

Congress of the United States
Washington, DC 20515

November 17, 2016

The Honorable Paul Ryan
Speaker
United States House of Representatives
H-232, The Capitol
Washington, DC 20515

The Honorable Nancy Pelosi
Democratic Leader
United States House of Representatives
H-204, The Capitol
Washington, DC 20515

The Honorable Harold Rogers
Chairman
Committee of Appropriations
H-305, The Capitol
Washington, DC 20515

The Honorable Nita Lowey
Ranking Member
Committee on Appropriations
1016 Longworth House Office Building
Washington, DC 20515

Dear Leaders:

Earlier this year, the House included language in the FY17 Energy and Water and Interior and Environment Appropriations bills to ensure the U.S. Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers' (USACE) controversial Waters of the United States (WOTUS) rule does not go forward. As you continue working on the Fiscal Year 2017 spending bill, we respectfully request you make this backstop provision a priority in any final funding package.

As you know, the WOTUS rule is nothing more than a federal power grab by the EPA and flies in the face of two Supreme Court decisions, wreaking regulatory havoc on farmers, businesses, and families. This rule can potentially roll back the progress we have made in our nation's water quality by instituting burdensome, duplicative permitting costs and unnecessary bureaucratic red tape. Recently, the House Committee on Oversight and Government Reform released a report confirming our concerns that the WOTUS rulemaking process was "deeply flawed." The report highlighted the EPA's unwillingness to listen to concerns from Corps leadership and their reluctance to consider alternatives to the rule. Furthermore, the EPA broke the law and compromised the integrity of the comment period by using social media to lobby in support of the rule.

Last year the House acted in passing standalone legislation like H.R. 1732, the Regulatory Integrity Protection Act, to require the EPA and the USACE to withdraw the WOTUS rule and re-draft the rule in a strong, bipartisan manner. Not only has Congress worked to stop this rule, but nearly 90 plaintiffs have filed lawsuits regarding the legality of the rule, including 31 state governments, farm organizations, energy producers, and manufacturing groups. On October 9, 2015, the U.S. Court of Appeals for the Sixth Circuit issued a stay halting implementation of the WOTUS rule nationwide.

We were pleased that the Appropriations Committee included language to provide for a limitation on funds effectively prohibiting the Environmental Protection Agency and the U.S. Army Corps of Engineers, from developing, adopting, implementing, administering, or enforcing any change

to the regulations and guidance in effect as of October 1, 2012, pertaining to the definition of waters under the jurisdiction of the Clean Water Act.

We urge you to recognize the substantial cost, confusion, and regulatory burden this rule will have on the economy if this controversial rule is funded for Fiscal Year 2017. We respectfully request you include this limitation of funds provision to stop the WOTUS rule from implementation.

Sincerely,



Bob Gibbs
Member of Congress



Bill Shuster
Member of Congress



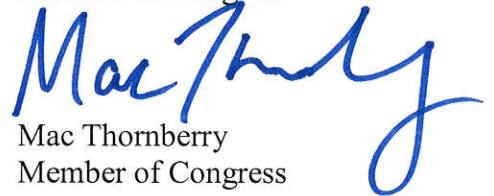
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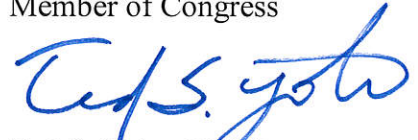
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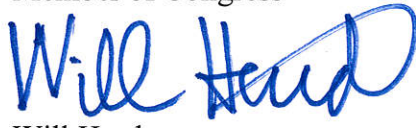
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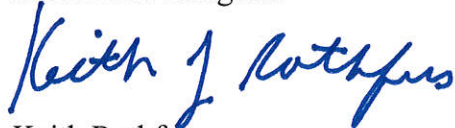
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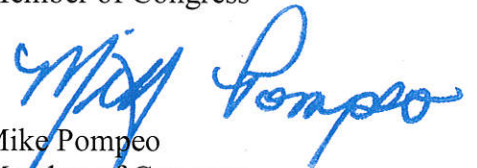
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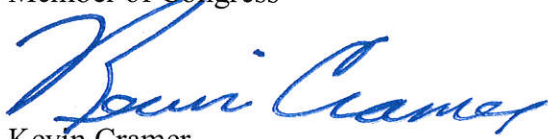
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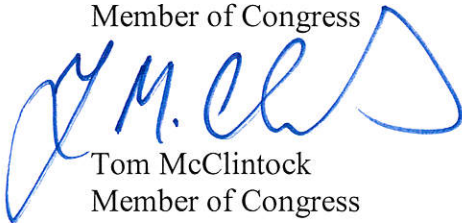
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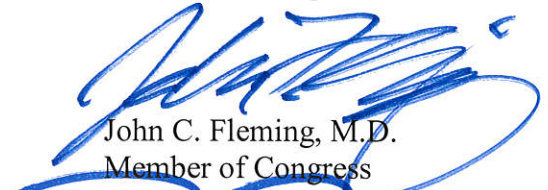
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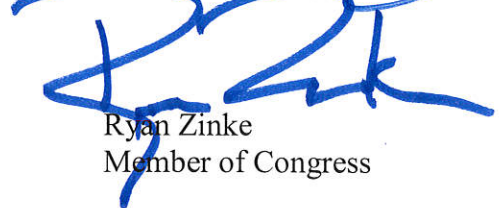
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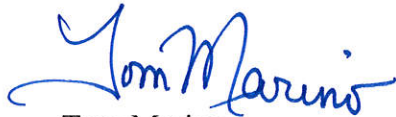
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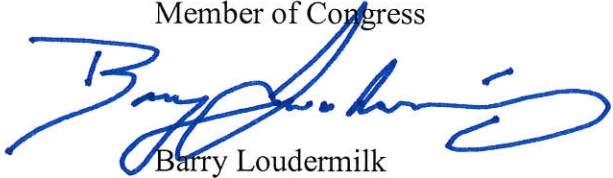
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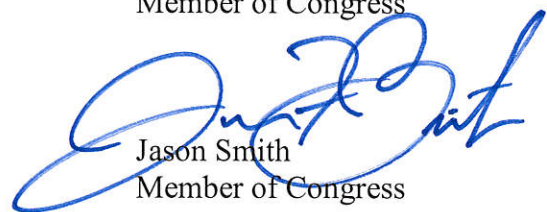
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