At Seymour Johnson Air Force Base, we authorized $54 million for the child development center. During multiple base visits, we toured the existing center, which is in dire need of repair, met with staff, and visited the precious children of our servicemembers, who are in dire need of this support.

We also authorized $41 million for Seymour Johnson's Combat Arms Training and Maintenance Complex to ensure our airmen are ready to deploy.

Additionally, we authorized a timeline extension for the Marine Corps Air Station Cherry Point Flightline Utilities Modernization project in full support of our F–35s.

Our investments here in eastern North Carolina will not only strengthen our economy but also contribute to America's safety.

RECOGNIZING POLICE CHIEF DENTON CARLSON

(Mr. DESAULNIER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DESAULNIER. Mr. Speaker, I rise today to recognize the extraordinary career of San Ramon, California, Police Chief Denton Carlson as he retires after 27 years of service.

Chief Carlson began his law enforcement career in 1998 and later joined the San Ramon Police Department during its founding in 2007. Quickly rising through the ranks, he became captain in 2017 and chief in 2022.

Chief Carlson additionally served as the director of the city's Office of Emergency Management from 2015 to 2022. His leadership was instrumental in launching the police department's community resource and crime prevention division and its social media and emergency communications systems.

Deeply respected in the community by all the citizens, please join me in thanking Chief Carlson for his extraordinary and many years of public service and for public safety and congratulating him on a well-deserved retirement.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Lasky, one of its clerks, announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 1884. An act to clarify the Holocaust Expropriated Art Recovery Act of 2016, to appropriately limit the application of defenses based on the passage of time and other nonmerits defenses to claims under that Act.

S. 2584. An act to amend title 18, United States Code, regarding additional assessments on convicted persons, and for other purposes.

S. 3424. An act to amend titles 11 and 28, United States Code, to modify the compensation payable to trustees serving in cases under chapter 7 of title 11, United States Code, to extend the term of certain temporary offices of bankruptcy judges, and for other purposes.

PROMOTING EFFICIENT REVIEW FOR MODERN INFRASTRUCTURE TODAY ACT

GENERAL LEAVE

Mr. GRAVES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3898.

The SPEAKER pro tempore (Mr. OWENS). Is there objection to the request of the gentleman from Missouri?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 936 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3898.

The Chair appoints the gentleman from North Carolina (Mr. MCDOWELL) to preside over the Committee of the Whole.

□ 1124

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3898) to amend the Federal Water Pollution Control Act to make targeted reforms with respect to waters of the United States and other matters, and for other purposes, with Mr. MCDOWELL in the chair.

The CHAIR. The House is in the Committee of the Whole House on the state of the Union for the consideration of H.R. 3898, which the Clerk will report by title.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall be confined to the bill and amendments specified in section 1 of House Resolution 936 and shall not exceed 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure or their respective designees.

The gentleman from Missouri (Mr. GRAVES) and the gentlewoman from Michigan (Ms. SCHOLTEN) each will control 30 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. GRAVES. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chair, I am proud to rise in support of H.R. 3898, the Promoting Efficient Review for Modern Infrastructure Today Act, or the PERMIT Act, which will make permitting processes under the Clean Water Act more efficient, consistent, and transparent while continuing to protect our Nation's water quality.

Our Clean Water Act permitting regime is broken.

When it takes up to 18 months to receive a permit under just the Clean Water Act to build a pipeline, dam, road, pond, or home, something is simply wrong.

When wastewater utilities are being sued by radical environmentalists because the EPA didn't give them a permit they could trust, something is wrong.

When one State can weaponize the Clean Water Act to stop a pipeline that would allow citizens in other States to move off heating oil in the winter to a cheaper and more reliable source of energy, for reasons not remotely related to water quality, something is wrong.

When the Federal Government is allowed to write water quality standards that no one can afford without passing on costs to the ratepayers, or for which the technology to achieve such standards isn't even available in this country, something is wrong.

I believe that regulations should be simple to understand, achievable, and easy to follow. Good process often leads to good decisionmaking, more consistent outcomes, and prosperity, and that is what this bill seeks to achieve.

The partnership between the private sector, States, and the Federal Government envisioned by the Clean Water Act has worked to improve water quality nationwide. This is a very good thing. We all share the goal of achieving clean water. However, 50 years after its passage, the Clean Water Act needs modernization. It is just as simple as that.

This bill makes commonsense reforms, such as clarifying the section 401 process to stop it from being weaponized; codifying longstanding, bipartisan exemptions from the definition of waters of the United States; placing clear timelines on judicial review for permits; and increasing transparency in the development of water quality standards.

It also directs the Corps to eliminate the backlog of outstanding section 404 permit applications and jurisdictional determinations and eliminate duplicative and unnecessary permitting processes for areas such as pesticides, aerial fire-retardant use, and so much more.

The bottom line is that without reforming the Clean Water Act, America cannot efficiently build roads, bridges, pipelines, ponds, dams, levees, airports, homes, farms, and other infrastructure that we need.

This bill acknowledges that we can both protect our natural resources and allow for development that benefits everyone in this country. Because of this, H.R. 3898 enjoys support from a wide range of stakeholders, from water utilities to energy developers, the construction industry, farmers, and Main Street businesses.

I urge my colleagues who support commonsense solutions to vote in favor of H.R. 3898.

Mr. Chair, I reserve the balance of my time.

Ms. SCHOLTEN. Mr. Chairman, I rise today in opposition to H.R. 3898, the PERMIT Act, but I rise for so much more than just simply to oppose this bill.

The Clean Water Act was enacted into law 50 years ago at a time when

our rivers were catching fire, and the Great Lakes were declared dead. For 50 years, we have seen our water pollution decrease because of the efficacy of this law.

The Clean Water Act was not a perfect bill. No bill ever is. I will be the first to admit it needs reform, but this bill is not it.

□ 1130

Mr. Chair, while I rise today in opposition to this bill, I rise for so much more than that. I rise for the affordability crisis that is crippling the American Dream. This bill would shift costs from polluters to rural America, Tribes, and disadvantaged communities.

This is personal for me. Back home in Michigan our families are already struggling with the cost of clean water. The PERMIT Act will exacerbate this reality and task our most vulnerable communities with bearing the increased costs of polluters. I say let's hold the polluters accountable.

H.R. 3898 will also put these disadvantaged communities' public health at risk, jacking up the prices of their healthcare on top of their utility bills. I rise for affordability.

I also rise against the increasing contamination of PFAS, toxic forever chemicals, in our water. Communities throughout west Michigan are working to combat PFAS contamination throughout our rivers and streams. This bill would protect PFAS polluters who put our families in harm's way.

The PERMIT Act will effectively place the responsibility for treating toxic pollution, including PFAS, lead, mercury, and arsenic toward the American taxpayer.

Mr. Chair, I also rise for States' rights. The majority is falsely claiming that certain States are abusing their authority, their literal States' rights, if they deny traditional energy projects in their States.

The States of Washington and New York have provided the committee with documents outlining that the projects they have denied would have failed to meet the State water quality standards, violated their State environmental policy acts, and would have adverse environmental impacts. The GOP is ignoring that fact and weaponizing false claims to weaken State and Tribal authority.

I thought my colleagues on the other side of the aisle were supportive of increased State control over regulations. The PERMIT Act would weaken the ability of States like my home State of Michigan to pursue more rigorous protections for local waters and make our communities more vibrant. I rise for States' rights.

Mr. Chair, I also rise for real permitting reform. We need it now more than ever to help increase the accessibility and the flexibility of permits that are issued for projects across the country, but not at the expense of our clean water.

We have lost over 50 percent of our wetlands in the United States of America. That comes at an increased cost. At a time when costs are rising and flooding becomes more frequent, destroying just 1 acre of wetland will increase costs by $8,000 in additional payouts by American taxpayers through the National Flood Insurance Program. We simply cannot afford the PERMIT Act.

Mr. Chair, I reserve the balance of my time.

Mr. GRAVES. Mr. Chair, I yield 3 minutes to the gentleman from Georgia (Mr. COLLINS), the Water Resources and Environment Subcommittee chair and the bill's sponsor.

Mr. COLLINS. Mr. Chair, I thank the chairman for his leadership on our committee and for this piece of legislation, as well as all my colleagues who had input into this piece of legislation.

Mr. Chair, it is a great piece of commonsense legislation. I tell folks all the time I have got more years behind me than in front of me. One of the reasons that I came to Washington, D.C., was to make sure that my kids and the next generation had the same opportunities that I did when I was growing up.

This piece of legislation addresses that. It is one of many pieces, but it addresses that with the fact that all we are doing is asking for the Federal Government to become more efficient and more productive. When we do that, we make life more affordable for everyone.

Mr. Chair, it just does not make common sense that it takes over 10 years to build a road out. It does not make sense when we spend over 7 years fighting for permits and fighting frivolous lawsuits with environmentalists on a build-out plan of 2½ or 3 years.

It doesn't make common sense when an electric generating power company wants to build a natural gas facility but they will miss the economic growth because it takes over 10 years to get a permit to lay the pipeline.

It doesn't make common sense when our rural communities out there are struggling. The water treatment facilities are worn out and they are old, but they can't participate in the economic growth that is coming because it will take them over a decade to get a permit. That is not just to mention the fact this bill addresses clarity for our farmers out there or more affordable homebuilding.

Mr. Chair, I know this is not a big, sexy headline topic, but this is an important piece of legislation. It will help improve efficiency and productivity with our Federal Government and make sure that life is more affordable so that these young people can get out there and chase their version of the American Dream.

Mr. Chair, I urge all my colleagues to support this piece of legislation. Let's get H.R. 3898 passed out of the House and sent over to the Senate.

Ms. SCHOLTEN. Mr. Chair, I yield 5 minutes to the gentleman from Washington (Mr. LARSEN), the esteemed ranking member of this committee.

Mr. LARSEN of Washington. Mr. Chair, I thank Representative SCHOLTEN for yielding time.

Mr. Chair, I rise today to oppose the dirty water act. This bill will make it more difficult to keep our water clean and will, ironically, add more uncertainty to the permitting process, just the opposite of what we need to have happen. This bill guts Federal, State, Tribal, and local authority and resources to attain clean water and protect locally important water bodies.

First, this bill significantly restricts Federal oversight and regulatory authorities under the Clean Water Act. The current administration has already acted to slash Federal funding for clean water and eliminate agency staff. This bill compounds those efforts and will leave Federal agencies powerless to fulfill their responsibilities under the Clean Water Act.

Second, the bill undermines the partnership that the Federal Government has with States and Tribes to prevent pollution, weakening States' and Tribes' ability to better protect their own water. The result will be more pollution in our Nation's rivers, streams, and lakes, thanks to loopholes, legal shields, and limited oversight of polluters.

Third, this bill will end up slowing projects by increasing regulatory uncertainty and delay. Democrats want to pass bills that invest in infrastructure and get projects done faster. That is why we passed the bipartisan infrastructure law. It invested in all types of infrastructure for communities nationwide. Fully funding projects and the Federal agencies charged with approving them is the quickest way to get this infrastructure built.

Instead, this bill, when paired with efforts to cut funding, as well as other Federal water infrastructure programs, will slow down investments in cleaner, greener, safer, and more accessible State and local projects.

Under this bill, communities of all sizes will end up with dirtier water and be left with the cost of cleanup. This will hurt rural communities and minority communities. It will hurt them especially hard, as well as other communities struggling financially under the policies of the current administration.

This bill shifts the cost of pollution from polluters to American families who will have to spend more for safe drinking water and access to water-related recreational areas if such resources are even still available.

Members of this committee on a bipartisan basis have supported predictability in regulating clean water, and there is another way. We don't have to choose between clean water and a robust economy. We can have both. My State is a great example. It is defined by its clean water, including the Puget Sound and hundreds of lakes and thousands of miles of rivers and streams throughout Washington.

We all know that rivers, streams, and wetlands are intrinsically connected. The health of the waters in my State and its water-related economy depend upon a strong partnership with the Federal Government and a level playing field among its upstream users and downstream neighbors, including local Tribal communities.

During the consideration of this bill in the committee, my Democratic colleagues offered several amendments to fix the loopholes, liability shields, and limited oversight for polluters contained in this bill. These amendments targeted the most egregious provisions of this bill, not every provision of the bill.

