

## 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

went to war in Iraq and Afghanistan, when there was a fund set up—the overseas contingency account—not including any money in it, but it was a way to mask the fact that we were not funding the wars and we were in fact abusing deficit spending to do it.

So to continue that with the critical items in this bill is a mistake and, frankly, not worthy of the men and women who are on the frontlines, putting their lives—putting themselves—in harm's way every single day. So it is critical that we do better in terms of this budget and the structure of this budget.

Our families also deserve better, because we need to fully fund the full defense of our country—both here at home and overseas—without budget gimmicks, without adding to the deficit. All those things that create a strong country and security for our families need to be done in a way that does not include budget gimmicks. And that, frankly, is not what is being proposed.

That is why I am very proud to be a cosponsor of Senator REED's amendment, which would cap the spending on what has been called this overseas contingency account. Others of us at various points have called it the fake money account because there is no money in it. It is a fancy way of covering up the fact that we are spending and adding to the deficit. Senator REED would basically indicate that this would be capped. We would try to begin to rein that in, to cap that amount. We would also say very clearly that we are going to address the issues that affect the United States in terms of our strength, the defense, broadly, of our country—whether it is in the Department of Defense or whether it is in other parts of our overall budget as a Nation—by basically lifting the caps—for those watching, we talk about the Budget Control Act, but there are caps—in a way so we can fully fund both the Department of Defense but also the other things that need to be done to create security and to fully make sure our families are safe, our economy is safe, and that we are aggressively moving forward as an economy.

That is what Senator REED's amendment would do. It brings some balance. It begins to rein in what is a policy that does not make sense in terms of using budget gimmicks. As I said before, our troops certainly deserve better than that, and our families deserve better than that.

Using gimmicks is a convenient way to avoid dealing with what the real problem is. There is this thing called sequestration. People wonder: What in the world is that? We put in a policy a number of years ago to limit spending. The good news is that we have brought the annual budget deficit down by two thirds. This is good news for our country. Two thirds of the annual deficit is gone. But now, as we go forward and look at what is going to grow the econ-

omy and what is going to keep us safe, we look at the threats around the world that are coming at us—not just through the Department of Defense but through every area of the budget. When we look at what we need in terms of jobs and the economy and so on, we know we need to revisit that policy and stop the gimmicks. Don't use gimmicks going forward to pretend that we are still meeting sequestration but to look honestly at the needs of our country today and move forward.

Frankly, on the security front alone, security is more than just what happens at the Department of Defense, as important as that is. It is all of the programs that we rely on day in and day out to keep our country safe. Certainly, we care about border security all the time. That is not predominantly funded in the Department of Defense. We look at cyber security. It is one of the No. 1 issues we have, and we are hearing now from a consumer standpoint, from a security threat or terrorist standpoint, and from a business security standpoint. Cyber security is absolutely critical, and it is not given the same priority of importance as the Department of Defense is as we look at the overall defense of our country.

Counterterrorism—who answers the call, no matter what it is? In Boston, a terrorist attack—who was on the frontlines there? It was local police, local fire, which are under the broad budget parameters that are being discussed now by the majority. The Republican majority would provide less funding—less funding—for the frontline defense in our neighborhoods and in our communities.

Stopping weapons of mass destruction, airport security is something we all know about as we get on airplanes all the time, every week. There is Ebola protection, when we look at the Centers for Disease Control and all of the issues that relate to diseases—whether it is threats at home or whether it is those that can be used in some way as a terrorist attack. Many of the Federal agencies fighting terrorism at home and protecting us from deadly diseases such as Ebola will not receive critical funding under the budget that has been proposed.

Now, there is a willingness to use budget gimmicks in the Department of Defense. Again, our troops are certainly worthy of much more than budget gimmicks. But when we look more broadly at the whole budget, we don't even see enough to use budget gimmicks of these things. I don't think we should be using budget gimmicks, but the point is there is not an acknowledgement that there is more to defense and safety for our country than just in one department.

To be strong abroad we need to be strong at home, as well, and in so many other areas, as we know. If we want to talk about competing around the globe, if we want to talk about what we need to be doing to be secure, to have a robust economy, to

outcompete the competition, we have also to talk about educating our young people—which, by the way, is cut in the overall scheme of things in this budget. We have to talk about lowering the costs of college. If there is one thing we are hearing over and over from young people or from those going back to job training programs who lost their job in the economy, going back to get new skills to get a new job, it is about the huge debts they are incurring to do the right thing. People coming out of college are now in a situation where they can't qualify even to buy that first home. They are telling me: Do something about college loan debt. We can't help young people coming out of college to buy a house. They don't qualify because of the amount of debt, and the amount of debt they have will equal a house. That is a security issue for us—education, the ability to have a college education, job training.

Investing in cures for diseases—how exciting it is for us to hear about all the opportunities now through the National Institutes of Health. We have so many promising opportunities and treatments and cures, such as on Alzheimer's—which, by the way, takes one out of every five Medicare dollars—and in other areas, such as cancers, Parkinson's disease, mental health disorders. That is part of our strength and being secure and strong and robust for the future.

Of course, if we are going to be strong, we have to fix our roads and our bridges, and we don't have dollars in this budget. In fact, the whole highway trust fund is going to run out in less than 60 days now if no action is taken by the majority, if there is no sense of urgency from our Republican colleagues.

So we look overall at securing those things at home and abroad, whether it is making sure—beyond the Department of Defense—that we are funding our border security, cyber security, counterterrorism, police and fire departments, airport security, and Ebola protection or whether it is investing in our own people in all of this to create the opportunity for strong businesses, entrepreneurs, and an educated workforce or for infrastructure, making sure that we have those airports and we have those roads.

As I conclude, let me say that all of this leads to the fact that we need to next week vote yes on Senator REED's amendment because that is what it is all about: real safety, real security, growing the economy of our country. Our people deserve better than budget gimmicks that are in this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

#### OBAMACARE

Mr. DAINES. Mr. President, it has been 5 years since Americans were forced into a broken and unhappy relationship with ObamaCare. Ever since