

# Clean Water Act

## Mini-Lesson



# Clean Water Act – Senate Debate

## Overriding a Presidential Veto



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### Background Information

The Clean Water Act, passed in 1972, was a landmark piece of legislation in the United States aimed at regulating and improving the quality of the nation's waterways. Its primary goal was to restore and maintain the chemical, physical, and biological integrity of the country's waters. Howard Baker, Jr., a Republican Senator from Tennessee, played a significant role in the Act's passage by helping to negotiate a bipartisan compromise. He worked alongside Senator Edmund Muskie, a Democrat, to merge competing bills into a comprehensive piece of legislation that garnered widespread support. According to the Environmental Protection Agency (EPA), Baker's bipartisan efforts were instrumental in overcoming political obstacles and achieving the Act's passage over President Richard Nixon's veto. ("Clean Water Act," EPA).<sup>i</sup>

### Mini-Lesson Student Materials

**Did you know** U.S. presidents, on average, veto 44 bills per term, the most being Grover Cleveland in his first term when he vetoed 414 bills?

#### Objective

*Students will be able to identify the reasons a president might veto legislation and the process by which Congress can override that veto.*

#### Key Terms and People

Veto, Congressional Override, Bill, Checks and Balances, *Senator Edmund Muskie, Senator Howard H. Baker, Jr., and President Richard Nixon*

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## Handout A | Viewpoints on the Clean Water Act

### Viewpoint A

“Study after study, public opinion poll after public opinion poll have revealed that the economy of this nation can absorb the costs of cleaning up pollution without inflation or without a loss in economic productivity. . .”

“As I have talked with thousands of Tennesseans, I have found that the kind of natural environment we bequeath to our children and grandchildren is of paramount importance. . . If we cannot swim in our lakes and rivers, if we cannot breathe the air God has given us, what other comforts can life offer us.”

Senator Howard Baker, Jr. (R-Tennessee), excerpts from **speech on the Senate floor ahead of the Clean Water Act vote**, October 1972<sup>ii</sup>

### Viewpoint B

“The pollution of our rivers, lakes and streams degrades the quality of American life. Cleaning up the Nation's waterways is a matter of urgent concern to me, as evidenced by the nearly tenfold increase in my budget for this purpose during the past four years.

“I am also concerned, however, that we attack pollution in a way that does not ignore other very real threats to the quality of life, such as spiraling prices and increasingly onerous taxes. Legislation which would continue our efforts to raise water quality, but which would do so through extreme and needless overspending, does not serve the public interest. There is a much better way to get this job done.

“For this reason, I am compelled to withhold my approval from S. 2770, the Federal Water Pollution Control Act Amendments of 1972--a bill whose laudable intent is outweighed by its unconscionable \$24 billion price tag. My proposed legislation, as reflected in my budget, provided sufficient funds to fulfill that same intent in a fiscally responsible manner. Unfortunately, the Congress ignored our other vital national concerns and broke the budget with this legislation.”<sup>iii</sup>

President Richard M. Nixon (R-California), “**Veto of the Federal Water Pollution Control Act Amendments of 1972**”, October 1972

## Viewpoint C

“(T)oday, the rivers of this country serve as little more than sewers to the seas. Waste from cities and towns, from farms and forests, from mining and manufacturing, foul the streams, poison the estuaries, threaten the life of the ocean depths. The danger to health, the environmental damage, the economic loss can be anywhere.

“Can we afford clean water? Can we afford rivers and lakes and streams and oceans which continue to make life possible on this planet? Can we afford life itself?”

“Those questions were never asked as we destroyed the waters of our Nation, and they deserve no answers as we finally move to restore and renew them.”

Senator Edmund Muskie (D-Maine), **Excerpts from speeches regarding the passage and veto of the Clean Water Act, 1972**<sup>iv</sup>

## Skill Sheet | Prepare to Meet the President

**Directions: You are a U.S. senator who is deciding whether the Senate should override the President's veto.** Answer the questions below in preparation for your meeting with the co-sponsors of this bill, Edmund Muskie and Howard H. Baker, Jr.

1. The original bill was passed by the House 366-11 and by the Senate 74-0. Why do you think such a major bill was passed in such a bipartisan way?
2. What reasons did President Nixon give for vetoing this bill? Do you believe these were good reasons? Why or why not?
3. What reasons do Senator Baker and Senator Muskie give for passing the bill over President Nixon's veto?
4. Should a president veto a bill with such overwhelming, bipartisan support in Congress? Can Congress override a veto for such an expensive bill? Should they?
5. **Your Decision** | Should we, the Senate, vote to override President Nixon's veto? You have three minutes with the co-sponsors of this bill. On the back of this skill sheet or on another piece of paper, write your decision and explanation in a paragraph of 4-5 sentences.

### KEY TERMS & PEOPLE

**Veto**- The power of the chief executive to nullify acts of the legislature.

**Congressional Override** - Congress can override a president's veto of a bill by passing the act by a two-thirds vote in both the House and the Senate.

**Bill** - A proposal for a new law or a proposal to significantly change an existing law

**Checks and Balances** - Fundamental principle underlying the American constitutional system, whereby institutions of government can check one another in order to prevent one branch from becoming too powerful.

**Senator Edmund Muskie** - U.S. Senator (D-Maine) 1959-1980.

**President Richard M. Nixon**- 37<sup>th</sup> president of the United States of America, elected in 1968.

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<sup>i</sup> Clean Water Act, 33 U.S.C. § 1251 (Oct. 18, 1972).

<sup>ii</sup> Ellen Simon, "The Bipartisan Beginnings of the Clean Water Act," The Waterkeeper Alliance, <https://waterkeeper.org/news/bipartisan-beginnings-of-clean-water-act/>

<sup>iii</sup> Richard Nixon, Veto of the Federal Water Pollution Control Act Amendments of 1972. Online by Gerhard Peters and John T. Woolley, The American Presidency Project <https://www.presidency.ucsb.edu/node/255235>

<sup>iv</sup> Simon, "The Bipartisan," The Waterkeeper Alliance.



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