It targeted provisions that eviscerated Federal and State clean water agencies; provisions that made it easier for polluters to put more toxic and cancer-causing chemicals in waters such as PFAS, arsenic, and pesticides; and provisions that endanger not only our own health but the health of local, regional, and State economies. These were all defeated on party-line votes, unfortunately.

Honestly, I do look forward to the Transportation and Infrastructure Committee returning to its bipartisan work and creating effective legislation that will upgrade our infrastructure, that will build our economy and create jobs, all while protecting our waters.

Mr. Chair, unfortunately, the outcome of this bill, if enacted, will be increasing pollution and contamination of our waters. I oppose this bill, and I urge my colleagues to do the same.

□ 1140

Mr. GRAVES. Mr. Chairman, before I yield, I would like to point out that in the Transportation and Infrastructure Committee, we can disagree, oppose, debate, and we remain friends both within our parties and across the aisle. I am proud of the committee for that, both the minority and the majority side. In fact, I am very proud of that aspect.

Mr. Chairman, I yield 2 minutes to the gentleman from Utah (Mr. OWENS).

Mr. OWENS. Mr. Chairman, I, too, thank Chairman GRAVES for his leadership in advancing commonsense permitting reform that cuts red tape and restores accountability to Federal decisionmaking.

I am proud that one of our top priorities this Congress, the Water Quality Criteria Development and Transparency Act, is included in this package. This legislation will finally bring clarity and consistency to the Clean Water Act permitting process by requiring the EPA to publish clear, accessible guidance on water quality certifications.

For Utah and other Western States, where water is scarce and infrastructure projects are critical to our growth, this reform is a game changer. Too often, confusing, and inconsistent permitting rules delay or derail projects that communities depend on, whether it is water storage, energy development, or transportation.

The PERMIT Act is about delivering certainty and efficiency without compromising environmental standards. I am proud to support it, and I look forward to getting this across the finish line for Utahns and for Americans across the country.

Ms. SCHOLTEN. Mr. Chairman, I yield 2 minutes to the gentlewoman from New Jersey (Ms. POU).

Ms. POU. Mr. Chair, I rise to oppose this bill, H.R. 3898, because it is an affront to environmental stewardship everywhere. It undermines the 50 years of vital, clean water progress and weakens the ability of States like New Jersey to control pollution in its own waters.

Supporting localities in their efforts to provide clean water is one of my top priorities as a member of the Water Resources and Environment Subcommittee. I know firsthand the danger of aging stormwater, sewer, and flood infrastructure to our environment and health.

It is unacceptable that this bill would allow polluters to release raw or partially untreated sewage into our waters because they believe that the water treatment technology is much too expensive.

These environmental rollbacks will only make our wealthiest polluters richer and our riverfront communities sicker.

Stormwater infrastructure is critical. Our communities must have the tools that they need to keep people safe.

That is why I offered an amendment to require the EPA to certify before implementing this bill that it will not increase sewer overflows, stormwater discharges, or flooding risks. Unfortunately, the amendment was blocked by the House majority.

These terrible and horrible hazards endanger personal property, businesses, local economies, critical infrastructure, and, most importantly, human life and safety. This bill allows irreparable, preventable damage in our communities, and I urge all of my colleagues to vote ''no.''

Mr. GRAVES. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri (Mr. BURLISON).

Mr. BURLISON. Mr. Chair, I thank the gentleman for yielding.

Mr. Chair, I rise today in support of the PERMIT Act introduced by my good friend and chairman of the Water Resources and Environment Subcommittee, Congressman MIKE COLLINS.

This bold legislation delivers a long-overdue blow to the radical environmental agenda that has weaponized the Clean Water Act, paving the way for critical infrastructure projects to move forward and be free from the regulatory shackles imposed by this Washington swamp.

For too long, the Federal Government and environmental activists have waged legal warfare on our farmers, small businesses, and job-creating projects, causing endless delays and litigation.

Mr. Trump's vision is clear: America is building again.

My Judicial Review Timeline Clarity Act, which is included in this vital permitting reform package, establishes a strict 60-day window to challenge section 404 permits once the Army Corps of Engineers grants authorization.

Section 404 of the Clean Water Act exists to safeguard our waters, not empower radical environmentalists to harass hardworking Americans with legal hurdles years after permits are granted.

Let me be clear. The days of radical environmentalists holding our Nation's projects hostage with their antigrowth and antijob agenda are over.

The PERMIT Act slashes red tape, ends bureaucratic overreach, and restores the freedom to build an America that works for its people again.

Mr. Chair, I commend Chairman GRAVES and Subcommittee Chairman COLLINS for their leadership in advancing this pro-growth, America First legislation, and I urge my colleagues to support this bill.

Ms. SCHOLTEN. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from the great State of Michigan (Ms. MCDONALD RIVET).

Ms. MCDONALD RIVET. Mr. Chair, let me be clear. We need permitting reform. Red tape and layers of bureaucracy have crippled cities working to add housing, alternative energy sources, critical economic development projects, and, ultimately, it gets in the way of jobs. I concede that. It gets in the way of progress and even stops our agenda of lowering the costs for struggling families.

I support the idea of what this bill is trying to accomplish. However, the PERMIT Act in this current form is not the solution. It lacks common sense and ultimately hurts middle-class and working-class Americans.

Let's start here: The efficiency in government cannot come at the expense of clean water and lowering costs for all Americans.

If passed as is, the PERMIT Act will increase pollution in our public waters and strip State and Tribal rights to effectively protect their own waters. It will also dramatically increase water bills across the country, particularly in rural communities.

I proudly represent the city of Flint. We know devastating consequences of a lack of oversight of water quality. Over a decade later, my constituents are still dealing with the health and economic fallout, and the trust in government in our home communities will never be the same.

Efficiency is important. American industry will falter and families will suffer if unnecessary red tape gets in the way of innovation and building. However, as we cut red tape, we need to do so in a smart way, not in a way that

will put clean water at risk, especially for the rural, Tribal, and low-income communities who stand to lose the most because of this bill.

For this reason, at the appropriate time, I will offer a motion to recommit this bill back to committee. If the House rules permitted, I would have offered the motion with an important amendment to this bill. My amendment would prohibit the implementation of any provisions in this bill that increase water pollution, jeopardize States' abilities to set their own water standards, or increase water utility costs for Americans.

This isn't radical environmentalism. This is moving forward on permit reform with common sense.

The Acting CHAIR (Mr. FINSTAD). The time of the gentlewoman has expired.

Ms. SCHOLTEN. Mr. Chair, I yield an additional 30 seconds to the gentlewoman from Michigan.

Ms. MCDONALD RIVET. Mr. Chair, I hope my colleagues will join me in voting for the motion to recommit.

Mr. Chair, I include in the RECORD the text of the amendment.

Ms. McDonald Rivet moves to recommit the bill H.R. 3898 to the Committee on Transportation and Infrastructure with instructions to report the same back to the House forthwith, with the following amendment:

Page 40, after line 16, insert the following:

SEC. ___. PROHIBITION ON DEPRIVING RURAL, TRIBAL, AND ECONOMICALLY-DISADVANTAGED COMMUNITIES OF CLEAN WATER.

The Administrator of the Environmental Protection Agency, the Secretary of the Army, acting through the Chief of Engineers, and each State may not implement any amendment made by this Act that will result in—

(1) increasing the volume, toxicity, or concentration of pollutants in a waterbody that has been designated by a State or an Indian Tribe for—

(A) use supplying, or supporting the supply of, public water; or

(B) recreation;

(2) limiting the ability of the Administrator or a State to develop and implement a water quality standard, pretreatment requirement, or effluent limitation, solely on the basis of cost of compliance to the discharger; or

(3) increasing the rates charged for wastewater treatment services (including in rural, Tribal, or economically disadvantaged communities) as a result of transferring the cost for removing any pollutants, or treating such waterbody, to protect the public health or welfare.

Mr. GRAVES. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. LAMALFA), who is the Western Caucus chairman.

Mr. LAMALFA. Mr. Chair, I rise today in support of the PERMIT Act, which includes important provisions for my own bill, the Forest Protection and Wildland Firefighter Safety Act.

In the West, we live with the reality that a single spark can turn into a forest disaster instantly, like we saw 11 months ago in Pacific Palisades and in Altadena.

In my district, the city of Paradise is still rebuilding from the 2018 Camp fire. Every season brings the same concern as well, like the disappearance of the towns of Greenville and Canyon Dam in Plumas county.

We need every tool to keep ready to prevent a new, small fire from turning into the next catastrophe. One of the most important tools we have, that the Forest Service relies on, is the use of aerial fire retardant, that pinkish red stuff you see coming out of the DC–10s and many other aircraft. It effectively slows the spread of fast-moving fires and gives the hand crews and trucks on the ground a chance to get control. However, a lawsuit by an environmental group claimed the Forest Service can't use this retardant without a Clean Water Act permit, even though it has used it for dozens of years very successfully.

A judge agreed, and now that group is working to block the use of this retardant altogether while the Forest Service waits for permits to grind through an EPA process. Thankfully, a temporary stay on the lawsuit didn't take this critical tool away starting 2 years ago.

Mr. Chair, 47 States have delegated authority under the Clean Water Act. That means that even after the EPA issues a permit, those States, including my home of California, would have to issue their own permits. This would create a maze of different requirements and bog down the Forest Service in red tape at the exact moment when speed matters.

□ 1150

My bill fixes that.

The Clean Water Act already recognizes the difference between fighting fires and causing pollution. My bill ensures that the aerial fire retardant, which is already subject to strict Forest Service rules, is treated the same way as runoff from other fire control activities, so our firefighters aren't stuck waiting on paperwork and permit approvals when lives and towns are in harm's way.

We have seen what happens when delays allow fires to get ahead of us. California alone has lost over 13.5 million acres in the last decade.

We can't afford to tie the hands of the people trying to stop these fires. I urge passage. Please vote for the PERMIT Act.

Ms. SCHOLTEN. Mr. Chair, I yield 2 minutes to the distinguished gentlewoman from the great State of California (Ms. MATSUI).

Ms. MATSUI. Mr. Chair, I rise today to speak in opposition to H.R. 3898.

Clean water used to be something we all agreed upon. The Clean Water Act was originally passed by an overwhelmingly bipartisan majority because we understood that clean water is not a luxury. It is really a basic right. Now, Republicans in this Chamber are doing everything they can to roll back and repeal what is left of the Clean Water Act.

Among the many disastrous provisions in this bill, the PERMIT Act would give President Trump the authority to declare any body of water exempt from Clean Water Act protections. It is just a stunning betrayal of the American people.

Outside these walls, Americans overwhelmingly support the Clean Water Act. Survey after survey has found that Americans believe the government should do more to protect our lakes, rivers, and streams, not less.

This should not be a hard vote. I urge my colleagues to protect clean water and urge a ''no'' vote on H.R. 3898.

Mr. GRAVES. Mr. Chair, may I inquire as to the time remaining.

The Acting CHAIR. The gentleman from Missouri has 19½ minutes remaining.

Mr. GRAVES. Mr. Chair, I yield 2 minutes to the gentleman from Ohio (Mr. TAYLOR).

Mr. TAYLOR. Mr. Chair, I thank Chairman GRAVES and Chairman COLLINS for their hard work on this pragmatic and effective piece of legislation.

I rise today in support of H.R. 3898, the PERMIT Act, which would cut red tape within the Clean Water Act's permitting processes. This legislation will provide much-needed regulatory certainty for America's farmers, small businesses, manufacturers, home and road builders, and many other permit holders.

My colleagues across the aisle continue to promote the fallacy that improving permitting processes comes at the expense of the environment. Congress can continue to be good stewards of our environment while also removing regulations and processes that do not protect the environment but rather create obstacles that prevent economic growth and prosperity in Ohio and across the country.

Among these provisions, the PERMIT Act makes commonsense reforms to the Clean Water Act permitting process that will continue to protect our Nation's water resources. These reforms increase transparency and provide clarity and consistency for permit holders so they can maintain compliance with the law and provide reasonable guardrails to prevent the weaponization of these permitting processes.

