

“waters of the United States,” in yet another rule change to that law, keeps the new expanded definition of WOTUS in place.

This change to one of most abused and litigated Federal statutes on the books allows the EPA to regulate every single ditch, every little puddle, every ephemeral stream in America, as if they were somehow the Mississippi River or the Sacramento River, in my home State.

Of course, this is ludicrous, as our Nation’s commerce, agriculture, and natural beauty are not dependent on a farmer’s self-made ditch or irrigation canal or these ephemeral streams.

With the expanded WOTUS rule, the Federal Government can now regulate almost any activity, from farming to landscaping, which occurs on private property.

Treating Americans’ private property as sacrosanct has been a core principle of this Nation for over two centuries.

Our Founders would be horrified to see a United States Government agency, headquartered here in Washington, D.C., granting itself broad power to regulate every single American on their own land.

We have seen the EPA abuse WOTUS before to regulate everything from farming to home building. Ridiculous interpretations on whether you can even plant a fallow field back to a wheat crop that previously had one without a permit can often take 3 years because there is no motivation from the Army Corps or other regulators to get the job done and tell the farmer: Yes, you may farm your ground the way you did it once before. They sued them for it, they fined them, and basically put them out of business over a farming activity that has occurred.

Another example is the couple that are being sued over WOTUS, and it is being used as a weapon to prevent a married couple from building their dream home near the shore of a lake, all within the rules.

I guarantee you, when the Clean Water Act and the Environmental Protection Act were passed in the early seventies by this Congress, they did not have the intent, nor would they have gotten away with, passing legislation that would have been so far-reaching as this.

These are about, yes, clean water. They are about protecting species and some of the habitat for them, not every possible piece of ground in the world that might host one, even though they don’t currently.

They would not have been able to pass that through Congress because people would have run them out of here on a rail. Yet, through court interpretations over time, rulemaking, and guidance, this is where we have gotten to. The administration, and the previous Democratic administration, have been hyperaggressive in putting waters of the United States rules in place that have little to do with what the meas-

urement used to be, that it was a navigable stream.

Well, “navigable” used to mean you could actually drive a boat up and down that particular river or what have you. Now, if you can float a rubber duck in it for a half hour after a rain in a pond or a stream or what have you, then they seem to believe that should be a good enough definition for “navigable waterways.”

It is ridiculous. With the increasing cost of food to Americans and fewer food choices on our shelves, and even empty shelves in this country, this is the move they make, to restore to previous aggressive limits of waters of the United States and take away the ability to farm our products, already safely, already reliably, already ecologically sound.

This is not needed under the Biden interpretation or the previous Obama interpretation. These are property rights, and these are land rights that are a cornerstone of our country’s founding. Indeed, it is a way to take more control and put Washington, D.C., and put bureaucrats in greater charge of things that used to be good rural issues, rural values, which are keeping food on the table for Americans, thereby positioning us to be independent of having to import food, which keeps us strong.

Food is strategic. Food is a security issue. We are seeing our security dissipate rapidly under the weight of crazy regulations like this and others that are so negatively affecting our ability to produce energy in this country. WOTUS is used to stop that, too. If we don’t produce our own energy, are we going to import more from the Saudis or other areas?

We have seen these embargoes twice in our past. It doesn’t work very well. Energy is the core for everything in a civilized society. As we see our energy dissipating along domestic production, we are seeing the high cost of everything.

WOTUS needs to be repealed, and I hope the House does that today.

□ 1030

LIBERTY AND JUSTICE FOR ALL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. GREEN) for 5 minutes.

Mr. GREEN of Texas. Mr. Speaker, and still I rise.

And still I rise as a proud, unbought, unbosomed, unafraid, liberated Democrat.

I rise today, Mr. Speaker, in the name of liberty and justice for all. Liberty and justice for all, not the name of liberty and justice for people of color, for people who happen to be of a different hue, but in the name of liberty and justice for all and, more specifically, in the name of liberty and justice for Ralph Yarl and Kaylin Gillis.

