



DIRTY DOZEN MEMBERS ON WATER ISSUES

Toxic algae blooms in Great Lake States and Florida, and water quality concerns at the start of games in Brazil have put clean water front and center. But when faced with the chance to defend the new Clean Water Rule to protect water in the U.S., members of the 2016 Dirty Dozen have consistently sided with polluters.

NEVADA: JOE HECK

HECK VOTED FOUR TIMES TO BLOCK OR OVERTURN THE CLEAN WATER RULE, SAYING THAT IT THREATENED HIS WAY OF LIFE

Rep. Heck Voted For – And Applauded – A Bill That Would Block The Clean Water Rule. In July 2016, Rep. Heck applauded the House of Representatives for passing an FY 2017 Appropriations bills that “contains language to block federal regulations like the Waters of the United States (WOTUS) rule and the implementation of the BLM’s recently-released Federal Resource Management Plans.” He voted for the bill, which passed 231-196. [Rep. Heck Press Release, [7/14/16](#); H.R.5538, [Vote 477](#), 7/14/16]

Rep. Heck Voted To Block Implementation Of The Clean Water Rule, Which Protects Clean Drinking Water For 117 Million Americans. In January 2016, Heck voted to overturn the Clean Water Rule, otherwise known as the Waters of the United States rule. The resolution, which passed the house, 253-166, would also “prevent any similar rules from being issued in the future ... The GOP says the administration is seeking to assert federal control over puddles, ditches, areas that are occasionally wet and other large sections of private or state land in violation of the intent of the Clean Water Act. They say the rule would be disastrous to farmers, developers, landowners and other businesses that would need a federal permit for routine tasks such as digging ditches ... The White House agreed and threatened to veto the resolution when the Senate passed it in November [2015]. ‘The agencies’ rulemaking, grounded in science and the law, is essential to ensure clean water for future generations, and is responsive to calls for rulemaking from the Congress, industry, and community stakeholders as well as decisions of the U.S. Supreme Court,’ it wrote.” According to the EPA, “about 117 million Americans – one in three people – get their drinking water from streams that were vulnerable to pollution before the Clean Water Rule.” [The Hill, [1/13/16](#); S.J.Res.22, [Vote 45](#), 1/13/16; EPA, [May 2015](#)]

- **Rep. Heck: Overreaching Clean Water Rule “Threatens Our Western Way Of Life.”** Rep. Heck stated, “Far from a clarification of a current statute, EPA’s and the Corps of Engineer’s new definition of ‘waters of the United States’ represents yet another federal overreach that threatens our Western way of life.” [Rep. Heck Press Release, [1/13/16](#)]

Rep. Heck Voted To Overturn The Clean Water Rule, Which Protects Clean Drinking Water For One In Three Americans. In May 2015, Rep. Heck voted for legislation that would “overturn an Obama administration rule aimed at redefining which streams, ponds, wetlands and other waterways are under its jurisdiction. Passage of the legislation, which would require the Environmental Protection Agency (EPA) and Secretary of the Army to withdraw the proposed regulation within 30 days and craft a new one, fell largely along party lines by a vote of 261-155 ... At issue is which waterways are subject to federal oversight under the Clean Water Act, which is meant to protect the country’s navigable waters from pollution. Through regulations and conflicting Supreme Court cases, the EPA says it has become unclear how far upstream regulators can go to protect the water downstream.” The Clean Water Rule aims to protect the small streams and wetlands that contribute to the drinking water of one in three Americans from pollutions. [The Hill, [5/12/15](#); H.R.1732, [Vote 219](#), 5/12/15]



Rep. Heck Voted To Overturn The Clean Water Rule, Which Protects Clean Drinking Water For One IN Three Americans. In September 2014, Rep. Heck voted for legislation that would prohibit the EPA from moving forward with implementing the Clean Water Rule, which aims to protect the small streams and wetlands that contribute to the drinking water of one in three Americans from pollutions. According to [The Hill](#), “Republicans said the rule would go too far and subject trivial bodies of water to federal regulation ... Democrats largely dismissed the concerns as hyperbole. ‘We have departed from reality,’ said Rep. Peter DeFazio (D-Ore.), the top Democrat on the House Natural Resources Committee. DeFazio said that halting implementation of the proposed rule would prevent the EPA from simply clarifying which bodies of water are subject to federal regulation.” The legislation passed the House 262-152. [[The Hill](#), [9/9/14](#); H.R.5078, [Vote 489](#), 9/9/14]

OHIO: ROB PORTMAN

PORTMAN VOTED THREE TIMES TO GET RID OF THE CLEAN WATER RULE

Sen. Portman Voted Against The Clean Water Rule, Which Helps Provide Clean And Safe Drinking Water For One In Three Americans. In January 2016, Sen. Portman voted to override President Obama’s veto of legislation that would “void the EPA’s Clean Water Rule, which protects drinking water for 117 million Americans. According to [The Hill](#), “the resolution would prevent the implementation of the water rule, but it’s ultimately unlikely to take effect, given opposition from President Obama and the GOP’s inability to secure a veto-proof majority ... Republicans have long opposed the EPA’s water rule, which asserts federal regulatory authority over small bodies of water such as wetlands and some ponds. Its opponents argue the rule gives the federal government too much power. Democrats from rural states have also joined the effort, warning the rule will have a negative affect [sic] on agriculture and energy development.” [S.J.Res.22, [Vote 5](#), 1/21/16; [The Hill](#), [1/21/16](#)]

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Sen. Portman Voted To Nullify The Clean Water Rule. In November 2015, Sen. Portman voted to advance to legislation that would have “forced the Obama administration to withdraw” the Clean water rule and rewrite it. In a statement, the White House said, “The agencies’ rulemaking, grounded in science and the law, is essential to ensure clean water for future generations, and is responsive to calls for rulemaking from the Congress, industry, and community stakeholders as well as decisions of the U.S. Supreme Court. The final rule has been through an extensive public engagement process.” The cloture motion to proceed to the bill was rejected 57-41. [Yahoo! News, [11/3/15](#); White House, [11/3/15](#); S.1140, Vote 295, [11/3/15](#)]

PENNSYLVANIA: PAT TOOMEY



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WISCONSIN: RON JOHNSON

JOHNSON VOTED THREE TIMES TO GET RID OF THE CLEAN WATER RULE, ARGUING THAT THE FEDERAL GOVERNMENT WANTS TO REGULATE PUDDLES

Sen. Johnson: “Out Of Control” EPA Wants To Regulate Puddles. During a May 2016 interview on 1430 WRDN Reel Country, Sen. Johnson said, “The EPA is one of these regulatory agencies that is out of control. It’s been losing court battles, that’s how out of control it is ... It was really [Sen. Russ Feingold’s] idea, when he had the Clean Water Restoration Act, of turning navigable waters – which, I think is a reasonable approach, that the federal government can regulate navigable waters ... into intermittent streams, and give the EPA regulating authority over things like puddles. So, it’s really Sen. Feingold’s idea to have the EPA – the federal government – come in and basically take regulatory control over more than 90 percent of Wisconsin ... We have such overregulation. Can you imagine if you’re a farmer, and you go to the EPA to get a permit to build, or to dig a ditch? Who knows how far, how out of control, how absurd some of these regulations could get?” [American Bridge, 160504_MLA_147_A (10:10), 5/4/16 (video available from American Bridge)]



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