In particular, I am proud that my bill, the Confidence in Clean Water Permits Act, is included in the underlying legislation. My bill provides reasonable protections for National Pollutant Discharge Elimination System permit holders against frivolous lawsuits if they are acting in good faith and within the scope of their permits. Permit holders who are in compliance with these permits, and who often provide well-paying jobs to Americans, should not be punished with frivolous lawsuits when they comply with the terms of their permits.

I encourage my colleagues to vote in favor of the PERMIT Act to provide regulatory relief and certainty under the Clean Water Act for businesses in Ohio and across the Nation.

Ms. SCHOLTEN. Mr. Chair, I yield myself such time as I may consume.

I just need to say that I agree with so much of what my colleague said about the need for real permitting reform, but that is not this bill. The PERMIT Act is nothing more than a dirty water bill dressed up in a fancy name.

We need to come back to the table, reject this bill, and pass real and meaningful permitting reform that will not pass the cost of polluted waters on to vulnerable, rural, and Tribal communities. Let's come back to the drawing board and reject the PERMIT Act.

Mr. Chair, I yield 2 minutes to the distinguished gentlewoman from Washington (Ms. JAYAPAL).

Ms. JAYAPAL. Mr. Chair, I rise in strong opposition to the PERMIT Act, Republicans' latest attempt to help corporate polluters dodge responsibility.

This alarming bill would weaken the Army Corps' permitting process and EPA's Clean Water Act authorities, threatening my district, where the Clean Water Act protects our waters, our salmon, and our people.

Moreover, this bill would impose an unworkably short 60-day review of dredge-and-fill permits. Two months is simply not enough time for underresourced communities to understand the effects that a project could have, let alone to mount any meaningful opposition to protect themselves.

Access to judicial review ensures that communities, Tribes, and local governments can challenge decisions and raise potential harms that have not yet been considered. Without it, agency actions just go completely unchecked.

This legislation prioritizes polluters over people's clean water and public health, and it especially puts all the harms disproportionately on our low-income and rural constituents and our communities of color. They deserve so much better. They deserve our support, rather than throwing them under the bus.

Our permitting systems do need to be improved, and we have found a way in our State to do that. This is a false solution that attacks essential clean water safeguards and undermines access to our courts.

I oppose it, and I hope, as the ranking member said, that we can come back and do real permitting reform that doesn't throw communities under the bus and protects our waters.

Mr. GRAVES. Mr. Chair, I yield 2 minutes to the gentleman from Indiana (Mr. SHREVE).

Mr. SHREVE. Mr. Chair, I thank the chairman for yielding. I appreciate the time, and I appreciate my colleague MIKE COLLINS' work on this commonsense package of clean water reforms.

I am grateful that my bill, H.R. 3934, the Water Quality Standards Attainability Act, is included. My bill serves to maintain State and local leadership in setting their water quality standards under the Clean Water Act.

Let me cite a compelling example of why this legislation is necessary. In 2020, the EPA approved in Indianapolis, in my district, new standards for stormwater management. These updates were an aid to ensure that Hoosiers had access to clean water and that our localities were able to deliver on this responsibility. In early '24, under the Biden EPA, this approval was revoked for the infrastructure updates that were already well underway, costing our taxpayers needless millions.

This unpredictability has been a practice of our Federal Government for too long. It is time our local governments and taxpayers have the transparency and certainty with which to cost-effectively invest in our infrastructure.

My legislation will ensure that the regulatory whiplash is in our rearview mirror. My bill will ensure that when States write their rules, they consider affordability and accessibility to water treatment technologies.

Through this legislation, we are providing certainty and predictability in the EPA approval process and a little Hoosier common sense in delivery. I urge my colleagues to support this legislation.

Ms. SCHOLTEN. Mr. Chair, I yield 2 minutes to the distinguished gentlewoman from Maryland (Ms. ELFRETH).

Ms. ELFRETH. Mr. Chair, 2.8 million acres of farmland protected; 35,000 miles of fish passages opened; nearly 1,500 new public water access sites established; upgrades to every large wastewater treatment plant in the watershed to improve water quality; and the largest oyster reef restoration in the world: These are just five of the biggest wins in the last 43 years of the landmark Chesapeake Bay Watershed Agreement. In fact, it was just updated last week after years of careful and difficult negotiation and public input to unite States across the bay to think bigger and bolder to restore the beloved watershed we all share.

□ 1200

We know that water does not adhere to arbitrary political boundaries. Pollution in Pennsylvania will and does flow downstream to Maryland and Virginia.

All States rely on the EPA to conduct oversight and enforcement of pollution entering our waterways and to hold everyone accountable to our shared communities.

Yet, the bill before us today, the PERMIT Act, attempts to dismantle this partnership between States and the EPA by watering down the key enforcement mechanisms that are needed to ensure compliance with evidence-based pollution standards.

I know these bipartisan, multistate partnerships are not easy. I was a part of them before I joined this Chamber. They take years of collaboration.

Mr. Chairman, that should be fostered and not dismantled by this and future Congresses, which is why I urge my colleagues to support this decades-long partnership by voting ''no'' on this bill.

Mr. GRAVES. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota (Mr. STAUBER).

Mr. STAUBER. Mr. Chairman, I rise today in support of H.R. 3898, the PERMIT Act.

Our permitting system is a great burden to our Nation. Permitting delays infrastructure projects indefinitely and stops us from bringing critical energy sources online. It also deters investment in our communities. Make no mistake: Permitting is holding back America.

Mr. Chair, H.R. 3898, the Promoting Efficient Review for Modern Infrastructure Today Act, also known as the PERMIT Act, aims to unleash the American economy. It is a package of commonsense reforms that will reduce regulatory burdens, establish certainty, and increase transparency in our permitting system.

This bill will, in turn, create opportunities for homebuilders, our farmers, loggers, and our small business owners. It will entice them to invest in projects that help our local communities grow.

Mr. Chair, I will highlight section 12 of H.R. 3898. Section 12 is the language of my bill, the Reducing Permitting Uncertainty Act.

Section 404(c) of the Clean Water Act allows the EPA to veto a dredge-and-fill permit. However, under Biden, the EPA took it upon itself to proactively reject permits and retroactively take away permits.

In a country of due process, it is absurd that a government can dictate whether a project is good or bad even before an application is filed. The fact that the government can waltz in and shut down years of hard work is staggering.

This section of H.R. 3898 is not a dramatic departure from the status quo. It clarifies timelines and brings certainty. When an application is pending, the EPA can determine whether or not to veto. It is simple.

It does not alter the process, nor does it deprive the EPA of its right to veto. It returns our process to one based on science and facts rather than politics.

Mr. Chair, I thank Congressman COLLINS for his efforts on this package of reforms, and I look forward to supporting it.

Ms. SCHOLTEN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, again, you will hear no argument from me about the need for permitting reform.

We do need reform, but this bill is not what we need. It doesn't just cut red tape. It cuts all of the tape that has protected our clean water for 50 years since the Clean Water Act was signed into law.

The reason we don't have horror stories of rivers catching on fire and the Great Lakes being declared dead is because of the protection that the Clean

Water Act has provided. Despite dramatic population growth, the number of waters meeting water quality standards has doubled since the CWA's passage in 1972.

Mr. Chairman, I will be the first to admit that we need reform of our permitting process, but this dirty water bill is not it.

Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New York (Mr. TONKO).

Mr. TONKO. Mr. Chairman, I thank the gentlewoman for yielding.

Mr. Chairman, our waterways and our waters are precious resources, and we need to advance policies that protect that precious resource and certainly need policies that enable us to be resourceful in the use of this commodity.

In my youth, growing up in my home and hometown of Amsterdam, New York, if you wanted to know what color the Mohawk Carpet Mills were dying their carpets that day, all you had to do was look at the flow of the Chuctanunda Creek as it emptied into the Mohawk River.

With the passage of the Clean Water Act, Congress took historic action to protect public health and improve the quality of drinking water across our great country.

Our rivers, our brooks, and our streams are the center of our communities, and we have come so far to protect and strengthen these resources for the generations that will follow.

Instead of strengthening our waterways, this bill that we are debating today on the House floor is a wholesale attack on what is left of the Clean Water Act. It is a one-two punch that would allow more forever chemicals and harmful pollutants to be discharged into our waterways with little regulation, while diluting the ability for States and Tribes to take action to protect their communities.

I continue to believe that there is a genuine interest in Congress on both sides of the aisle to advance durable, bipartisan solutions to meet our Nation's energy demands, to create good jobs, and to safeguard our communities and environment.

Mr. Chair, I encourage my Republican colleagues to focus on real solutions instead of giveaways to polluters. This special interest crowd that is getting different treatment to pollute and not respect our resources has got to stop.

Mr. Chair, I urge Members to please oppose this bill.

Mr. GRAVES. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. PATRONIS).

Mr. PATRONIS. Mr. Chairman, I thank my friend, AARON BEAN, for introducing this amendment.

Mr. Chairman, after working hard to obtain Federal approval in the first Trump administration, a weaponized court system pulled Florida's 404 permitting out from under us, even though our program was thoroughly vetted and approved in 2020.

Florida's DEP has become a national model for environmental protection, and Washington should be learning from us, not tying our hands.

The amendment makes it clear that once a State assumption program is approved, the EPA cannot withdraw it unless Congress explicitly says so—no more regulatory whiplash, no more political games.

For Florida, this is critical. It protects our section 404 program, and it ends the uncertainty caused by conflicting court rulings and shifting interpretations in Washington.

Meanwhile, the Army Corps of Engineers got a gut punch with an overwhelming caseload while working hard to try to solve dozens of projects that an activist judge has placed on hold in our communities that they desperately need, like stormwater, schools, and even sewer treatment plants not under construction, protecting our most precious environments. But we can't unless the permits can be issued.

This is about predictability, federalism, and letting the States manage their own waterways. It is proinfrastructure, prodevelopment, but, most importantly, it is proenvironmental protection.

Ms. SCHOLTEN. Mr. Chairman, I yield 3 minutes to the distinguished gentlewoman from Michigan (Ms. TLAIB).

Ms. TLAIB. Mr. Chairman, we know that the dirty water bill reduces significant oversight for the Clean Water Act, and it is really important to know that polluters are pushing to weaken this—not residents, not families, and not communities that are directly impacted.

This is about discharging toxic chemicals into our water bodies. I want Members to understand that last year, Congress rejected—again, Congress rejected last year many of the changes being proposed now in the PERMIT Act because it had damaging impacts to the health of families, the economy, and our environment.

Mr. Chairman, it is not just this bill. This week, Republicans are voting now on five dirty energy bills that attack communities I represent. These bills boost dirty energy power plants even as energy companies are transitioning toward cleaner energy.

Dirty energy plants have historically been located in communities that look like mine, in rural communities and minority communities. In Michigan, we already know that certain communities are facing a disproportionate burden from electricity generation.

Just ask the residents of southwest Detroit and the Downriver region in Michigan. They have felt the harm and seen the harm, and they lived the experience of being next to DTE's oil-fired power plant that made them sick.

Mr. Chairman, it is immoral, and Congress must fix it. Yet, many of the pro-polluting Republicans in this Chamber want to talk about making electricity with ''reliable generation facilities,'' when they really are talking about more expensive dirty energy.

There is nothing ''reliable'' about air pollution giving our children asthma. Children not only have the right to be able to not go hungry, but they have a right to breathe clean air. The only thing folks can rely on right now with these plants is getting sicker.

□ 1210

I proposed two amendments this week, Mr. Chair, to protect our communities, but they were rejected. They would have made sure that we have full information and transparency on the disparate impacts and cumulative impacts on minority, rural, disadvantaged, and Tribal communities and would have added safeguards, safeguards that would have been able to define what real reliable generation facilities are.

Again, they were not interested. Why? It is because we know that clean water and clean air is never a priority. It is always going to be about profits for corporate, polluting donors. If you want reliable generation facilities, make them clean so they are not actively poisoning our neighbors, destroying our communities, and making them less attractive places to live, work, and invest.

I promise, if you go to your community and ask them about this dirty water permit bill that you guys are pushing for, as well as what was passed with the energy bills, overwhelmingly, across party lines, they will tell you to protect our land, our soil, our water, our environment, and our health.