Mr. Speaker, I rise in the name of liberty and justice for them because our

country should be in mourning today. A life was needlessly lost, and no one of great notoriety, or a person who happens to have been a Congressperson, or a person holding some prominent position in society. They were not persons who were out in Hollywood making motion pictures; just an ordinary citizen who lost their life, and we ought to be in mourning.

We ought to be in mourning because the young man was shot for ringing a doorbell. His sin was he was ringing a doorbell. He was a person of color, yes. Apparently, according to at least one statement by an official, there is something to do here with race. But he was ringing a doorbell, and he was shot twice—once in the head.

The young woman that I speak of was White. She went into the wrong driveway, and she was shot.

Is this where we are in this country? People are going to be killed for ringing the wrong doorbell? Going to be murdered for pulling up in a driveway? Innocently, I might add.

Is this where we are?

We ought to be in mourning today. These lives matter. We ought not allow this to happen without some sort of special occasion, something that speaks to them, some sort of way of commemorating this.

We have gotten to the point now where it is just a life lost. Tomorrow there will be more. The day after that, even more.

What is wrong with us?

Can not we see where we are headed? We stand on the eve of destruction and don’t know it. We are going to destroy ourselves.

Mr. Speaker, we have the power to do something about this. We cannot allow constitutional carry, meaning just get a gun and not have to take any sort of test. You don’t have to prove that you are a person who can manage this level of lethality. You can buy a gun because you have the money to buy it. Then only God knows what you will do with it.

I am not contending that I know the history of these two persons. That is not it. But I am saying to you that if we don’t get a handle on what we are doing with this level of lethality by placing these weapons in the hands of people willy-nilly, we are going to see more of this. It can be your child next.

Do not assume that it cannot happen to you. It can be your daughter. These were the children of somebody, and they deserve life, liberty, and the pursuit of happiness.

I am totally, completely, and absolutely antithetical to this notion of constitutional carry, where you can just buy a gun because you have the money to buy it. We ought to have red flag laws in this country. We ought to be able to decide whether or not we are going to allow people to have lethality that can, at a moment’s notice, take tens of lives.

Gun manufacturers ought to be held accountable for placing this level of

lethality within the communities. At some point, gun manufacturers are going to lose this immunity they have to being held accountable. The Congress never should have given it to them.

This is a sad day in the history of this country. Two people—it doesn't matter about their color—two people were shot because they happened to be in the wrong place in the presence of persons with lethality.

CELEBRATING FAITH MONTH

The SPEAKER pro tempore. The Chair recognizes the gentleman from Louisiana (Mr. JOHNSON) for 5 minutes.

Mr. JOHNSON of Louisiana. Mr. Speaker, this week, we are observing the second annual celebration of Faith Month.

Concerned Women for America and other sponsors are encouraging legislators across our country to give public display of our personal faith freely and openly. What a great exercise this is.

Of course, even though there is a dangerous trend today to discourage the display or depiction of the exercise of our faith in the public square—certainly, there is a move to keep religion out of politics and to rigidly enforce the so-called separation of church and state—the Founders of this country would have certainly supported our efforts here today.

Indeed, this common misunderstanding about the separation concept—and it is an important one—is one that is useful for us to address. I think today is a good day to do it. In fact, it is one of my favorite subjects. It is a topic that I have debated and written and taught university courses on for about 25 years, about a quarter of a century. For two of those decades, I was in the courts defending religious freedom cases. I learned during that time that I really believe that this is among the most misunderstood subjects in our entire culture.

You see, most people today who insist upon a rigid separation of church and state are unaware that that phrase derives not from the Constitution itself, of course, but from a personal letter that Thomas Jefferson wrote to the Danbury Baptist Association in 1802. He explained that because “religion is a matter which lies solely between man and his God,” the language of the First Amendment is a vital safeguard of our “rights of conscience.”

Jefferson said he revered “that act of the whole American people which declared that their legislature should ‘make no law respecting an establishment of religion, or prohibiting the free exercise thereof,’ thus building a wall of separation between church and state.”

