

Congress of the United States
Washington, DC 20515

December 16, 2013

The Honorable Gina McCarthy
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator McCarthy:

As members of the United States House of Representatives, we urge you to swiftly propose a rule to restore protections to all of our nation's waterways. For the sake of our communities and the prospects of having waterways clean enough to swim in, fish from, and drink from, we must have a rule that protects all waters of the United States under the Clean Water Act, and we need your leadership to make that vision a reality.

Last year we celebrated the 40th anniversary of the Clean Water Act, which has been one of the most significant environmental laws in our nation's history. As was said on the floor of the House in 1972, "the conference bill defines the term 'navigable waters' broadly for water quality purposes. It means all 'the waters of the United States' in a geographical sense. It does not mean the 'navigable waters of the United States' in the technical sense as we sometimes see in some laws."¹ This definition protected our country's precious waterways by safeguarding our drinking water, alleviating flooding conditions, providing recreational opportunities, maintaining fish and wildlife habitat, and promoting a healthy economy.

However, two Supreme Court decisions – *Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers* and *Rapanos v. the United States* – have created significant uncertainty regarding federal jurisdiction under the Clean Water Act. According to the Environmental Protection Agency (EPA), these decisions have left almost 60 percent of our country's streams, at least 20 million acres of wetlands, and the drinking water for 117 million Americans at increased risk of pollution.

We are encouraged by EPA's commitment to follow sound science through their recent science report, which illustrates the significant relationship between tributaries and wetlands and the larger bodies of water into which they feed. EPA must continue to move this process forward swiftly and efficiently to prevent more pollution from entering our waterways.

¹ House debate, *Congressional Record*, vol. 118, part 25, (October 4, 1972), p. 33756

As you have said, "We must ensure that water – so critical to human health, quality of life, and economic activity – is protected from dangerous contaminants, including new, emerging ones." We call on EPA to continue to prioritize a rulemaking to restore protections to all of our waterways. We stand ready to work with you and your Administration to help America on a path to a future where all our waterways are protected from dangerous pollution. Thank you for your support and leadership.

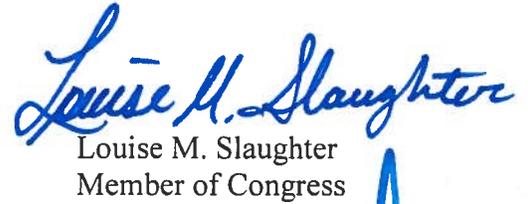
Sincerely,



John D. Dingell
Member of Congress



Jim Moran
Member of Congress



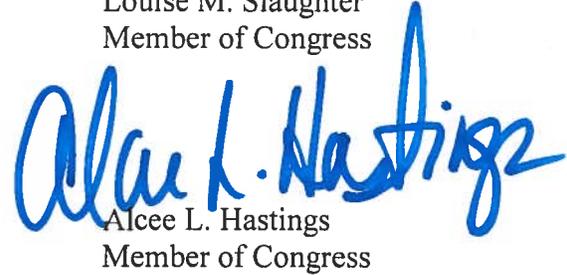
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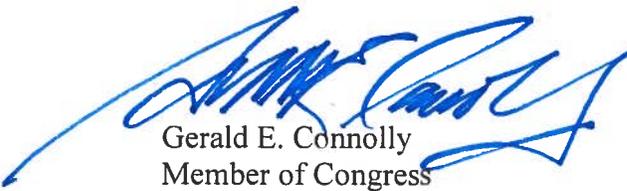
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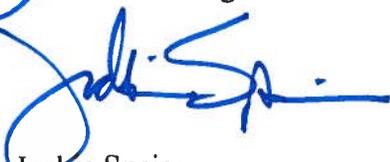
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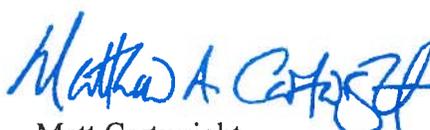
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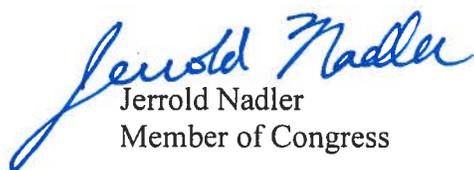
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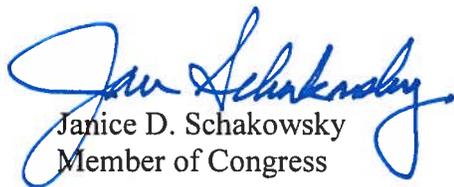
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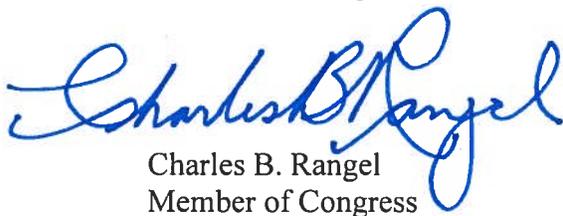
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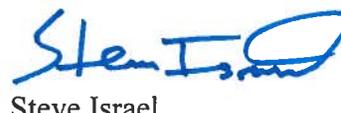
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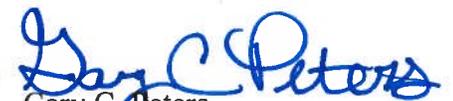
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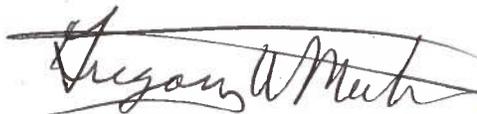
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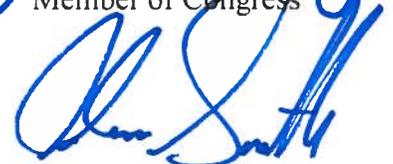
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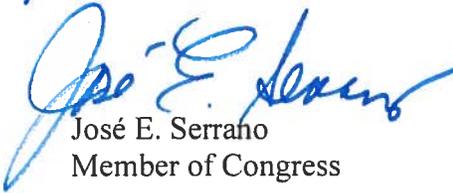
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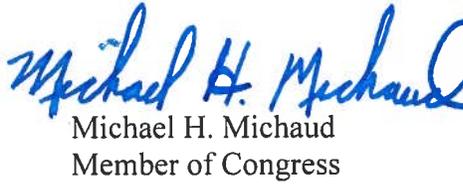
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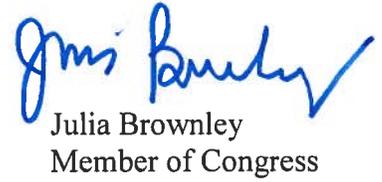
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