

**AMENDMENT TO H.R. 5078, AS REPORTED  
OFFERED BY MR. DEFAZIO OF OREGON**

Page 3, strike line 3 and all that follows through line 23 on page 8 and insert the following (and redesignate the subsequent section accordingly):

1 **SECTION 1. WITHDRAWAL OF PROPOSED AND INTERPRE-**  
2 **TIVE RULES.**

3 Not later than 30 days after the date of enactment  
4 of this Act, the Secretary and the Administrator shall  
5 withdraw—

6 (1) the proposed rule described in the notice of  
7 proposed rule published in the Federal Register enti-  
8 tled “Definition of ‘Waters of the United States’  
9 Under the Clean Water Act” (79 Fed. Reg. 22188  
10 (April 21, 2014)); and

11 (2) the interpretive rule described in the notice  
12 of availability published in the Federal Register enti-  
13 tled “Notice of Availability Regarding the Exemp-  
14 tion from Permitting Under Section 404(f)(1)(A) of  
15 the Clean Water Act to Certain Agricultural Con-  
16 servation Practices” (79 Fed. Reg. 22276 (April 21,  
17 2014)).

1 **SEC. 2. DEVELOPMENT OF REVISED RULE.**

2 (a) IN GENERAL.—The Secretary and the Adminis-  
3 trator shall develop a revised proposed rule to define the  
4 term “waters of the United States” as used in the Federal  
5 Water Pollution Control Act (33 U.S.C. 1251 et seq.) and  
6 to identify—

7 (1) the scope or types of waters covered under  
8 that Act; and

9 (2) the scope or types of waters not covered  
10 under that Act.

11 (b) CONSULTATION.—In developing the revised pro-  
12 posed rule, the Secretary and the Administrator shall—

13 (1) consider the public comments received on  
14 the proposed and interpretive rules referred to in  
15 section 1; and

16 (2) consult with and solicit recommendations  
17 from State and local officials, stakeholders, and  
18 other interested parties.

19 (c) PUBLICATION.—Not later than 1 year after the  
20 date of withdrawal of the proposed and interpretive rules  
21 under section 1, the Secretary and the Administrator shall  
22 publish the revised proposed rule in the Federal Register.

