Congress



Tim Walberg
Member of Congress



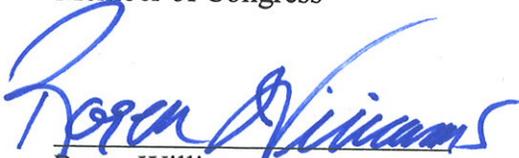
Jackie Walorski
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Bruce Westerman
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Roger Williams
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Don Young
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