That is what he wrote in his letter to the Danbury Baptists, but Jefferson clearly did not mean that metaphorical wall was to keep religion from influencing issues of civil government. To the contrary, it was meant to keep the

Federal Government from impeding the religious practice of citizens.

The Founders wanted to protect the church from an encroaching state, not the other way around. The majority of the Founders, having personally witnessed the abuses of the Church of England, were determined to prevent the official establishment of any single national denomination or religion.

Of course, we know that, but here is the point. They very deliberately listed religious liberty, the free exercise of religion, as the first freedom protected in the Bill of Rights because—here is the key—they wanted everyone to freely live out their faith as that would ensure a robust presence of moral virtue in the public square and the free marketplace of ideas.

Volumes written on this topic can be summarized probably best and most concisely by reference to the sentiments of our first two Presidents.

In his historic Farewell Address, President George Washington, of course, famously said: “Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports.”

Our second President, John Adams, came next, and he said: “Our Constitution was made only for a moral and religious people. It is wholly inadequate to the government of any other.”

What these two Founders and their fellow patriots all understood from history was that there are many important rules and practices that can help build and sustain a healthy republic, but the key and essential foundation of a system of government like ours must be a common commitment among the citizenry to the principles of religion and morality.

The Founders acknowledged in the Declaration the self-evident truths that all men are created equal and that God gives all men the same inalienable rights. However, they knew that in order to maintain a “government of the people, by the people, for the people,” as Lincoln later articulated, in “this nation, under God,” those inalienable rights must be exercised in a responsible manner.

They thus believed in liberty that is legitimately constrained by a common sense of morality and a healthy fear of the creator who granted all men our rights.

The Founders understood that all men are fallen and that power corrupts. They also knew that no amount of institutional checks and balances and decentralization of power in civil authorities would be sufficient to maintain a just government if the men in charge had no fear of eternal judgment by a power higher than their temporal institutions.

A free society and a healthy republic depend upon religious and moral virtue because those convictions in the minds and hearts of the people make it possible to preserve their essential freedoms by emphasizing and inspiring individual responsibility and self-sac-

rifice and the dignity of hard work, the rule of law, civility, patriotism, the value of family and community, and the sanctity of every single human life.

They knew that this would be important, and without these virtues indispensably supported by religion and morality, every nation would ultimately fail.

Inscribed on the third panel of the Jefferson Memorial here in Washington is a sobering reminder to every American. It says: “God who gave us life gave us liberty. Can the liberties of a nation be secure when we have removed a conviction that these liberties are the gift of God?”

This a great time to preserve our faith. We can never back down. I thank the Concerned Women for America.

CHOOSE PROTECTING OUR TRANS CHILDREN OVER POLITICS

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. MENENDEZ) for 5 minutes.

Mr. MENENDEZ. Mr. Speaker, I rise today to speak in opposition to H.R. 734, a bill that chooses politics over protecting our children, specifically our trans children.

With all the challenges we are facing as a country, with all the challenges so many working and middle-class families are facing, it is astonishing that we are here debating legislation that seeks to target our children.

I intentionally say “our children” because I do believe as legislators we should be concerned about every child in America, whether they live in a red or blue State, urban or rural community, and however they choose to identify.

Yet, Republicans, not just in this body but in legislatures across the country, have set their mark on trans children. When we speak of trans children, by most estimates, we are talking about 300,000 people in a country of 331 million, and even fewer who participate in school sports.

Just think about that. With all the power bestowed upon us, upon this august institution, Republicans are choosing to use that might to prevent trans children from participating in sports. They do so instead of working with Democrats to provide tangible solutions to the challenges that so many Americans are facing.

Why are we not voting today to make permanent the expanded child tax credit, which lifted 2.9 million children out of poverty?

Why are we not voting today on legislation that would make pre-K available to all families and, in doing so, alleviate one of the most significant burdens that working parents face each and every day?

Why are Republicans not focusing on these issues, debating and voting on real change for the majority of American families?

This week, Republicans will constantly talk about protecting our children, yet they won't work to solve the