



## BREAKING NEWS:

Late Thursday night, Federal Judge Ralph Erickson of North Dakota blocked President Obama and the EPA's new Waters of the United States regulation (WOTUS) that was slated to go into effect last Friday, as a result of a lawsuit filed by 13 states, including the state of Arizona.

This job-killing, overreaching water grab that is trying to be imposed by Washington bureaucrats would be a dream killer for future generations and result in significant job losses and in considerable harm to our economy. WOTUS contradicts prior Supreme Court decisions and seeks to expand agency control over 60% of our country's streams and millions of acres of wetlands that were previously non-jurisdictional.



I have been fighting this overreach since the beginning. In May 2014, I sent [a letter](#) calling for WOTUS to be withdrawn. I held [a hearing in Phoenix](#) in June 2014 where we heard testimony from 9 Arizona witnesses. I have [introduced legislation](#), [inserted funding riders](#) into appropriations bills, [blocked a democrat amendment](#) that tried to strip one of my WOTUS riders and voted at least five different times [for legislation that has passed the House to block WOTUS](#). In July 2015, [I berated EPA Administrator Gina McCarthy](#) and submitted revelatory evidence into the Congressional Record from senior Army Corps of Engineer employees which expressed

serious legal and scientific deficiencies with the final draft of the WOTUS rule.

This victory is a big win for states and our country. I will continue to do everything I can to fight this unconstitutional water grab and prevent it from being further implemented.

### **The EPA's Stunning Record of Hypocrisy and Lawlessness**

The same government agency that just dumped more than 3 million gallons of toxic waste into a river believes that it should have limitless control to regulate all water in the United States. Only in the land of BIG GOVERNMENT does that make any sense. I will continue to relentlessly hammer the EPA for their gross incompetence the same way the EPA relentlessly hammers job creators. Copied below is my recent op-ed published in The Hill calling out the EPA's lawlessness and hypocrisy.

*In Case You Missed It...*  
**Rep. Gosar Op-Ed in The Hill:**

## **EPA's Hypocrisy and Lawlessness**

August 21, 2015

The events surrounding the recent disaster caused by the Environmental Protection Agency (EPA) at the Gold King Mine near Silverton, Colorado are alarming and reveal a staggering lack of competency in the agency charged with keeping our air and water clean. Stunningly, it took the EPA more than 24 hours to notify local residents after causing the mine blowout that directly led to the release of 3 million gallons of contaminated water and sediment filled with high levels of toxic waste into Cement Creek.

To make matters worse, local elected officials had to find out about the incident through news reports. Since August 5<sup>th</sup>, the EPA has refused to make public the results of the water quality testing it is performing in a timely manner. Even more disturbing, EPA Administrator Gina McCarthy waited a week before she visited the site, and President Obama has refused to comment on the matter, demonstrating a lack of genuine concern from Washington. Americans should be alarmed at this most recent act of incompetence by this inept federal agency, but by no means should they be surprised.

Under President Obama, the executive branch has swelled into a monolithic web of lawmaking agencies. Rather than working with Congress, the president has implemented his radical Leftist agenda by repeatedly issuing new regulations through executive branch agencies. And no agency has been more aggressive and lawless in pushing the president's misguided agenda than the EPA.

For example, in January 2014, the EPA sent a letter to Wyoming couple Andy and Katie Johnson claiming that [the stock pond they built on their own property violated the Clean Water Act](#). The EPA threatened the couple with fines of \$75,000 per day, even though these homeowners received approval from the state and their permit was in good standing. This is only a foreshadowing of things to come under the EPA's new Waters of the United States (WOTUS) rule.

WOTUS is an overreaching regulation that contradicts prior Supreme Court decisions and seeks to expand agency control over 60% of our country's streams as well as millions of acres of wetlands that were previously non-jurisdictional. Shockingly, we recently learned that the EPA used taxpayer dollars to unleash a propaganda campaign in an attempt to rally comments and

support for this WOTUS regulation, despite the Anti-Lobbying Act's bans on such actions. This job-killing water grab by Washington bureaucrats will significantly harm local economies.



Furthermore, memos obtained in July written by senior [Army Corps of Engineers staff detail significant legal and scientific flaws](#) with the final version of the WOTUS. Major General John Peabody, Deputy Commanding General for Civil and Emergency Operations, warned that the EPA disregarded the Corps' input and was putting forth a new regulation not based on sound science that would not withstand judicial scrutiny.

A Senate report released at the beginning of August alleges that the EPA colluded with extremist environmental groups through sue-and-settle tactics to allow the EPA to put forth a new regulation which requires unrealistic standards for our nation's power plants. An economic analysis found that this overreaching Washington mandate [will kill 226,000 jobs annually and cost our economy \\$50 billion each year](#). The only reason the new EPA carbon regulations are even on the table is because of this administration's War on Coal and close coordination with self-interest environmental groups.

While the lawlessness being used to implement the agency's agenda is despicable, let's not forget about the culture of corruption that exists within the EPA. Former EPA Administrator Lisa Jackson [was forced to resign in 2012](#) amid multiple investigations and after using fake emails to conduct official government business. Another former EPA employee, [John Beale stole more than \\$900,000](#) from the EPA and fooled the agency into believing he was a CIA agent for more than 15 years. A different employee at the EPA was [allowed to sexually harass at least 16 women](#) and keep his job even after these actions were revealed to the employee's supervisors.

So here we stand. An agency charged with protecting our environment has placed enormous burdens on law-abiding citizens and has itself engaged in environmental destruction. And all the while, the White House and environmentalists have been silent. The EPA has forced businesses to close their doors and has punished hard-working Americans for much lesser infractions. Americans should be outraged at the hypocrisy and lawlessness of this gutless and incompetent agency. Something stinks. It's far past time that we cleaned house at the EPA.

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I bet you didn't know that I am on [Instagram](#)! That is the only place to see all the behind the scenes photos of everything happening on Capitol Hill.

As always, you can follow everything I am working on in Arizona and Washington, D.C. through my website (<http://gosar.house.gov>) on Twitter @RepGosar, through Facebook at Representative Paul Gosar or on Instagram at RepGosar.

Sincerely,

Paul A. Gosar, D.D.S  
Member of Congress



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**Washington, DC  
Office**

504 Cannon HOB  
Washington, DC  
20515  
Phone: (202) 225-2315

**Kingman**

220 N. 4th Street  
Kingman, AZ 86401  
(By Appointment  
Only)

**Prescott**

122 N. Cortez Street, Suite  
104  
Prescott, AZ 86301  
Phone: (928) 445-1683

**Gold Canyon**

6499 S. Kings Ranch Road  
#4  
Gold Canyon, AZ 86118  
Phone: (480) 882-2697

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