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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
GENERAL COUNSEL

MAR - 6 2017

The Honorable Jeff Sessions
Attorney General
U.S. Department of Justice
Washington, D.C. 20530

Dear Attorney General Sessions:

On February 28, 2017, the President signed an Executive Order entitled "Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the 'Waters of the United States' Rule." In response, the Administrator of the Environmental Protection Agency and the Senior Official Performing the Duties of the Assistant Secretary of the Army for Civil Works signed for publication in the *Federal Register* a "Notice of Intention to Review and Rescind or Revise the Clean Water Rule."

Consistent with subsection (c) of the Executive Order, I am notifying you of this pending review so that you may, as you deem appropriate, inform any court of such review and take such measures as you deem appropriate concerning any such litigation pending the completion of further administrative proceedings related to the rule. We have worked collaboratively with your staff in determining those measures since the issuance of the Executive Order and Notice, and respectfully request the ability to continue to do so in the future.

Sincerely,

Kevin S. Minoli
Acting General Counsel

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