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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord of us all, everything belongs to You. Use our lawmakers today to accomplish Your will. As they strive to be Your peacemakers, remind them that no evil can stop the unfolding of Your purposes and providence.

Lord, show them how to use this day's fleeting minutes for Your glory. Sanctify their thoughts, words, and deeds throughout this day and in all the days of their lives. Bless those who support them in their work, rewarding faithfulness with Your Divine approbation.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. COTTON). The majority leader is recognized.

CONGRATULATING KENTUCKY'S GOVERNOR-ELECT AND ADDRESSING THE WATERS OF THE UNITED STATES REGULATION

Mr. MCCONNELL. Mr. President, let me begin this morning by congratulating Kentucky's Governor-elect and the entire Republican ticket on a big win at home last night. I remember when the Republican nomination was

hardly worth having in Kentucky. We used to have to beg people to run. So it says something when we see spirited competition for it, which we had in the primary back in May.

The Governor-elect and I certainly are no strangers to spirited competition, but we are also conservative Kentuckians happy to see some change coming to Frankfort.

Yesterday's election was a statement about where the people of my State want to see us headed, and it is not down the road of government control and Big Labor. They want fresh ideas, growth, innovation, opportunity, and greater control over their lives and destinies. They want a change in direction. Here is something they certainly don't want: more of this administration's top-down, Washington-knows-best approach to everything from health care to how best to use our natural resources.

Washington overreach is just what I will discuss further right now. The administration's so-called waters of the United States regulation would grant Federal bureaucrats domination over nearly every piece of land that has ever touched a pothole, ditch or puddle at some point. It would force the Americans who live there to ask Federal bureaucrats for permission to do just about anything on their own property. We are not talking about just a few acres falling under bureaucratic control here and there. According to analysis by the American Farm Bureau, we are talking about centralized Federal control extending to nearly 92 percent of Wisconsin, 95 percent of California, 98 percent of New York, 99 percent of Pennsylvania, and, if you can believe this, 100 percent of Virginia—the entire State. This isn't some clean water regulation. It is an unprecedented Federal power grab that clumsily and poorly pretends to masquerade as one.

It is obvious why waters of the United States would be a leftwinger's dream. It is equally obvious why Demo-

cratic leaders would want to pretend this rule is about clean water rather than admit what it is really about, because the true purpose and scope of this regulation is basically indefensible. So 31 States have already filed suit against it, 2 Federal courts have already ruled that it is likely illegal, and 1 court found that the rule was so flawed that it had to be the result of "a process that is inexplicable, arbitrary, and devoid of a reasoned process." That is why we considered the bipartisan Federal Water Quality Protection Act yesterday.

The legislation is bipartisan, and it is simple. It says that the EPA's resources should be used to actually protect the lakes and rivers we all cherish rather than for the administration to launch arbitrary ideological attacks on middle-class homeowners and family farms. This bipartisan legislation would have required America's clean water rules to be based on the kind of scientific, collaborative process the American people expect, not some arbitrary or inflexible process that is devoid of reason such as we had with WOTUS but a balanced process that actually takes the views of those it affects into serious consideration.

I thank the Senator from Wyoming, Mr. BARRASSO, for his impressive work on the bill. A bipartisan majority of the Senate voted to support it, but most Democrats chose an ideological power grab over sensible clean water rules yesterday. To many Kentuckians, this regulation feels a lot like the latest in a sustained Obama administration regulatory assault on their families.

The Senate is going to pursue another avenue today to protect the middle class from this unfair regulatory attack. Our colleague from Iowa, Senator ERNST, has introduced a measure that would allow Congress to move forward despite the Democratic filibuster. It would overturn the regulation in its entirety. A majority of the Senate

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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