Mr. GRAVES. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado (Mr. HURD).

Mr. HURD of Colorado. Mr. Chairman, I am proud to cosponsor the PERMIT Act, commonsense legislation to help America build the infrastructure we need faster and more responsibly.

I am especially grateful that my bill, the Jurisdictional Determination Backlog Reduction Act, is included as a part of this package. Across the country, Americans depend on timely answers from the Army Corps so they know whether their projects require Clean Water Act permits, but the Corps is not keeping up. Right now, thousands of determinations and wetland delineations are stuck in a backlog, leaving projects in limbo.

My proposal directs the Corps to clear this backlog so that landowners and builders get the determinations and clarity they need to move forward in a timely and responsible way.

I thank Chairman GRAVES, Chairman COLLINS, and the Water Resources and Environment Subcommittee staff for their work putting together a bill that cuts red tape, reduces duplicative reviews, and gives farmers, ranchers, utilities, and communities in Colorado and across the country the regulatory certainty that they need to build.

I look forward to advancing this important legislation.

Ms. SCHOLTEN. Mr. Chairman, may I inquire as to the time remaining.

The Acting CHAIR (Mr. DESJARLAIS). The gentlewoman from Michigan has 7 minutes remaining.

Ms. SCHOLTEN. Mr. Chair, I yield 1 minute to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Chair, I rise in strong opposition to the PERMIT Act. For over 50 years, the Clean Water Act has protected rivers, streams, and wetlands that our communities rely on. This bill undermines these protections by shielding polluters from responsibility for toxic waste like PFAS, lead, mercury, and arsenic, and by limiting Federal review and community input when drinking water is at risk.

I filed three straightforward amendments to protect public health: One to require cumulative impacts and groundwater reviews for projects near community drinking water aquifers, like the one that supplies Memphis; a second one to restore oversight and public participation for nationwide permits, protections that would have prevented the Byhalia pipeline from being rushed through my district; and a third one to require the EPA to certify that this bill will not increase exposure to harmful contaminants.

Unfortunately, none were made in order. Therefore, I oppose the bill and urge a ''no'' vote.

Permitting reform should not come at the expense of children's and seniors' health, clean drinking water, or communities with a history of industrial exposure. I do this because of a commitment to the safety of the people.

Looking at my dear friend, Mr. GRAVES, I hate to speak against one of his bills because he was such a good ally when I was on Transportation, and I have great respect for him, but nevertheless I am against the bill.

Mr. GRAVES. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. ROUZER), the chairman of the Subcommittee on Highways and Transit.

Mr. ROUZER. Mr. Chairman, listening to our friends on the other side of the aisle reminds me of what one of my favorite Presidents of the United States said, Mr. Reagan. He said: You know, our friends on the other side of the aisle, they know so much that just isn't so.

Mr. Chair, I am proud to support this much-needed effort to modernize our Nation's water permitting system. I thank Chairman GRAVES, Water Resources and Environment Subcommittee Chairman COLLINS, and many members of the Committee on Transportation and Infrastructure who have worked to develop this package.

I also appreciate the inclusion of three bills that I authored: The Nationwide Permitting Improvement Act, the Reducing Regulatory Burdens Act, and the Improving Water Quality Certifications and American Energy Infrastructure Act.

Each addresses well-documented breakdowns in our Nation's permitting process which delay critical projects, drive up costs, and do nothing to actually improve water quality.

The Nationwide Permitting Improvement Act narrows the scope of the Clean Water Act section 401 certifications to actual water quality impacts and establishes timelines and procedural guardrails of State-level review to prevent misuse and delay.

The Reducing Regulatory Burdens Act removes the need for duplicative National Pollutant Discharge Elimination System permits for pesticide use if the pesticide is already EPA approved and used according to label requirements, which will reduce costs without weakening environmental protections.

Finally, the Improving Water Quality Certifications and American Energy Infrastructure Act codifies the historic nationwide permit process under section 404, extends permit validity to 10 years, and clarifies jurisdiction over dredge-and-fill discharges, providing predictability for infrastructure and energy developers.

Together, the enactment of all these bills will result in clear rules and predictable timelines that will cut costs and promote economic growth while maintaining environmental protections. That is how you battle inflation.

Ms. SCHOLTEN. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I include in the CONGRESSIONAL RECORD a list of over 180 conservation, recreation, hunting, fishing, environmental, Tribal, and State organizations that oppose the PERMIT Act.

189 ORGANIZATIONS OPPOSED TO PROVISIONS IN H.R. 3898, THE PERMIT ACT

Adirondack Council, Alabama Rivers Alliance, Alliance for Appalachia, Alliance for Sustainability, American Fisheries Society, American Fly Fishing Trade Association, American Rivers Action Fund, American Sustainable Business Network, American Whitewater, Appalachian Citizens' Law Center, Arkansas Wildlife Federation, Backcountry Hunters & Anglers, Bayou City Waterkeeper, Beaverdam Creek Watershed Watch Group, Black Warrior Riverkeeper, Black-Sampit Riverkeeper, Buffalo Niagara Waterkeeper, Businesses for Bristol Bay, California Environmental Voters, Californians for Weston Wilderness.

CalWild, Center for Biological Diversity, Chesapeake Bay Foundation, Chesapeake Legal Alliance, Children's Environmental Health Network, Chispa Arizona, Citizens Action Coalition of IN, Citizens Campaign for the Environment, Citizens to Conserve and Restore Indian Creek, City of Goshen, Indiana, Stormwater Department, Clean Water Action, Clean Water Action Council of Northeast Wisconsin, Climate Justice Alliance, Commercial Fisherman for Bristol Bay, Committee on the Middle Fork Vermilion River, Community Water Center, Connecticut League of Conselvation Voters, Connecticut River Conservancy, Conservation Alabama, Conservation Coalition of Oklahoma.

Conservation Council for Hawai'i, Conservation Federation of Missouri, Conservation Law Center, Conservation Northwest, Conservation Society of San Antonio, Conservation Voters New Mexico, Conservation Voters of PA, Crawford Stewardship Project, Delaware Nature Society, Delaware-Otsego Audubon Society, Earth Charter Indiana, Earthjustice Action, Eastern PA Coalition for Abandoned Mine, Reclamation (EPCAMR), Elkhart River Restoration Association, Endangered Habitats League, Environmental Advocates NY, Environmental Defenders of McHenly County, Environmental Defense Fund, Environmental Integrity Project, Environmental Law & Policy Center, Environmental League of Massachusetts, Environmental Working Group, Eureka Recycling, Flow Water Advocates, Food & Water Watch, Freshwater Future, Friends of Bell Smith Springs, Friends of the Boundary Water Wilderness, Friends of the Fox River, Friends of the Mississippi River, Friends of the Rouge, Georgia Wildlife Federation, Great Lakes Business Network, Great Lakes Odyssey Radio Hour, Greater Edwards Aquifer Alliance, GreenLatinos, Hays Residents For Land and Water Protection, Hip Hop Caucus, Holy Spirit Missionary Sisters, USA-JPIC, Hoosier Environmental Council, Huron Pines, Huron River Watershed Council, Hydropower Reform Coalition (HRC), Illinois Division lzaak Walton League of America, Illinois Environmental Council, Indiana Conservation Voters, Indiana Forest Alliance, Indiana Retired Teachers Association, Indiana Sportsmens Roundtable, Indiana Wildlife Federation.

Iowa Environmental Council, Iowa Wildlife Federation, lzaak Walton League of America, lzaak Walton League of America-National Great, Lakes Committee, Izaak Walton League, Ohio Division, Just Transition Northwest Indiana, Kentucky Resources Council, Kentucky Waterways Alliance, Labadie Environmental Organization (LEO), Lake Erie Advocates, League of Conservation Voters, Llano River Watershed Alliance, Maine Conservation Voters, Market Square Presbyterian Church, Harrisburg, PA, Maryland Nonprofits, Massachusetts Rivers Alliance, Michigan City Sustainability Commission, Michigan Climate Action Network, Michigan League of Conservation Voters, Mill Creek Alliance, Milwaukee Riverkeeper, Milwaukee Water Commons, Minnesota Center for Environmental Advocacy, Minnesota Division Izaak Walton League of America.

Minnesota Environmental Partnership, Minnesota Trout Unlimited, Montana Wildlife Federation, MS Communities United for Prosperity (MCUP), N.C. Coastal Federation, National Audubon Society, National Parks Conservation Association, National Wildlife Federation, Native American Rights Fund, Natural Resources Council of Maine, Natural Resources Defense Council, NC League of Conservation Voters, Nebraska Wildlife Federation, Nevada Conservation League, Nevada Wildlife Federation, New Hampshire Audubon, New Jersey League of Conservation Voters, New Mexico Wildlife Federation, New York Department of Environmental Conservation, Next 100 Coalition, North Carolina Wildlife Federation, North Dakota Wildlife Federation, Northeastern Minnesotans for Wilderness, NY/NJ Baykeeper, Ohio Environmental Council, Ohio River Foundation, One Mississippi, Oregon Department of Environmental Quality, Oregon League of Conservation Voters, Parable of the Sower Healing Center (Intentional Community Cooperative), Park Watershed, Partners for Clean Streams, Planning and Conservation League, Prairie Rivers Network, Restore America's Estuaries, River Alliance of Wisconsin, Riverkeeper, SalmonState, Save Our Water, Save the Dunes, Sierra Club, Socially Responsible Agriculture Project, Sociedad Ornitológica Puertorriqueña, Inc, South Dakota Wildlife Federation, Southeast Alaska Conservation Council, Southern Environmental Law Center, Texas Conservation Alliance, The Alaska Center, The Alliance for

Appalachia, The Land Conservancy of McHenry County,The Michigan Forest Association, Town of Clermont, Trout Unlimited, United Tribes of Bristol Bay, Universal Access to Clean Water for Tribal Communities, Upper Sugar River Watershed Association, Upstream Pgh, Valley Sewardship Network, Vermnont Natural Resources Council, Virginia Conservation Network, Virginia League of Conservation Voters, Washington Conselvation Action, Washington State Department of Ecology, Waterkeeper Alliance, Waterkeepers Chesapeake, WaterLegacy, WE ACT for Environmental Justice, West Virginia Rivers Coalition, Wetlands Watch, Wild Salmon Center, Wildlife for All, Winyah Rivers Alliance, Wisconsin Conservation Voters, Wyoming Wilderness Association.

Ms. SCHOLTEN. Mr. Chair, we must think carefully before we act today about what will be lost when the PERMIT Act is signed into law. As I stated throughout our proceedings today, I agree, we need permitting reform, but this bill is not it.

We can come back to the table and come up with solutions that will do both: enhance the speed, clarity, and efficacy with which we issue permits in the United States of America without polluting our water.

We have to think about the 50 percent of wetlands that have been lost, the over 70 percent of rivers and streams that are losing their protections and could join that 50 percent in being lost forever.

As an avid outdoorswoman who loves to hunt and fish—our entire family is four-season anglers throughout the great State of Michigan—I urge my colleagues to think carefully about what we will be losing.

We can come together and advocate for meaningful permitting reform. We need staff to administer permits. The current administration cannot gut Federal agencies on one hand and claim to want speedy Federal processes on the other.

The Army Corps' three senior-most experts have left the agency, as well as an additional 15 to 30 percent of the regulatory staff. This has impacted west Michigan in particular, as we have seen firsthand additional delays under this administration in permitting from the Army Corps.

The PERMIT Act simply directs the Corps and EPA to rewrite Federal rules, again stoking even more uncertainty. My Democratic colleagues and I agree that we need to issue permits more expeditiously in this country. We can do that while not giving up access to clean water.

Mr. Chair, I yield back the balance of my time.

Mr. GRAVES. Mr. Chairman, in closing, H.R. 3898 is critical to achieving more efficient, predictable, and useful permitting for many important projects by streamlining and improving the Clean Water Act's permitting process.

As has been stated, H.R. 3898 will support everyday Americans in every district across this Nation by making commonsense reforms to the Clean Water Act, unleashing America's ability to increase transparency in the development of water quality standards.

□ 1220

It also directs the Corps to eliminate the backlog of outstanding section 404 permit applications and jurisdictional determinations, eliminates duplicative, unnecessary permitting processes for areas such as pesticide in aerial fire retardant use, and so much more.

