

**AMENDMENT TO H.R. 5078, AS REPORTED  
OFFERED BY MR. BISHOP OF NEW YORK**

Strike section 2 and insert the following:

1 **SEC. 2. PRESERVING THE FEDERAL-STATE PARTNERSHIP**  
2 **IN PROTECTING WATER QUALITY.**

3 (a) IN GENERAL.—For the purposes of the Federal  
4 Water Pollution Control Act (33 U.S.C. 1251 et. seq.) and  
5 in accordance with paragraph (2), any final rule that is  
6 based on the proposed rule described in the notice of pro-  
7 posed rule published in the Federal Register entitled “Def-  
8 inition of ‘Waters of the United States’ Under the Clean  
9 Water Act” (79 Fed. Reg. 22188 (April 21, 2014)) shall  
10 not apply in a State that has established and is diligently  
11 implementing a program to protect the waters (including  
12 wetlands) of such State in a manner that is as least as  
13 protective as that provided by such final rule, as deter-  
14 mined by the Administrator and the Secretary.

15 (b) LIMITATION.—Subsection (a) shall only apply—  
16 (1) in a State that has an approved program  
17 under section 402(b) or 404(h) of the Federal Water  
18 Pollution Control Act (33 U.S.C. 1342(b); 1344(h));  
19 and

1 (2) within the specific authority of such ap-  
2 proved program.

