

March 6, 2023

United States House of Representatives
Washington, DC 20515

Re: Vote NO on H.J. Res. 27, the Congressional Review Act joint resolution of disapproval of the Revised Definition of the “Waters of the United States”

Dear Representative,

On behalf of our members and supporters, the undersigned organizations urge you to oppose H.J. Res. 27, the Congressional Review Act (CRA) joint resolution of disapproval targeting the Revised Definition of the “Waters of the United States” rule (Clean Water Restoration Rule). This dangerous legislation would invalidate the Biden administration’s recently finalized regulation, which ensures protections for many of the waters that our families and communities value and depend on.

This Clean Water Restoration Rule ensures that critical waters- from small streams to rivers to wetlands- are protected from unregulated pollution and destruction when they have important downstream effects on water quality. The rule is a return to a familiar approach that the Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers (USACE) have used to identify waters that qualify as “waters of the United States” since President George W. Bush’s administration. It also resoundingly rejects the Trump-era approach, which unlawfully and unscientifically rolled back the Clean Water Act’s long standing protections, and reinstates basic safeguards to ensure big polluters can be stopped from recklessly and indiscriminately bulldozing our wetlands and dumping waste into our streams. The Clean Water Restoration Rule is grounded in science, which demonstrates that the condition of waters often depends on water bodies upstream, and those upstream waters must be protected to safeguard the health of downstream communities and the environment. The rule will more effectively fulfill the purpose of the Clean Water Act: “to restore and maintain the chemical, physical, and biological integrity of the Nation’s waters.”

By using the Congressional Review Act to attack the Clean Water Restoration Rule, H.J. Res. 27 is employing an incredibly blunt tool in a dangerous attempt to undermine the Clean Water Act itself. When a rule is undone using the CRA process, future administrations are prevented from issuing rules that are “substantially the same,” which could undermine future agency action to the benefit of polluters. Despite rhetoric that this bill is being promoted to provide certainty for businesses and other stakeholders, it would actually do the opposite. For instance, should H.J. Res. 27 become law, both protections and exemptions codified in the Clean Water Restoration Rule, including ones for the agriculture industry, could be called into question in future efforts designed to define “waters of the United States.” The only stakeholders who benefit from this attack on our clean water protections are big polluters who dump waste into our waterways and burden our families and communities with the health and environmental costs.

Again, we ask you to OPPOSE H.J. Res. 27, the CRA joint resolution disapproving of the Biden-Harris administration’s Revised Definition of the “Waters of the United States.” This harmful bill is simply a polluter-driven effort to undermine the Clean Water Restoration Rule and the critical safeguards that it provides for our waters. Congress should be doing more, not less, to protect our waterways and to ensure that everyone, no matter their race, zip code, or income, has access to clean, safe water.

Sincerely,

350.org
A Community Voice
Alabama Rivers Alliance
Alaska Community Action on Toxics
Alliance for the Great Lakes
Alliance of Nurses for Healthy Environments
American Geophysical Union
American Public Health Association
American Rivers
American Sustainable Business Network
Amigos Bravos
Anthropocene Alliance
Appalachian Trail Conservancy
Asociación de Residentes de La Margaita, Inc
Atchafalaya Basinkeeper.
Black Millennials 4 Flint
Cahaba River Society
California Environmental Voters
Center for Biological Diversity
Center for Environmental Transformation
Chesapeake Bay Foundation
Children's Environmental Health Network
Clean Water Action
Clean, Healthy, Educated, Safe & Sustainable
Community, Inc.
Coalition for Wetlands and Forests
Committee on the Middle Fork Vermilion River
Community In-Power and Development Association
Inc. (CIDA Inc.)
Concerned Citizens for Nuclear Safety
Concerned Citizens of Cook County (Georgia)
Conservation Alabama
Earthjustice
Environment America
Environment Texas
Environmental Law & Policy Center
Environmental Working Group
For Love of Water (FLOW)
FreshWater Accountability Project
Freshwater Future
Friends of Buckingham
Friends of the Mississippi River
Gila Resources Information Project
Greater Edwards Aquifer Alliance
Greater Neighborhood Alliance of Jersey City, NJ
GreenLatinos

Groundswell Charleston SC
Gullah/Geechee Sea Island Coalition
Healthy Gulf
Hispanic Federation
Idaho Rivers United
Illinois Council of Trout Unlimited
Izaak Walton League of America
Lake Pepin Legacy Alliance
Lawyers for Good Government (L4GG)
League of Conservation Voters
Lynn Canal Conservation
Maine Conservation Voters
Malach Consulting
Michigan League of Conservation Voters
Milton's Concerned Citizens
Mississippi River Collaborative
Missouri Confluence Waterkeeper
Montana Conservation Voters
MS Communities United for Prosperity (MCUP)
National Wildlife Federation
Natural Heritage Institute
Natural Resources Defense Council
NC League of Conservation Voters
New Mexico Climate Justice
New Mexico Environmental Law Center
New York League of Conservation Voters
Northeastern Minnesotans for Wilderness
Ohio River Foundation
Patagonia Area Resource Alliance
PES
Rapid Creek Watershed Action
Renewal of Life Trust
River Network
Save the Illinois River, Inc., STIR
Serene Wildlife Sanctuary LLC
Sierra Club
Southern Environmental Law Center
Surfrider Foundation
The Clinch Coalition
The Water Collaborative of Greater New Orleans
Tookany/Tacony-Frankford Watershed Partnership
Virginia League of Conservation Voters
Washington Conservation Action
Waterkeepers Chesapeake
Weequahic Park Association
Winyah Rivers Alliance