

**SHEILA JACKSON LEE**  
18TH DISTRICT, TEXAS

WASHINGTON OFFICE:  
2160 Rayburn House Office Building  
Washington, DC 20515  
(202) 225-3816

DISTRICT OFFICE:  
1919 SMITH STREET, SUITE 1180  
THE GEORGE "MICKEY" LELAND FEDERAL BUILDING  
HOUSTON, TX 77002  
(713) 655-0050

ACRES HOME OFFICE:  
6719 WEST MONTGOMERY, SUITE 204  
HOUSTON, TX 77019  
(713) 691-4882

HEIGHTS OFFICE:  
420 WEST 19TH STREET  
HOUSTON, TX 77008  
(713) 861-4070

FIFTH WARD OFFICE:  
4300 LYONS AVENUE, SUITE 200  
HOUSTON, TX 77020  
(713) 227-7740

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515**

COMMITTEES:  
**JUDICIARY**

SUBCOMMITTEES:  
COURTS AND COMPETITION POLICY

IMMIGRATION, CITIZENSHIP, REFUGEES, BORDER  
SECURITY, AND INTERNATIONAL LAW

CRIME, TERRORISM AND HOMELAND SECURITY  
CONSTITUTION, CIVIL RIGHTS, AND CIVIL LIBERTIES

**HOMELAND SECURITY**

SUBCOMMITTEES:

CHAIR  
TRANSPORTATION SECURITY AND INFRASTRUCTURE  
PROTECTION  
BORDER, MARITIME, AND GLOBAL COUNTERTERRORISM

**FOREIGN AFFAIRS**

SUBCOMMITTEES:  
AFRICA AND GLOBAL HEALTH  
MIDDLE EAST AND SOUTH ASIA  
TERRORISM, NONPROLIFERATION, AND TRADE

SENIOR WHIP  
**DEMOCRATIC CAUCUS**

**CONGRESSWOMAN SHEILA JACKSON LEE, OF  
TEXAS**

**RULES COMMITTEE HEARING ON H.R. 2018, "Clean  
Water Cooperative Federalism Act of 2011"**

**AMENDMENT # 6**

**TALKING POINTS**



**July 12, 2011**

I thank the Chairman for the opportunity to speak in support of my amendment number 6 to H.R. 2018 the “Clean Water Cooperative Federalism Act of 2011,” which ensures the Environmental Protection Agency (EPA) will continue to have authority to oversee issues related to the standards for and issuance of NPDES permits.

**My amendment will strike section 2 of the bill.** This will ensure that the vital role played by the EPA in determining whether or not certain pollutants enter our waterways. Providing states with nearly unlimited authority to determine which pollutants can enter our waterways does not take into account issues that arise when states disagree.

The EPA is a unifying body, issuing regulations that ensure all states have standards that they must follow. It is important to note that we share our water; it’s a resource that can have a tremendous impact on our health. What may adequately protect

water sources in one state might be a detrimental policy for another. The EPA's role in providing a baseline standard that addresses the concerns and needs of all state is essential.

- The federal Clean Water Act (CWA) requires that all wastewater discharges to surface water receive a National Pollutant Discharge Elimination System (NPDES) permit. **47 states including Texas, are currently authorized to issue NPDES permits.** Texas has been authorized to issue these permits since September 14, 1998.
- The CWA clearly envisions states running this program, and includes provisions for state primacy; however, the EPA has the authority to set water safety standards that can change over time.

- The EPA began the National Pollutant Discharge Elimination System (NPDES) permit program as a way to control water pollution by regulating point sources that discharge pollutants into waters of the United States. Point sources are discrete conveyances such as pipes or man-made ditches. Water pollution degrades surface waters making them unsafe for drinking, fishing, swimming, and other activities as authorized by the Clean Water Act.
- Individual homes that are connected to a municipal system, use a septic system, or do not have a surface discharge do not need an NPDES permit; however, industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters.

- In most cases, the NPDES permit program is administered by authorized states. Since its introduction in 1972, the NPDES permit program is responsible for significant improvements to our Nation's water quality.

In an NPDES Primacy Workgroup Report 2005 study, the following concerns were raised as a result of states administering the NPDES program. These concerns are not addressed in this bill.

- A State run program may not provide the degree of certainty currently in place at EPA. A state might not direct appropriate resources and funding to adequately implement the Program in comparison to the EPA. The state may not be able to hire and retain staff sufficient the expertise to permit complex projects.

I object this bill because it seeks to limit how the EPA can keep our waters safe. There are many critics out there who despise the EPA because they say that it is a burden to economic growth. I say that this is nonsense, for healthy populations are the foundation for prosperity. Let us not forget what happened in Woburn, Massachusetts in the 1980's, where numerous families were afflicted with cancer as a result of toxins being placed in the water. It was the work of brilliant lawyers in conjunction with the EPA who proved that the chemical entities involved deliberately placed toxins in the water. Let us also not forget The Love Canal of the 1970's near Niagara Falls either. In this region, scores of women had miscarriages and many more were contaminated from chemical wastes in the water. Are supporters of this bill encouraging our country to go back to a time when these problems were common?

Because the issues associated with Woburn and the Love Canal are well in the past, supporters of this Bill feel that the water

people drink is perfectly safe to drink and does not need to be regulated. Just last year in the small town of Crestwood, outside of Chicago, it was discovered that town officials were secretly introducing tainted well water into the town water supply for years. The people were told that the water came from Lake Michigan. When the story broke, the Department of Public Health conducted a survey of disease rates and found that men in the town had high rates of kidney and gastrointestinal cancer. I, for one, will not tolerate this and I know the American people will not tolerate this as well. The American people will not tolerate the fear of turning on their faucets and wondering whether or not the water coming out has lead, plutonium, or wastes from chemical entities.

Mr. Speaker, I strongly urge opposition to this bill, and I yield back the remainder of my time.