



Back in 1995, the last time conservative Republicans took control of the House of Representatives, one of the first laws they attacked was the Clean Water Act. As early as today, the House will vote again to undermine that 1972 landmark law, and I hope the results will be the same: a public backlash that stalls environmental rollbacks.

The measure the House is considering this week (H.R. 2018) is narrower than the more comprehensive rewrite of the Clean Water Act that House Republicans failed to get enacted in 1995, but it's just as destructive. The bill targets the very heart of the Clean Water Act: the notion that a federal backstop is needed to ensure that states don't give a pass to polluters.

It's not hard to understand why leaving clean water policy entirely to the states doesn't work. First, waters don't follow state boundaries. Pollutants that are put in the waters of one state don't stay in that state, and indeed may do more damage downstream as pollutants accumulate. A water policy that is, in effect, based on the theory that "what happens in Vegas stays in Vegas" will fail pretty quickly. Second, state politics often favor narrow company interests at the expense of the broader public. Companies can threaten to move to other states, and state campaign finance laws are often weak.

This isn't just a theoretical conclusion. Prior to the enactment of the Clean Water Act of 1972, we had clean water laws on the books, but they weren't very effective because the federal government had little authority. We have more drinkable, fishable and swimmable waters today, in part because we finally had a clean water law that didn't let states just flush their wastes downstream or do whatever their local companies found most convenient.

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