Contrasting opinions on whether SCOTUS should move ahead with WOTUS Rule review

Several parties in the contentious appeals of the WOTUS Rule have asked the Supreme Court not to delay its hearing on the jurisdiction of the 6th Circuit to hear the appeal. Seven states, and the District of Columbia recently joined similar requests previously filed by several conservation organizations. The requests were filed in response to the federal government’s request to stay the hearing. The parties believe that such delays would effectively vacate the rule.

Interestingly, both the National Association of Manufacturers and the American Petroleum Institute have not taken a position of the stay, while the Pacific Legal Foundation and the American Farm Bureau believe the Supreme Court review should proceed.

EPA, on the other hand, which requested the stay of the Supreme Court proceedings, has pledged to move quickly with a rewrite of the rule.


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