Congress of the United States
Washington, DC 20515

March 15, 2016

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 2017 and the Energy and Water Development and Related Agencies Appropriations Act for Fiscal Year 2017 which would prohibit the Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers (USACE) from using appropriated funds to implement the "Waters of the United States" (WOTUS), or any substantially similar rule or guidance under the Clean Water Act (CWA).

The final adoption of the flawed WOTUS rule by the EPA and USACE will have disastrous effects on agriculture, small business, and municipalities across the country. The language of the 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.

Although the rule is currently tied up in the court system, it is imperative Congress act now to prevent further implementation of this devastating rule and prohibit the EPA and USACE from using appropriated funds for WOTUS or any substantially similar rule.

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

"SEC. __. None of the funds made available by this Act may be used to implement, administer, or enforce the final rule entitled ''Clean Water Rule: Definition of 'Waters of the United States' '' published in the Federal Register on June 29, 2015 (80 Fed. Reg. 37054), or any substantially similar rule.

We ask that you to consider the effects that this rule 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 2017 and the Energy and Water Development and Related Agencies Appropriations Act for Fiscal Year 2017.

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

Brad Ashford
Member of Congress

Brian Babin, D.D.S.
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Lou Barletta
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Dan Benishek M.D.
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Ken Buck
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Larry Bucshon
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Bradley Byrne
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Earl L. "Buddy" Carter
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Chris Collins
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Doug Collins
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K. Michael Conaway
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Kevin Cramer
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Rodney Davis
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John Fleming, M.D.
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Louie Gohmert
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Bob Goodlatte
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Garret Graves
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Glenn Grothman
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Frank C. Guinta
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Gregg Harper
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Joe Heck
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French Hill
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Richard Hudson
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Tim Huelskamp
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Bill Huizenga
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Duncan D. Hunter
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Will Hurd
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Lynn Jenkins
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John Katko
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Mike Kelly
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Trent Kelly
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John Ratcliffe
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Dennis Ross
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Keith Rothfus
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Steve Russell
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Matt Salmon
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Mark Sanford
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Steve Scalise
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Austin Scott
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David Scott
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Jason Smith
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Adrian Smith
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Glenn "GT" Thompson
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Mac Thornberry
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Scott Tipton
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Ann Wagner
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Tim Walberg
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Randy Weber
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Brad Wenstrup
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Bruce Westerman
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Lynn Westmoreland
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Ed Whitfield
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Roger Williams
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Don Young
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Ryan Zinke
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Jeb Hensarling
Member of Congress

Rick Allen
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Rob Woodall
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Joseph R. Pitts
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Rick Crawford
Member of Congress

Mick Mulvaney
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