

State officials and experts to determine an appropriate solution and remove the detrimental and excessive approach attempted by the Obama administration.

I urge my colleagues to support my amendment, and I reserve the balance of my time.

Mrs. NAPOLITANO. Mr. Chairman, I claim the time in opposition to the Banks amendment.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Mrs. NAPOLITANO. Mr. Chairman, I rise in opposition to the amendment.

Congress has a long history in supporting the Clean Water Act. In 1972, Congress overrode President Nixon's veto of the Clean Water Act, demonstrating bipartisan support for the Federal regulation of our Nation's water. The measure was very clear: human health would no longer take a backseat to big business.

Now, more than 45 years later, we are again voting to overturn the Clean Water Protection rule, a rule that, for the first time in over a decade, provides clarity for regulated parties and protection for our Nation's rivers and waters.

What message are we sending today? Clearly, we are telling the American people that what water they have left isn't worth protecting.

Mr. Chairman, when developing the Clean Water Protection rule, the EPA and Army Corps of Engineers went to unprecedented lengths to engage with stakeholders, including ranchers, farmers, and municipalities. They held over 400 stakeholder meetings on the rule and reviewed approximately 1 million public comments to the rule.

It is evident that EPA and the Corps wholeheartedly considered these comments and concerns because many of the Clean Water rule's reforms benefit industry, agriculture, and municipalities. These reforms include limiting permits for ditches and municipal storm water sewers, and codified exemptions for certain agricultural, construction, and mining activities.

Let us not forget that the farmers and developers, alike, call the Clean Water Act's current regulatory process "ad hoc," "inconsistent," and "costly."

The rule we are attempting to overturn would keep the old, confusing regulations in place permanently. The same groups that asked for this rule and actually benefited from the rule are now asking us to do away with the rule.

The only thing I can surmise is that those who oppose the rule would oppose any rulemaking that did not drastically limit the application of the Clean Water Act; or, said in another way, these groups are simply opposed to the Clean Water Act entirely.

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In my State of California, 99.2 percent of the population gets its water

from the drinking water systems that rely on water bodies protected by this rule. With numbers like that on the line, intervening now is simply reckless.

Mr. Chairman, I urge my colleagues to join me in opposition to this amendment, and I reserve the balance of my time.

Mr. BANKS of Indiana. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. GOSAR), the chairman of the Western Caucus, who has been instrumental in developing this amendment.

Mr. GOSAR. Mr. Chairman, I rise in support of the amendment offered by my good friend and colleague, Mr. BANKS.

The previous administration's Waters of the U.S. rule, commonly referred to as WOTUS, attempted to assert Clean Water Act jurisdiction over nearly all areas with even the slightest connection to water resources, including man-made conveyances. The Obama administration threatened the very livelihoods of farmers, ranchers, small businesses, water users, and property owners when unilaterally enacting this overreaching water and land grab by executive fiat.

Contrary to claims by the Obama administration, this regulation directly contradicts prior U.S. Supreme Court decisions which imposed limits on the extent of Federal Clean Water Act authority. Although the agencies maintained the rule was narrow and clarified the Clean Water Act jurisdiction, it would actually aggressively expand Federal authority under the Clean Water Act while bypassing Congress and creating unnecessary ambiguity. In fact, even the agencies admitted, when announcing the final rule, that WOTUS would expand agency control over 60 percent of our country's streams and millions of acres of wetlands that were previously non-jurisdictional.

Moreover, the rule was based on incomplete scientific and economic analysis. In recent years, the House has voted at least five different times to block or reduce the damage associated with the Obama WOTUS rule. In January 2016, the House and Senate passed legislation blocking WOTUS, utilizing the Congressional Review Act, and put a bill on President Obama's desk that he subsequently vetoed.

WOTUS is a dream-killer for future generations and will result in significant job losses as well as considerable harm to our economy. Congress must take action today to repeal this fundamentally flawed mandate once and for all. I applaud Representative BANKS for his strong leadership and tireless efforts to protect the livelihoods of farmers, ranchers, businessmen, and other local stakeholders by repealing this unconstitutional power grab.

Mr. Chair, I urge adoption of this lawful and necessary amendment.

The Acting CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mr. NORMAN) assumed the chair.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Gabrielle Cuccia, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

AGRICULTURE AND NUTRITION ACT OF 2018

The Committee resumed its sitting.

The Acting CHAIR (Mr. COLLINS of Georgia). The gentlewoman from California is recognized.

Mrs. NAPOLITANO. Mr. Chair, I yield 1 minute to the gentleman from Pennsylvania (Mr. CARTWRIGHT).

Mr. CARTWRIGHT. Mr. Chairman, I rise in opposition to this amendment, the Banks/Gosar amendment, as a clear threat to a bedrock protection of the American people of the Clean Water Rule. The Clean Water Rule guarantees clean drinking water for 117 million Americans. My constituents rely on the Clean Water Rule, which protects critical waterways like the Chesapeake Bay.

By eliminating this rule, we jeopardize the streams, headwaters, wetlands, and other bodies of water supporting critical wildlife ecosystems that naturally filter out pollution and provide essential, clean drinking water to a third of our Nation.

Mr. Chairman, the farm bill should be a tool for protecting Americans. It must not be used to poison their water. A vote for this amendment is a vote against clean water, and I urge my colleagues to oppose it.

Mr. BANKS of Indiana. Mr. Chairman, I yield 1 minute to the gentleman from Louisiana (Mr. JOHNSON), my fellow freshman colleague and a great defender of private property rights.

Mr. JOHNSON of Louisiana. Mr. Chairman, I appreciate the gentleman from Indiana's leadership on this amendment, and that of Mr. GOSAR and others.

Since its inception, the 2015 Waters of the U.S. rule has been an unworkable and unreasonable interpretation of the intent of the Clean Water Act. It was an overreach of an administration wishing to flex its muscles by imposing additional regulations where it had no jurisdiction.

We are regulating things like backyard ditches and mud puddles, which we have a lot of in Louisiana. The absurdity of this rule has been evidenced by the back-and-forth legal battles that have ensued in the courts, most recently this past January in *National Association of Manufacturers v. Department of Defense*. The Supreme Court's opinion in that case has thrown some industries into chaos, as uncertainty once again looms.

Congress has the capability to provide a permanent statutory answer on