The bottom line is, we cannot effectively build roads, bridges, pipelines, ports, dams, levies, airports, homes, farms, and many, many other important infrastructure projects.

This bill is a product of hard work by many members of the Committee on Transportation and Infrastructure. In particular, I thank Representatives RICK CRAWFORD, DAVID ROUZER, DOUG LAMALFA, PETE STAUBER, DUSTY JOHNSON, BURGESS OWENS, ERIC BURLISON, JEFF HURD, JEFFERSON SHREVE, DAVE TAYLOR, and JIMMY PATRONIS, who all contributed provisions to this bill.

I especially thank the chairman of the subcommittee, MIKE COLLINS, for working with me on this. He has shown extraordinary leadership in developing this very important issue. I do thank the gentlewoman from Michigan for her friendship in this process, and I would urge support for the bill.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill, as amended, shall be considered for amendment under the 5-minute rule.

The amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure, printed in the bill, is adopted.

The bill, as amended, shall be considered as an original bill for the purpose of further amendment under the 5-minute rule and shall be considered as read.

The text of the bill, as amended, is as follows:

H.R. 3898

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Promoting Efficient Review for Modern Infrastructure Today Act'' or the ''PERMIT Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. WATER QUALITY STANDARDS ATTAINABILITY.

(a) STATE WATER QUALITY STANDARDS.—Section 303(c) (33 U.S.C. 1313(c)) of the Federal Water Pollution Control Act is amended—

(1) in paragraph (1)—

(A) by striking ''The Governor of a State'' and inserting ''(A) The Governor of a State''; and

(B) by striking ''Results of such review shall be made available to the Administrator.'' and inserting the following:

''(B) Reviews under this paragraph shall include review, for purposes of ensuring that combined sewer overflow controls are cost effective, of any water quality standard applicable to a body of water into which, pursuant to a permit, order, or decree issued pursuant to this Act, a municipal combined storm and sanitary sewer discharges.

''(C) Results of each review under this paragraph shall be made available to the Administrator.''; and

(2) in paragraph (2)(A)—

(A) by inserting ''(i)'' before ''their use and value for public water supplies'';

(B) by striking '', and also taking into consideration'' and inserting ''; (ii)''; and

(C) by inserting before the period at the end the following: ''; and (iii) the cost and commercial availability in the United States of treatment technologies (including whether the technologies have been demonstrated at an applicable scale) that may be required to be applied to point sources in order to result in compliance with such standards''.

(b) STATE WATER QUALITY CRITERIA.—Section 304(a) of the Federal Water Pollution Control Act (33 U.S.C. 1314(a)) is amended by adding at the end the following new paragraph:

''(10) CONSIDERATION OF TREATMENT TECHNOLOGIES.—In developing or revising water quality criteria under this subsection, the Administrator shall take into consideration the cost and commercial availability in the United States of treatment technologies (including whether the technologies have been demonstrated at an applicable scale) that may be required to be applied to point sources in order to result in compliance with water quality standards adopted or promulgated under section 303.''.

SEC. 3. WATER QUALITY CRITERIA DEVELOPMENT AND TRANSPARENCY.

(a) INFORMATION AND GUIDELINES.—Section 304(a) of the Federal Water Pollution Control Act (33 U.S.C. 1314(a)) is further amended by adding at the end the following:

''(11) ADMINISTRATIVE PROCEDURE.—After the date of enactment of this paragraph, the Administrator shall issue any new or revised water quality criteria under paragraph (1) or (9) by rule.''.

(b) ADMINISTRATIVE PROCEDURE AND JUDICIAL REVIEW.—Section 509(b)(1) of the Federal Water Pollution Control Act (33 U.S.C. 1369(b)(1)) is amended—

(1) by striking ''section 402, and'' and inserting ''section 402,''; and

(2) by inserting ''and (H) in issuing any criteria for water quality pursuant to section 304(a)(11),'' after ''strategy under section 304(l),''.

SEC. 4. WATER QUALITY TECHNOLOGY AVAILABILITY.

Section 304(b) of the Federal Water Pollution Control Act (33 U.S.C. 1314(b)) is amended—

(1) in paragraph (1)(B), by inserting ''the commercial availability in the United States of the technology (including whether the technology has been demonstrated at an applicable scale),'' before ''and such other factors'';

(2) in paragraph (2)(B), by inserting ''the commercial availability in the United States of the technology (including whether the technology has been demonstrated at an applicable scale),'' before ''and such other factors''; and

(3) in paragraph (4)(B), by inserting ''the commercial availability in the United States of the technology (including whether the technology has been demonstrated at an applicable scale),'' before ''and such other factors''.

SEC. 5. IMPROVING WATER QUALITY CERTIFICATIONS AND AMERICAN ENERGY INFRASTRUCTURE.

Section 401 of the Federal Water Pollution Control Act (33 U.S.C. 1341) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the first sentence, by striking ''may result'' and inserting ''may directly result'';

(ii) in the second sentence, by striking ''activity'' and inserting ''discharge'';

(iii) in the third sentence, by striking ''applications'' each place it appears and inserting ''requests'';

(iv) in the fifth sentence, by striking ''act on a request for certification, within a reasonable period of time (which shall not exceed one year) after receipt of such request, the certification requirements of this subsection'' and inserting ''grant the request for certification with or without conditions, deny the request for certification, or waive the requirement for certification under this subsection with respect to such Federal application, within a reasonable period of time to be determined by the licensing or permitting agency (which shall not exceed one year) after receipt of such request, the requirement for certification under this subsection'';

(v) in the sixth sentence, by striking ''waived as provided in the preceding sentence'' and inserting ''waived under this paragraph''; and

(vi) by inserting after the fourth sentence the following: ''Not later than 30 days after the date of enactment of the PERMIT Act, each State and interstate agency that has authority to give such a certification, and the Administrator, shall publish requirements for certification to demonstrate to such State, such interstate agency, or the Administrator, as the case may be, compliance with the applicable provisions of sections 301, 302, 303, 306, and 307. A decision to grant or deny a request for certification shall be based only on compliance with the applicable provisions of sections 301, 302, 303, 306, and 307, and the grounds for the decision shall be set forth in writing and provided to the applicant. Not later than 90 days after receipt of a request for certification, the State, interstate agency, or Administrator, as the case may be, shall identify in writing all specific additional materials or information necessary for the request for certification to be complete, as described in subsection (g). The State, interstate agency, or the Administrator, as the case may be, may grant a request for certification with or without conditions, deny a request for certification, or waive the requirement for certification under this subsection with respect to such Federal application.'';

(B) in paragraph (2)—

(i) in the second sentence, by striking ''notice of application for such Federal license or permit'' and inserting ''receipt of a notice under the preceding sentence'';

(ii) in the third sentence—

(I) by striking ''any water quality requirement in such State'' and inserting ''any water quality standard in effect for the State under section 303''; and

(II) by inserting before the period ''at a time that is agreed to by such State and the applicant'';

(iii) in the fifth sentence, by striking ''insure compliance with applicable water quality requirements.'' and inserting ''ensure compliance with the applicable provisions of sections 301, 302, 303, 306, and 307.'';

(iv) in the final sentence, by striking ''insure'' and inserting ''ensure'';

(v) by striking the first sentence and inserting ''On receipt of a request for certification, the certifying State or interstate agency, as applicable, shall immediately notify the Administrator of the request.''; and

(vi) by inserting after the second sentence the following: ''If the Administrator determines under the preceding sentence that such a discharge will not affect the waters of any other State, no such notification is required.'';

(C) in paragraph (3)—

(i) in the first sentence, by striking ''there will be compliance'' and inserting ''any such discharge will comply''; and

(ii) in the second sentence, by striking ''section'' and inserting ''any applicable provision of section'';

(D) in paragraph (4)—

(i) in the first sentence—

(I) by inserting ''directly'' before ''result in any discharge''; and

(II) by striking ''applicable effluent limitations or other limitations or other applicable water quality requirements will not be violated'' and inserting ''no applicable provision of section 301, 302, 303, 306, or 307 will be violated'';

(ii) in the second sentence, by striking ''will violate applicable effluent limitations or other limitations or other water quality requirements'' and inserting ''will directly result in a discharge that violates an applicable provision of section 301, 302, 303, 306, or 307,''; and

(iii) in the third sentence, by striking ''such facility or activity will not violate the applicable provisions'' and inserting ''operation of such facility or activity will not directly result in a discharge that violates any applicable provision''; and

(E) in paragraph (5), by striking ''the applicable provisions'' and inserting ''any applicable provision'';

(2) in subsection (b), by striking ''Nothing in this section'' and inserting ''Except as provided in subsection (e), nothing in this section'';

(3) in subsection (d), by striking ''applicant for a Federal license or permit will comply with any applicable effluent limitations and other limitations, under section 301 or 302 of this Act, standard of performance under section 306 of this Act, or prohibition, effluent standard, or pretreatment standard under section 307 of this Act, and with any other appropriate requirement of State law set forth in such certification, and shall become a condition on any Federal license or permit subject to the provisions of this section'' and inserting ''discharge subject to this section will comply with the applicable provisions of sections 301, 302, 303, 306, and 307, and any such limitations or requirements shall be imposed by the licensing or permitting agency as a condition on any Federal license or permit subject to the provisions of this section''; and

(4) by adding at the end the following:

''(e) Notwithstanding section 505, any condition imposed on a Federal license or permit by a licensing or permitting agency under this section may be enforced only by such licensing or permitting agency.

''(f) For purposes of this section, the applicable provisions of sections 301, 302, 303, 306, and 307 are any applicable effluent limitations and other limitations under section 301 or 302, any water quality standard in effect for a State under section 303, any standard of performance under section 306, and any prohibition, effluent standard, or pretreatment standard under section 307.

''(g) A request for certification under this section shall be made in writing to the State, interstate agency, or Administrator, as the case may be. A complete request for certification shall consist of the following:

''(1) Identification of each applicant for the Federal license or permit with respect to which the certification is requested.

''(2) A statement that information included in the request for certification is truthful, accurate, and complete, to the best knowledge of each such applicant.

''(3) In the case of a request for certification with respect to an individual permit or license—

''(A) identification of the Federal license or permit that is the subject of the application with respect to which the certification is requested;

''(B) identification of any activity the conduct of which is subject to such Federal license or permit;

''(C) identification of the location and nature of any discharge that may directly result from such activity, and the location of the receiving waters;

''(D) a description of means that may be used to monitor, control, or manage any such discharge; and

''(E) a list of all other Federal, interstate, Tribal, State, or local agency authorizations required for the conduct of such activity, and any approval or denial of such an authorization already received.

''(4) In the case of a request for certification with respect to the issuance of a general license or general permit—

''(A) identification of the proposed categories of activities to be covered by the general license or general permit for which certification is requested;

''(B) a description of the proposed general license or general permit, which may include a draft of the proposed general license or permit; and

''(C) an estimate of the number of discharges expected to result from the proposed general license or general permit annually.''.

SEC. 6. CLARIFYING FEDERAL GENERAL PERMITS.

Section 402(a) of the Federal Water Pollution Control Act (33 U.S.C. 1342(a)) is amended by adding at the end the following:

''(6) GENERAL PERMITS.—

''(A) PERMITS AUTHORIZED.—The Administrator may issue general permits under this section on a State, regional, or nationwide basis, or for a delineated area, for discharges associated with any category of activities, which discharges are of similar types and from similar sources.

''(B) PERMIT EXPIRATION NOTIFICATION REQUIREMENT.—If a general permit issued under this section will expire and the Administrator decides not to issue a new general permit for discharges similar to those covered by the expiring general permit, the Administrator shall publish in the Federal Register a notice of such decision at least two years prior to the expiration of the general permit.

''(C) APPLICATION OF PERMIT TERMS OF AN EXPIRED PERMIT.—

''(i) IN GENERAL.—If a general permit issued under this section expires and the Administrator has not published a notice in accordance with subparagraph (B), the Administrator shall, until the date described in clause (ii)—

''(I) continue to apply the terms, conditions, and requirements of the expired general permit to any discharge that was covered by the expired general permit; and

''(II) apply such terms, conditions, and requirements to any discharge that would have been covered by the expired general permit (in accordance with any relevant requirements for such coverage) if the discharge had occurred before such expiration.

