

September 4, 2014

Dear Representative:

Later this week, the House of Representatives is expected to debate and vote on bipartisan legislation (H.R. 5078) that is designed to prevent an unlawful regulatory over-reach by EPA. This legislation has the support of the bipartisan leaders of the House Committees on Transportation and Infrastructure and Agriculture. The undersigned organizations strongly support this effort and urge all members to vote in favor of this bipartisan, common-sense bill.

Contrary to the allegations of some, this measure would not weaken the federal commitment to clean water. The bill is a narrow, carefully crafted proposal that is designed to accomplish one, simple goal: to require EPA to live within the law set out by Congress and affirmed by the U.S. Supreme Court. It does not alter the existing definition of navigable waters in the Clean Water Act. It does not scale back any existing authority in the law. It does not prevent the agency from protecting any waters it has protected since the law was enacted in 1972.

What the legislation simply does is to prevent the agency from proceeding with the sweeping proposal it unveiled earlier this year. That proposed regulation goes well beyond any authority ever granted to it by Congress in the 42 years since the law's enactment – and just plain ignores two U.S. Supreme Court rulings. As Chairman Shuster quite appropriately pointed out in hearings earlier this year, this is a matter of separation of powers. It is a matter of Congress re-asserting its rightful place in setting out policies for an agency to follow. It is a fair, bipartisan effort to remind an agency that it must live within the laws that Congress enacts and that the Supreme Court affirms. An agency may quite rightly exercise discretion within the boundaries of the law, but it cannot usurp Congress's authority to determine what that law is.

We strongly urge all members of Congress to vote in favor of this narrowly crafted, bipartisan legislation. Assuring that agencies live within the law that Congress sets out is an important priority for all our organizations, and we will be watching this vote closely.

Sincerely,

Agricultural Retailers Association
Agri-Mark Inc.
Alabama Pork Producers
American Farm Bureau Federation
American Horse Council
American Sugar Alliance
American Sugar Cane League
American Sugarbeet Growers Association
Arizona Pork Council
Arkansas Pork Producers Association
Association of Texas Soil & Water Conservation Districts
California Pork Producers Association

Colorado Pork Producers Council
Corn Producers of Texas
CropLife America
Dairy Producers of Utah
Delaware-Maryland Agribusiness Association
Earth Moving Contractors Association of Texas
Exotic Wildlife Association
Forest Landowners Association
Forest Resource Association
Georgia Pork Producers Association
Hardwood Federation
Idaho Dairymen's Association
Illinois Pork Producers Association
Independent Cattlemens Association of Texas
Iowa Pork Producers Association
Kansas Grain and Feed Association
Kansas Pork Association
Kentucky Pork Producers Association
Louisiana Pork Producers Association
Maine Hog Growers Association
Michigan Pork Producers Association
Milk Producers Council
Minnesota Corn Growers Association
Minnesota Pork Producers Association
Mississippi Pork Producers Association
Missouri Agribusiness Association
Missouri Dairy Association
Missouri Pork Producers Association
National Alliance of Forest Owners
National Alliance of Independent Crop Consultants
National Cattleman's Beef Association
National Council of Farmer Cooperatives
National Pork Producers Council
National Sorghum Producers
National Turkey Federation
Nebraska Pork Producers Association, Inc.
New Hampshire Pork Producers Council
North Carolina Pork Council, Inc.
Northeast Dairy Farmers Cooperatives
Ohio AgriBusiness Association
Ohio Pork Producers Council
Public Lands Council
Riverside & Landowners Protection Coalition
Select Milk Producers, Inc.
South Dakota Agri-Business Association
South Dakota Grain & Feed Association

South East Dairy Farmers Association
South Texans' Property Rights Association
South Texas Cotton & Grain Association
Southeastern Lumber Manufacturers Association
Southwest Council of Agribusiness
Tennessee Pork Producers Association
Texas Agricultural Land Trust
Texas Association of Agricultural Consultants
Texas Association of Dairymen
Texas Broiler Council
Texas Cattle Feeders Association
Texas Citrus Mutual
Texas Deer Association
Texas Egg Council
Texas Grain & Feed Association
Texas Grain Sorghum Association
Texas Nursery & Landscape Association
Texas Pest Management Association
Texas Pork Producers Association
Texas Poultry Federation
Texas Poultry Improvement Association
Texas Rice Producers Legislative Group
Texas Seed Trade Association
Texas Sheep & Goat Raisers Association
Texas Soybean Association
Texas Turkey Federation
Texas Vegetable Association
Texas Wheat Producers Association
Texas Wildlife Association
Turfgrass Producers of Texas
U.S. Cattlemen's Association
United Egg Producers
Upstate Niagara Cooperative, Inc.
USA Rice Federation
Utah Pork Producers Association
Virginia Agribusiness Council
Virginia Poultry Federation
Vocational Agriculture Teachers Association of Texas
West Virginia Pork Producers Council
Western Peanut Growers Association
Western United Dairymen
Wisconsin Pork Producers Association
Wyoming Ag Business Association
Wyoming Crop Improvement Association
Wyoming Wheat Growers Association

V:\stm\coalition2014\cwa-HR507814.0904