

MORNING BUSINESS

Mr. McCAIN. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Louisiana.

CLEAN WATER ACT RULE

Mr. CASSIDY. Mr. President, I rise today to share my concerns regarding the administration's recently finalized Clean Water Act rule issued by the EPA and the Army Corps of Engineers to define waters of the United States.

The Clean Water Act clearly states it is the "policy of Congress to recognize, preserve, and protect the primary responsibilities and rights of States to prevent, reduce, and eliminate pollution." Despite this partnership and the limits to Federal authority, the President and his administration, along with some lawmakers, have sought in recent years to clarify and extend the scope of Federal jurisdiction under the Clean Water Act in a manner that would expand the Federal Government's ability to regulate waters of the United States—in short, a Federal power grab. Changing the scope of the law, including the Clean Water Act, is solely the responsibility of Congress. Yet, the President's administration has again elected to bypass the legislative process by finalizing this rule.

When I am in Louisiana, I consistently hear from my constituents about the impacts this rule could have on private property development, timberland, farmland, and other bodies of water that would be subject to Federal control. They tell me this rule will create more uncertainty and impact infrastructure projects and jobs despite the EPA and the Corps' assurances to the contrary.

Louisiana is experiencing significant economic growth—growth that is bringing jobs to those Americans who have had the hardest time finding jobs with this recent poorly performing economy. This progress will be negatively affected as a result of this rule.

In addition to the increased costs and regulations, the rule invites costly litigation, and it can significantly restrict the ability of landowners to make decisions about their property and make it harder for State and local governments to plan for their own development.

Let me note that this is not the only rule the EPA has been working on that will negatively impact the economy and the job growth in my State. Their proposed rule to lower the standard for ground-level ozone will hurt job development in Louisiana, carrying with it health impacts to workers and families that are not fully considered by the EPA. It is clearly established that the higher the standard of living, the

healthier the family. These rules will lower the standard of living for those who lose their jobs.

In Calcasieu Parish, more than \$60 billion in various manufacturing projects are underway and are in the process of being approved—that is \$60 billion with a "b." These will require construction workers—again creating the kinds of jobs our economy needs more of. These projects can be severely impacted as a consequence of this rule.

We see in this graphic display the navigable waters prior to the release of the rule this past week in Calcasieu Parish. Now we will see the bodies that will fall under the jurisdiction of the Federal Government under the finalized rule. Again, this here is under current law. And that is what it will be. This will impact the ability of local government to plan their development.

Instead of people in Louisiana deciding how best to use their property, the Federal Government will be able to dictate many land use decisions, which have always been local. Again, this rule is a major takeover effort by the EPA and the Army Corps of Engineers. The administration has stated that this rule is narrowly defined. However, under the new definitions for tributaries, adjacent waters, and waters that are neighboring a traditional navigable water, virtually any water body could fall under the Agency's regulatory authority. And if certain bodies of water don't fit these definitions, the Agency can make a case-by-case determinations of significant nexus.

Assistant Secretary Jo-Ellen Darcy from the Army Corps said last week that this rule is a huge win for public health and the economy and reflects that clean water matters to the American people.

First, let me point back to this map that community leaders in Calcasieu Parish provided for me, highlighting that this is not a win for the economy and could significantly impact economic and private land development moving forward.

Secondly, as a physician—I am a doctor—I understand the importance of human health, and I also understand the impacts on human health as a consequence of overregulation by the Federal Government. If people are poor, their health suffers. There is a strong statistical relationship when, because of regulations and regulatory uncertainty, jobs are lost overseas. Again, I believe this revised rule is a power grab by the administration and not based upon any congressional action.

We took a vote on this issue back in March, during the budget debate, to limit the expansion of Federal jurisdiction under the Clean Water Act, which I supported. Last fall, we took a similar vote while I was in the House of Representatives to repeal this harmful regulation. My colleague from Wyoming, Senator JOHN BARRASSO, has a bill, the Federal Water Quality Protection Act. It is a good bill that provides clarity for how EPA should and should

not define the waters of the United States. I know the chairman of the Environment and Public Works Committee, Senator INHOFE of Oklahoma, intends to move this bill through his committee soon, and I wish to offer my support for that legislation.

Again, we have seen time and again that this administration will attempt to overreach the limits of what the executive branch should do. When it comes to the EPA's overreach, the waters of the United States rule isn't the exception; it is the norm.

I yield the floor.

EXTENSION OF MORNING BUSINESS

Mr. CASSIDY. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Michigan.

NATIONAL DEFENSE AUTHORIZATION ACT

Ms. STABENOW. Mr. President, I wish to speak about the bill that is before us and reauthorizing funding priorities for the Department of Defense.

I wish first to congratulate Chairman MCCAIN and Ranking Member JACK REED for working together on a very important bill. There are a lot of important issues and a lot of important priorities in this legislation for our home State in Michigan.

The fact that we are supporting the A-10s so our troops have the close air support they need is very important. It is important that we are continuing to invest in research and development and new kinds of technologies. We are very proud in Michigan to be the ones that are on the frontlines providing research and development for the Army. If the Army drives it, we design it, fix it, and build it in Warren, MI, and in the surrounding area of Macomb County that we call the Defense Corridor, and we are very proud of that. We have vital military equipment manufactured here in the United States, and in Michigan, specifically, that is supported in this legislation.

It provides very important pay increase and support for our troops that are actually critical.

My concern is not with the contents of what we are doing in this particular bill in terms of supporting the defense of our country and supporting our troops. It is the fact that we have budget gimmicks being used to fund the Department of Defense.

Our troops deserve more than budget gimmicks. Those on the frontlines deserve more than basically funding essential services or pay raises or essential equipment through funds that we know are sort of made-up funds—another name for deficit spending. This has been done over the years, as we