''(ii) DATE DESCRIBED.—The date described in this clause is the earlier of—

''(I) the date on which the Administrator issues a new general permit for discharges similar to those covered by the expired general permit; or

''(II) the date that is two years after the date on which the Administrator publishes in the Federal Register a notice of a decision not to issue a new general permit for discharges similar to those covered by the expired general permit.''.

SEC. 7. NPDES PERMIT TERMS.

Section 402(b)(1)(B) of the Federal Water Pollution Control Act (33 U.S.C. 1342(b)(1)(B)) is amended by striking ''five years'' and inserting ''ten years''.

SEC. 8. CONFIDENCE IN CLEAN WATER PERMITS.

(a) COMPLIANCE WITH PERMITS.—Section 402(k) of the Federal Water Pollution Control Act (33 U.S.C. 1342(k)) is amended—

(1) by striking ''(k) Compliance with'' and inserting the following:

''(k) COMPLIANCE WITH PERMITS.—

''(1) IN GENERAL.—Subject to paragraph (2), compliance with''; and

(2) by adding at the end the following:

''(2) SCOPE.—For purposes of paragraph (1), compliance with the conditions of a permit issued under this section shall be considered compliance with respect to a discharge of—

''(A) any pollutant for which an effluent limitation is included in the permit; and

''(B) any pollutant for which an effluent limitation is not included in the permit that is—

''(i) specifically identified as controlled or monitored through indicator parameters in the permit, the fact sheet for the permit, or the administrative record relating to the permit;

''(ii) specifically identified during the permit application process as present in discharges to which the permit will apply; or

''(iii) whether or not specifically identified in the permit or during the permit application process—

''(I) present in any waste streams or processes of the point source to which the permit applies, which waste streams or processes are specifically identified during the permit application process; or

''(II) otherwise within the scope of any operations of the point source to which the permit applies, which scope of operations is specifically identified during the permit application process.''.

(b) EXPRESSION OF WATER QUALITY-BASED EFFLUENT LIMITATIONS.—Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:

''(t) EXPRESSION OF WATER QUALITY-BASED EFFLUENT LIMITATIONS.—If the Administrator (or a State, in the case of a permit program approved by the Administrator) determines that a water quality-based limitation on a discharge of a pollutant is necessary to include in a permit under this section in addition to any appropriate technology-based effluent limitations included in such permit, the Administrator (or the State) may include such water quality-based limitation in such permit only in the form of a limitation that—

''(1) specifies the pollutant to which it applies; and

''(2) clearly describes the manner in which compliance with the limitation may be achieved, which shall include—

''(A) a numerical limit on the discharge of such pollutant;

''(B) a narrative description of required actions to be applied to the discharge (including any measures or practices required to be applied); or

''(C) a narrative description of a limitation on the discharge that specifies the level of control to be applied.''.

SEC. 9. FOREST PROTECTION AND WILDLAND FIREFIGHTER SAFETY.

Section 402(l)(3)(A) of the Federal Water Pollution Control Act (33 U.S.C. 1342(l)(3)(A)) is amended—

(1) by striking ''for a discharge from'' and inserting the following: ''for—

''(i) a discharge from'';

(2) in clause (i) (as so designated), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(ii) a discharge resulting from the aerial application of a product used for fire control and suppression purposes that appears on the most current Forest Service Qualified Products List (or any successor list).''.

SEC. 10. AGRICULTURAL STORMWATER DISCHARGE.

Section 402(l) of the Federal Water Pollution Control Act (33 U.S.C. 1342(l)) is amended by adding at the end the following:

''(4) AGRICULTURAL STORMWATER DISCHARGE.—

''(A) IN GENERAL.—The Administrator shall not require a permit, nor directly or indirectly require any State to require a permit, under this section for discharges of stormwater, including from subsurface drainage, from agricultural land that occur in direct response to a precipitation event.

''(B) AGRICULTURAL LAND DEFINED.—In this paragraph, the term 'agricultural land' includes—

''(i) land on which an agricultural input (such as manure and other crop nutrients, crop protection, or seed) is applied;

''(ii) land on which animals (including fish and shellfish), crops (including fruit and nut trees), crop residue, plants, seed, or vegetation are present for purposes of farming or ranching; and

''(iii) land that is—

''(I) immediately adjacent to, and functionally related to, land described in clause (i) or (ii); and

''(II) necessary to support agricultural production, soil conservation, flood control, or water quality.''.

SEC. 11. REDUCING REGULATORY BURDENS.

Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is further amended by adding at the end the following:

''(u) DISCHARGES OF PESTICIDES.—

''(1) NO PERMIT REQUIREMENT.—Except as provided in paragraph (2), a permit shall not be required by the Administrator or a State under this Act for a discharge from a point source into navigable waters of a pesticide authorized for sale, distribution, or use under the Federal Insecticide, Fungicide, and Rodenticide Act, or the residue of such a pesticide, resulting from the application of such pesticide.

''(2) EXCEPTIONS.—Paragraph (1) shall not apply to the following discharges of a pesticide or pesticide residue:

''(A) A discharge resulting from the application of a pesticide in violation of a provision of the Federal Insecticide, Fungicide, and Rodenticide Act that is relevant to protecting water quality, if—

''(i) the discharge would not have occurred but for the violation; or

''(ii) the amount of pesticide or pesticide residue in the discharge is greater than would have occurred without the violation.

''(B) Stormwater discharges subject to regulation under subsection (p).

''(C) The following discharges subject to regulation under this section:

''(i) Manufacturing or industrial effluent.

''(ii) Treatment works effluent.

''(iii) Discharges incidental to the normal operation of a vessel, including a discharge resulting from ballasting operations or vessel biofouling prevention.''.

SEC. 12. REDUCING PERMITTING UNCERTAINTY.

(a) IN GENERAL.—Section 404(c) of the Federal Water Pollution Control Act (33 U.S.C. 1344(c)) is amended—

(1) by striking ''(c) The Administrator'' and inserting the following:

''(c) SPECIFICATION OR USE OF DEFINED AREA.—

''(1) IN GENERAL.—The Administrator'';

(2) in paragraph (1), as so designated, by inserting ''during the period described in paragraph (2) and'' before ''after notice and opportunity for public hearings''; and

(3) by adding at the end the following:

''(2) PERIOD OF PROHIBITION.—The period during which the Administrator may prohibit the specification (including the withdrawal of specification) of any defined area as a disposal site, or deny or restrict the use of any defined area for specification (including the withdrawal of specification) as a disposal site, under paragraph (1) shall—

''(A) begin on the date on which an applicant submits all the information required to complete an application for a permit under this section; and

''(B) end on the date on which the Secretary issues the permit.''.

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply to a permit application submitted under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) after the date of enactment of this Act.

SEC. 13. NATIONWIDE PERMITTING IMPROVEMENT.

(a) IN GENERAL.—Section 404(e) of the Federal Water Pollution Control Act (33 U.S.C. 1344) is amended—

(1) by striking ''(e)(1) In carrying'' and inserting the following:

''(e) GENERAL PERMITS.—

''(1) PERMITS AUTHORIZED.—In carrying'';

(2) in paragraph (2)—

(A) by striking ''(2) No general'' and inserting the following:

''(2) TERM.—No general''; and

(B) by striking ''five years'' and inserting ''ten years''; and

(3) by adding at the end the following:

''(3) CONSIDERATIONS.—In determining the environmental effects of an activity under paragraph (1) or (2), the Secretary—

''(A) shall consider only the effects of any discharge of dredged or fill material resulting from such activity;

''(B) shall consider any effects of a discharge of dredged or fill material into less than 3 acres of navigable waters to be a minimal adverse environmental effect; and

''(C) may consider any effects of a discharge of dredged or fill material into 3 acres or more of navigable waters to be a minimal adverse environmental effect.

''(4) NATIONWIDE PERMITS FOR LINEAR PROJECTS.—

''(A) IN GENERAL.—Notwithstanding any other provision of this section, the Secretary shall maintain general permits on a nationwide basis for—

''(i) linear infrastructure projects that result in a discharge of dredged or fill material into less than 3 acres of navigable waters for each single and complete project; and

''(ii) linear pipeline projects that do not result in the loss of navigable waters in an amount that is greater than 0.5 acres for each single and complete project.

''(B) DEFINITIONS.—In this paragraph:

''(i) LINEAR INFRASTRUCTURE PROJECT.—The term 'linear infrastructure project' means a project to carry out any activity required for the construction, expansion, maintenance, modification, or removal of infrastructure and associated facilities for the transmission from a point of origin to a terminal point of communications or electricity, or for the transportation from a point of origin to a terminal point of people, water, or wastewater.

''(ii) LINEAR PIPELINE PROJECT.—The term 'linear pipeline project' means a project to carry out any activity required for the construction, expansion, maintenance, modification, or removal of infrastructure and associated facilities for the transportation from a point of origin to a terminal point of carbon dioxide, fuel, or hydrocarbons, in the form of a liquid, liquescent, gaseous, or slurry substance or supercritical fluid, including oil and gas pipeline facilities.

''(iii) SINGLE AND COMPLETE PROJECT.—The term 'single and complete project' has the meaning given that term in section 330.2 of title 33,

Code of Federal Regulations (as in effect on the date of enactment of this paragraph).

''(5) REISSUANCE OF NATIONWIDE PERMITS.—In determining whether to reissue a general permit issued under this subsection on a nationwide basis—

''(A) no consultation with an applicable State pursuant to section 6(a) of the Endangered Species Act of 1973 (16 U.S.C. 1535(a)) is required;

''(B) no consultation with a Federal agency pursuant to section 7(a)(2) of such Act (16 U.S.C. 1536(a)(2)) is required; and

''(C) the requirements of section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) shall be satisfied by preparing an environmental assessment with respect to such general permit.''.

(b) REGULATORY REVISIONS REQUIRED.—The Secretary of the Army, acting through the Chief of Engineers, shall expeditiously revise the regulations applicable to carrying out section 404(e) of the Federal Water Pollution Control Act (33 U.S.C. 1344) in order to streamline the processes for issuing general permits under such section to promote efficient and consistent implementation of such section.

(c) ADMINISTRATION OF NATIONWIDE PERMIT PROGRAM.—In carrying out section 404(e) of the Federal Water Pollution Control Act (33 U.S.C. 1344), including in revising regulations under subsection (b) of this section, the Secretary of the Army, acting through the Chief of Engineers, may not finalize or implement any modification to—

(1) general condition 15 (relating to single and complete projects), as included in the final rule titled ''Reissuance and Modification of Nationwide Permits'' and published on January 13, 2021, by the Department of the Army, Corps of Engineers (86 Fed. Reg. 2868);

(2) the definition of the term ''single and complete linear project'', as included in such final rule (86 Fed. Reg. 2877); or

(3) the definition of the term ''single and complete project'', as included in section 330.2 of title 33, Code of Federal Regulations (as in effect on the date of enactment of this Act).

SEC. 14. DEADLINE FOR REQUEST FOR SUBMISSION OF ADDITIONAL INFORMATION FOR PERMIT PROGRAMS FOR DREDGED OR FILL MATERIAL.

Section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) is amended—

(1) in subsection (g)—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2) the following:

''(3) If the Administrator determines that additional information is necessary for the description of a program submitted by a State to be full and complete under paragraph (1), the Administrator shall, not later than 45 days after the date of the receipt of the program and statement submitted by the State under such paragraph, submit to the State a written request for all such information.''; and

(2) in subsection (h)(1), by striking ''paragraph (1) of this subsection'' and inserting ''subsection (g)(1)''.

SEC. 15. JUDICIAL REVIEW TIMELINE CLARITY.

Section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) is amended—

(1) by redesignating subsection (t) as subsection (u);

(2) in subsection (u), as so redesignated, by striking ''Nothing in the section'' and inserting ''SAVINGS PROVISION.—Nothing in this section''; and

(3) by inserting after subsection (s) the following:

''(t) JUDICIAL REVIEW.—

''(1) STATUTE OF LIMITATIONS.—Notwithstanding any applicable provision of law relating to statutes of limitations—

''(A) an action seeking judicial review of the approval by the Administrator of a State permit program pursuant to this section shall be filed not later than the date that is 60 days after the date on which the approval was issued;

''(B) an action seeking judicial review of an individual permit or general permit issued under this section shall be filed not later than the date that is 60 days after the date on which the permit was issued; and

''(C) an action seeking judicial review of a verification that an activity involving a discharge of dredged or fill material is authorized by a general permit issued under this section shall be filed not later than the date that is 60 days after the date on which such verification was issued.

