



**EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503**

March 6, 2023  
(House)

## **STATEMENT OF ADMINISTRATION POLICY**

**H.J. Res. 27 – Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of the Army, Corps of Engineers, Department of Defense and the Environmental Protection Agency relating to “Revised Definition of ‘Waters of the United States’”**

(Rep. Graves, R-MO, and 170 cosponsors)

The Administration strongly opposes passage of H.J. Res. 27, a joint resolution to disapprove “Revised Definition of ‘Waters of the United States’” (“final rule”). The final rule’s definition of “waters of the United States” carefully sets the bounds for what activities are regulated by the federal government under the Clean Water Act. The final rule provides clear rules of the road that will help advance infrastructure projects, economic investments, and agricultural activities—all while protecting water quality. The rule reestablishes critical protections for the nation’s vital water resources by returning to the longstanding 1986 regulations with appropriate updates, exclusions, and streamlining clarifications. This pre-2015 approach to “waters of the United States” provides regulatory certainty and reflects the agencies’ long experience, the best available science, and extensive stakeholder engagement. In comparison, H.J. Res. 27 would leave Americans without a clear “waters of the United States” definition. The increased uncertainty would threaten economic growth, including for agriculture, local economies, and downstream communities. Farmers would be left wondering whether artificially irrigated areas remain exempt or not. Construction crews would be left wondering whether their waterfilled gravel pits remain exempt or not. Compared to the kind of uncertain, fragmented, and watered-down regulatory system that H.J. Res. 27 might compel, the final rule will secure substantial and valuable benefits each year in critical flood protections, enhanced water quality, and the treasured recreational activities—fishing, swimming, boating, and more—that fill the lives and livelihoods of tens of millions of U.S. households that depend on healthy wetlands and streams.

If Congress were to pass H.J. Res. 27, the President would veto it.