

## Federal Coal Mining Stream Protection Rule Nullified

February 16, 2017 | Client Update

On February 16, 2017, President Trump approved a joint resolution of Congress nullifying the U.S. Department of the Interior's Office of Surface Mining and Reclamation Enforcement's (OSMRE) controversial Stream Protection Rule. The joint resolution was passed pursuant to the 1996 Congressional Review Act (CRA), which allows a new Congress to use special fast-track procedures to invalidate federal agency rules submitted in the last 60 session or legislative days of the previous session of Congress. This marks the second time that President Trump has approved a CRA joint resolution, and the third time ever that the CRA has been utilized successfully.

If you have any questions regarding the matters covered in this publication, please reach out to any of the lawyers listed below or your usual Davis Polk contact.

**Michael Comstock**

+1 212 450 4374

michael.comstock@davispolk.com

**David A. Zilberberg**

+1 212 450 4688

david.zilberberg@davispolk.com

---

*This communication, which we believe may be of interest to our clients and friends of the firm, is for general information only. It is not a full analysis of the matters presented and should not be relied upon as legal advice. This may be considered attorney advertising in some jurisdictions. Please refer to the firm's privacy notice for further details.*

## **Related materials**

[Read the full update](#)