''(2) LIMITATION ON COMMENCEMENT OF CERTAIN ACTIONS.—Notwithstanding any other provision of law, no action described in subparagraph (A) or (B) of paragraph (1) may be commenced unless the action—

''(A) is filed by a party that submitted a comment—

''(i) during the public comment period for the administrative proceedings related to the action; and

''(ii) which was sufficiently detailed to put the Administrator, the Secretary, or the State, as applicable, on notice of the issue upon which the party seeks judicial review; and

''(B) is related to such comment.

''(3) REMEDIES.—

''(A) ACTIONS RELATING TO PERMIT PROGRAMS.—If a court determines that the Administrator did not comply with the requirements of this section in issuing an approval of a State permit program pursuant to this section—

''(i) the court shall remand the matter to the Administrator for further proceedings consistent with the determination of the court; and

''(ii) the court may not vacate, revoke, enjoin, or otherwise limit the authority of the State to issue permits under such State permit program.

''(B) ACTIONS RELATING TO PERMITS.—If a court determines that the Secretary or the State, as applicable, did not comply with the requirements of this section in issuing an individual or general permit under this section, or in verifying that an activity involving a discharge of dredged or fill material is authorized by a general permit issued under this section, as applicable—

''(i) the court shall remand the matter to the Secretary or the State, as applicable, for further proceedings consistent with the determination of the court;

''(ii) with respect to a determination regarding the issuance of an individual or general permit under this section, the court may not vacate, revoke, enjoin, or otherwise limit the permit, unless the court finds that activities authorized under the permit would present an imminent and substantial danger to human health or the environment for which there is no other equitable remedy available under the law; and

''(iii) with respect to a determination regarding a verification that an activity involving a discharge of dredged or fill material is authorized by a general permit issued under this section, the court may not enjoin or otherwise limit the discharge unless the court finds that the activity would present an imminent and substantial danger to human health or the environment for which there is no other equitable remedy available under the law.

''(4) TIMELINE TO ACT ON COURT ORDER.—If a court remands a matter under paragraph (3), the court shall set and enforce a reasonable schedule and deadline, which may not exceed 180 days from the date on which the court remands such matter, except as otherwise required by law, for the Administrator, the Secretary, or the State, as applicable, to take such actions as the court may order.''.

SEC. 16. RESTORING FEDERALISM IN CLEAN WATER PERMITTING.

Not later than 180 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall complete a review of the regulations applicable to the approval of State permit programs under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) in order to identify revisions to such regulations necessary to streamline the approval process, reduce administrative burdens, and encourage additional States to administer a permit program under such section, and the Administrator shall implement any such revisions as appropriate.

SEC. 17. JURISDICTIONAL DETERMINATION BACKLOG REDUCTION.

Not later than 60 days after the date of enactment of this Act, the Secretary of the Army, acting through the Chief of Engineers, shall expedite such procedures and reallocate or augment such personnel and resources of the Corps of Engineers as the Secretary determines necessary to eliminate any backlog existing as of June 5, 2025, of—

(1) applications for permits under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344); or

(2) requests for jurisdictional determinations or wetlands delineations under the jurisdiction of the Secretary.

SEC. 18. DEFINITION OF NAVIGABLE WATERS.

Section 502(7) of the Federal Water Pollution Control Act (33 U.S.C. 1362(7)) is amended—

(1) by striking ''(7) The term'' and inserting the following:

''(7) NAVIGABLE WATERS.—

''(A) IN GENERAL.—The term''; and

(2) by adding at the end the following:

''(B) EXCLUSIONS.—The term 'navigable waters' does not include the following:

''(i) Any component of a waste treatment system, including any lagoon or treatment pond (such as a settling or cooling pond), designed to actively or passively—

''(I) convey or retain wastewater; or

''(II) concentrate, settle, reduce, or remove pollutants from wastewater.

''(ii) Ephemeral features that flow only in direct response to precipitation.

''(iii) Any area that—

''(I) prior to December 23, 1985, was drained or otherwise manipulated for the purpose, or having the effect, of making production of an agricultural product possible, as determined by the Administrator and the Secretary of the Army, acting through the Chief of Engineers, which determinations shall be consistent with any designations of prior converted cropland made by the Secretary of Agriculture; and

''(II) as determined by the Administrator—

''(aa) at least once in the immediately preceding five years has been used for, or in support of, agricultural purposes, including grazing, haying, idling land for conservation use (such as habitat management, pollinator and wildlife management, water storage and supply management, and flood management), irrigation tailwater storage, farm-raised fish production, cranberry production, nutrient retention, and idling land for soil recovery after natural disasters such as hurricanes and drought; and

''(bb) has not reverted to wetlands (as defined in section 120.2 of title 40, Code of Federal Regulations, as in effect on the date of enactment of this clause).

''(iv) Groundwater.

''(v) Any other features determined to be excluded by the Administrator and the Secretary of the Army, acting through the Chief of Engineers.''.

SEC. 19. APPLICABILITY OF SPILL PREVENTION, CONTROL, AND COUNTERMEASURE RULE.

Section 1049 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 1361 note) is amended—

(1) in subsection (b)—

(A) in paragraph (1)(B), by striking ''20,000'' and inserting ''42,000'';

(B) by amending paragraph (2)(A) to read as follows:

''(A) an aggregate aboveground storage capacity greater than 10,000 gallons but less than 42,000 gallons; and'';

(C) in paragraph (3)—

(i) by amending subparagraph (A) to read as follows:

''(A) with an aggregate aboveground storage capacity of less than or equal to 10,000 gallons; and''; and

(ii) in subparagraph (B), by striking ''; and'' and inserting a period; and

(D) by striking paragraph (4);

(2) in subsection (c)(2)(A)—

(A) in clause (i), by striking ''1,000'' and inserting ''1,320''; and

(B) in clause (ii), by striking ''2,500'' and inserting ''3,000''; and

(3) by striking subsection (d).

SEC. 20. COORDINATION WITH FEDERAL PERMITTING IMPROVEMENT STEERING COUNCIL.

With respect to any covered project (as defined under section 41001 of the FAST Act (42 U.S.C. 4370m)) for which a certification or permit from a State under section 401, 402, or 404 of the Federal Water Pollution Control Act is required, the State is encouraged to choose to participate, to the maximum extent practicable, in the environmental review and authorization process under section 41003(c) of the FAST Act (42 U.S.C. 4370m–2(c)), pursuant to paragraph (3)(A) of such section.

SEC. 21. SENSE OF CONGRESS ON CHESAPEAKE BAY WATERSHED AGREEMENT.

It is the sense of Congress that the Chesapeake Bay Watershed Agreement is a voluntary, cooperative agreement between the Federal Government, the State of Delaware, the District of Columbia, the State of Maryland, the Commonwealth of Pennsylvania, the State of New York, the Commonwealth of Virginia, and the State of West Virginia. As such, the Federal Government should take a collaborative and cooperative approach to the parties with regard to their compliance with the Chesapeake Bay Total Maximum Daily Load outlined in such agreement.

The Acting CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in part A of House Report 119–399. Each such further amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. BEAN OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 119–399.

Mr. BEAN of Florida. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Insert after section 15 the following:

SEC. ___. MAINTAINING COOPERATIVE PERMITTING.

(a) WITHDRAWAL OF APPROVAL WITHOUT CONGRESSIONAL AUTHORIZATION PROHIBITED.—The permit programs described in subsection (b) are ratified, approved, and of full force and effect, and the Administrator of the Environmental Protection Agency (referred to in this section as the ''Administrator'') may not withdraw the approval of those permit programs, including through the process described in section 404(i) of the Federal Water Pollution Control Act (33 U.S.C. 1344(i)), unless the withdrawal is expressly authorized by an Act of Congress enacted after the date of enactment of this Act.

(b) PERMIT PROGRAMS DESCRIBED.—The permit programs referred to in subsection (a) are the following State permit programs for the discharge of dredged or fill material approved under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344):

(1) The program of the State of Michigan, approved in the notice of the Environmental Protection Agency entitled ''Michigan Department of Natural Resources Section 404 Permit Program Approval'' (49 Fed. Reg. 38947 (October 2, 1984)) and as described in section 233.70 of title 40, Code of Federal Regulations (including any updates to the program described in a successor Federal Register notice).

(2) The program of the State of New Jersey, approved in the final rule and notice of the Environmental Protection Agency entitled ''New Jersey Department of Environmental Protection and Energy Section 404 Permit Program Approval'' (59 Fed. Reg. 9933 (March 2, 1994)) and as described in section 233.71 of title 40, Code of Federal Regulations (including any updates to the program described in a successor Federal Register notice).

(3) The program of the State of Florida, as described in the notice of the Environmental Protection Agency entitled ''EPA's Approval of Florida's Clean Water Act Section 404 Assumption Request'' (85 Fed. Reg. 83553 (December 22, 2020)) (including any updates to the program described in a successor Federal Register notice), including the Programmatic Biological Opinion with Incidental Take Statement associated with the program.

(c) PROGRAM TRANSITION PERIOD.—During the 90-day period beginning on the date of enactment of this Act, the Secretary of the Army, acting through the Chief of Engineers (referred to in this section as the ''Secretary''), and the State of Florida may both issue permits authorized under the program described in subsection (b)(3) for the discharge of dredged or fill material into navigable waters (as described in subsection 404(g)(1) of the Federal Water Pollution Control Act (33 U.S.C. 1344(g)(1))) within the jurisdiction of the State of Florida.

(d) APPROVAL OF COMPARABLE STATE PROGRAMS.—

(1) IN GENERAL.—If the Administrator determines that a State program submitted under subsection (g)(1) of section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) is comparable to a State program described in any of paragraphs (1) through (3) of subsection (b) of this section, the Administrator shall make the determination described in subsection (h)(2)(A) of such section 404 with respect to that program.

(2) NOTIFICATION.—On making the determination required under paragraph (1), the Administrator shall notify the Secretary and the applicable State of that determination.

(3) SUSPENSION.—On notification from the Administrator under paragraph (2) and from a State that the State has begun to administer a program approved pursuant to paragraph (1), the Secretary shall suspend the issuance of permits under subsections (a) and (e) of section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) for activities with respect to which a permit may be issued by the State under that program.

The Acting CHAIR. Pursuant to House Resolution 936, the gentleman from Florida (Mr. BEAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. BEAN of Florida. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, ''If you build it, he will come.'' ''If you build it, he will come.'' Those are the words Kevin Costner's character famously heard, a mysterious voice encouraging him to construct the most famous baseball field in America, the ''Field of Dreams.''

Unfortunately, Mr. Chair, that only happens in the movies. Because for the last 2 years, if anyone in the free State of Florida tries to build anything, only the Washington bureaucracy will come. However, this wasn't always the case.

In 2020, Florida became the third State, joining Michigan and New Jersey, to implement and run a Clean Water Act section 404 Permitting program.

These State-run programs reduce duplicative requirements, reduce costs, and expedite permit approval times exactly as Congress intended.

Throughout the State-administered review process, Federal agencies maintained robust oversight to ensure Florida's 404 permitting program complied with all Federal requirements, while the EPA maintained strict control over Florida's decisions.

However, Florida's successful permitting program, along with Michigan and New Jersey, has been thrown into limbo by litigation stripping Florida of its ability to run its program. The court's decision, which is contrary to the position of both the Trump and Biden administrations, has shifted permitting authority back to the Federal Government, creating enormous disruptions to Florida's efforts to protect wetlands and water resources and is now blocking Florida's ability to issue necessary permits for development projects across the State, including: projects to restore Florida's Everglades; projects to build or improve sidewalks, bridges, utilities, roads, and highways; solar energy projects; and other projects that impact grid reliability.

The ability for States to take the lead in regulating their natural resources is vital, particularly in a State like Florida where growing our economy is contingent on protecting the environment.

Mr. Chair, that is why the Bean amendment seeks to codify the permitting program administered by the States of Florida, Michigan, and New Jersey, and to provide certainty to the other States lined up to do the same.

These States have been examples of cooperation between the State and Federal Government, and now Congress must provide clarity and confidence for any additional State interested in joining these three.

We need this amendment because protecting the environment in Florida is protecting our field of dreams.

Mr. Chair, I reserve the balance of my time.

Ms. SCHOLTEN. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Michigan is recognized for 5 minutes.

Ms. SCHOLTEN. Mr. Chair, despite our friendship, I do oppose Mr. BEAN's amendment, yet support the programs that have been implemented in Florida, Michigan, and New Jersey, and we want them to continue.

However, Mr. Chair, this amendment seeks to legislatively mandate approval of a program, without changes, that was adopted without the proper and necessary oversight and review.

The Clean Water Act was specifically enacted as a Federal-State partnership.

The Environmental Protection Agency has approved 47 States to implement the point source discharge program under section 402 of the Clean Water Act, and having States as coregulators makes comprehensive implementation of this program possible.

However, far fewer States have sought approval to regulate the discharge of dredge-and-fill materials under section 404 of the act, again with only New Jersey and my home State of Michigan currently approved to implement this authority.

We do hope Florida will go back to the administration and seek approval, once again, but this amendment relates to Florida's attempts to receive approval of its own section 404 program without the proper process.

In 2024, a Federal district court struck down the approval of Florida's 404 permit authority on the grounds that both the State and Federal agencies failed to follow the rules in approving the State's program.

I am not opposed to the State of Florida or any State seeking to manage 404 authorities within its borders. In fact, I have been a huge champion of this program.

The State of Florida can pursue implementing a 404 program but through the proper approval process through the administration. Congress should not mandate a program that has been deemed deficient by the courts.

Mr. Chair, I oppose the amendment and encourage my colleagues to do the same.

Mr. Chair, I reserve the balance of my time.

Mr. BEAN of Florida. Mr. Chair, I remind the gentlewoman from Michigan that Michigan is such a beautiful State. It has got one of the longest freshwater coastlines of any State. That may be a trivia fact, but no one is going to fight harder for Michigan's environment than the people of Michigan. This amendment gives them that authority back, and so I would ask her to reconsider her opposition.

Mr. Chair, I include in the RECORD two letters: One from the Florida Department of Environmental Protection in support of the Bean amendment and, also, a letter from the National Association of Home Builders also detailing how passage of the Bean amendment and underlying bill will lead to the creation of more attainable housing.

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION,
Tallahassee, FL, August 7, 2025.

Hon. AARON BEAN,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE BEAN: On behalf of Florida's environment and regulated communities, I would like to voice my support for the *Maintaining Cooperative Permitting Act of 2025* (H.R. 2030/S. 1014).

The Act is necessary to set right last year's ruling from a federal district court in Washington, D.C., which vacated the Environmental Protection Agency (EPA)'s approval of Florida's Clean Water Act Section 404 Permitting Program. The Act will also provide a clear and workable path for other states to assume administration of this important program.

The D.C. court's decision, which is contrary to the position of the Trump and Biden Administrations as it relates to Florida's program, has shifted permitting authority back to the federal government, creating enormous disruptions to Florida's efforts to protect wetlands and water resources and is now blocking Florida's ability to issue necessary permits for development projects across the State.

State ''assumption'' of the Section 404 program is an important part of the Clean Water Act's cooperative federalism structure. Assumption can streamline permitting processes, reduce duplication of effort and overall expenditures by state and federal authorities, while providing better protection of a state's environmental resources by those who know their state best.

Beginning almost a decade ago, Florida began work to establish a comprehensive Section 404 permitting program. After receiving approval from EPA in 2020, Florida trained over 300 certified wetlands evaluators and other staff and received and processed thousands of permit applications for Section 404 permits. Florida's program is consistent with federal Clean Water Act requirements and all permit applications are reviewed by both federal and state wildlife agencies to ensure full protection of threatened or endangered species and their habitats.

I urge you to support the *Maintaining Cooperative Permitting Act of 2025* to ensure Florida's Clean Water Act 404 permitting program is rightfully restored to the state.

Sincerely,

ALEXIS A. LAMBERT.

NATIONAL ASSOCIATION OF HOME BUILDERS,
Washington, DC, December 10, 2025.

Hon. MIKE JOHNSON,
Speaker, House of Representatives,
Washington, DC.

DEAR SPEAKER JOHNSON: On behalf of the more than 140,000 members of the National Association of Home Builders (NAHB), I am writing to convey our strong support for H.R. 3898, the *PERMIT Act*, which will provide necessary clarity and confidence required under the *Clean Water Act* (CWA) permitting process. Because clear and predictable permitting leads to the creation of attainable housing, NAHB has designated support for passage of H.R. 3898 as a KEY VOTE.

Regrettably, housing production is not keeping pace with demand. Among the significant headwinds facing the home building industry is an unpredictable regulatory landscape that adds costs and reduces the availability of buildable lots—making housing more unattainable. This legislation respects environmental protections and provides pragmatic solutions to Section 404 and Section 402 of the CWA.

Under Section 404—dredge and fill permitting—home builders pull some of the highest numbers of Nationwide Permits (NWPs) issued annually. To assist with planning and permit backlogs, this legislation extends the duration of a NWP from 5 to 10 years and right sizes the acreage threshold for impacts to where the NWP was originally intended.

To better assist states in assuming their own 404 permitting authority, this bill requires the Environmental Protection Agency to review its regulations and procedures surrounding the 404 approval process. This will help streamline and ease administrative burdens states face when attempting to assume their own permitting program.

A key feature of Section 404 permitting is the Waters of the United States rule. This bill codifies long-established exclusions such as ephemeral features, groundwater, and prior converted cropland that have been included as part of WOTUS regulations over the years. This will provide important predictability and consistency for property owners when determining which water features are jurisdictional.

Under Section 402—the National Pollutant Discharge Elimination System (NPDES)—this legislation would require permit writers to tie NPDES permit conditions to what happens on their site, rather than what happens downstream to impair receiving waters. This approach allows regulators to explain the measures that home builders must take to comply with their NPDES permit, without imposing numeric discharge limits.

NAHB additionally urges passage of Amendment 27, submitted by Representative Crawford, pertaining to compensatory mitigation. Compensatory mitigation has become a significant cost and barrier for builders: Representative Crawford's amendment takes meaningful steps towards reducing mitigation costs through simple, commonsense reforms that maintain environmental protections while allowing for economic growth.

NAHB also commends Amendment 52, submitted by Representative Bean, pertaining to state assumption of the Section 404 program for Florida, Michigan, and New Jersey. Litigation over state assumption has created significant uncertainty for CWA permitting nationally, and NAHB urges Congress to return Section 404 to its original intent, allowing states to assume the permitting role. This will provide confidence and clarity for states interested in Section 404 assumption, and builders within those states.

The home building industry requires certitude in the CWA permitting process. The PERMIT Act respects environmental safeguards and makes significant strides in ensuring clarity in the regulatory process. For these reasons, NAHB respectfully urges passage on the House floor.

Thank you for considering our views.

Sincerely,

LAKE A. COULSON.

Mr. BEAN of Florida. Mr. Chair, I reserve the balance of my time.

Ms. SCHOLTEN. Mr. Chair, I reserve the balance of my time.

Mr. BEAN of Florida. Mr. Chair, this has been a model. This program works. The Reagan administration approved Michigan's program. The Clinton administration approved New Jersey's program. Then Florida's program was approved by the Trump administration and then defended by the Biden administration. This is something we should agree on, bipartisan support to help protect the environment.

Mr. Chair, it is Florida, Michigan, and New Jersey, but here are the States that are in line, that say we

want to protect our own environment, too: Alaska, Arizona, Indiana, Kentucky, Maryland, Minnesota, North Dakota, Oregon, and Virginia. They are all in line to fight for their own State and protect the environment in their own State.

As I wrap up, I thank Chairman GRAVES for his leadership, as well as Congressman COLLINS and Congressman ROUZER. They have all said we need to step up. Our environment is worth fighting for, and that is what the Bean amendment does. I ask for your support.

Mr. Chair, I yield back the balance of my time.

Ms. SCHOLTEN. Mr. Chair, I yield back the balance of my time.

□ 1230

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. BEAN).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. BABIN

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 119–399.

Mr. BABIN. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 15, line 14, strike the final period and closing quotation mark.

Page 15, after line 14, insert the following:

''(h) JUDICIAL REVIEW.—

''(1) AFFECTED CERTIFICATION ACTIONS.—This subsection shall apply to any civil action for the review of a certification action with respect to an applicant for a license or permit—

''(A) for the construction or operation of facilities for the transmission of electric energy or energy fuels in interstate or foreign commerce; or

''(B) from the Federal Energy Regulatory Commission.

''(2) STANDING AND FILING DEADLINE.—Not withstanding any other provision of law, no court shall have jurisdiction to review a civil action under this subsection, except for a civil action filed not later than 30 days after the final action on the certification by—

''(A) the applicant; or

''(B) a person who has suffered, or likely and imminently will suffer, direct and irreparable economic harm from the authorization; provided that an organization or association satisfies this harm requirement only if each member of the organization or association satisfies the requirement.

''(3) EXPEDITED CONSIDERATION.—

''(A) The Court shall—

''(i) set any petition for review brought under this subsection for expedited consideration; and

''(ii) issue a final decision no later than 120 days after the filing of the civil action, unless the court finds extraordinary circumstances, in which the Court may take up to 60 additional days to issue a final decision.

''(B) FAILURE TO COMPLY WITH DEADLINE.—If the civil action concerns a certification that has been granted, the Court's failure to issue a final decision in compliance with the deadlines in subparagraph (A) shall mean the civil action is denied with prejudice.''.

The Acting CHAIR. Pursuant to House Resolution 936, the gentleman from Texas (Mr. BABIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BABIN. Mr. Chair, pipelines and energy infrastructure are the backbone of American energy dominance, yet section 401 of the Clean Water Act, designed to protect our water quality, has too often become a roadblock for critical projects.

Too many States are using this authority to block interstate natural gas pipelines, transmission lines, and other federally approved projects for reasons that have nothing whatsoever to do with water quality. These projects are routinely certified by the Federal Energy Regulatory Commission as being in the national interest, yet they are never built because a single State can withhold or delay a 401 certification.

We have all seen the consequences: delays that stretch on for years, procedural roadblocks that force applicants to withdraw and to resubmit just to restart the process, and legal hurdles so steep that a single denial can derail an entire multistate project or kill it altogether.

Meanwhile, these very same States continue benefiting from the affordable, reliable energy produced in other parts of the country, even as they obstruct the pipelines needed for our Nation's development, economic security, and long-term competitiveness.

This amendment tackles that problem head-on. It establishes expedited judicial review for major energy infrastructure projects, ensuring that the courts reach timely decisions.

It also limits standing to the applicant or those who face direct or irreparable harm, preventing activist groups from weaponizing the process to stall projects that are essential to our power grid, economy, and, most importantly, national security.

Mr. Chair, we cannot meet growing energy demand, power our data centers, or lead the world in AI without the infrastructure to move American energy. It is impossible. This amendment is a targeted, responsible solution, and a crucial step toward restoring America's energy dominance.

Mr. Chair, I urge all of my colleagues on both sides of the aisle to support this amendment, and I reserve the balance of my time.

Ms. SCHOLTEN. Mr. Chair, I rise in opposition to amendment No. 2.

The Acting CHAIR. The gentlewoman from Michigan is recognized for 5 minutes.

Ms. SCHOLTEN. Mr. Chair, I oppose the amendment offered by the gentleman from Texas.

This amendment doubles down on two of the bad ideas in the base of the text of the PERMIT Act: limiting a State's right to protect its own water resources and limiting legitimate civil action on harmful permits.

This amendment limits lawsuits to within 30 days of a Clean Water Act section 401 certification, with the very high bar of imminent, irreparable economic harm. Not only is this hard to prove, but impacts can come in many forms beyond basic economic impacts.

Further, if the court doesn't act within the amendment's arbitrary shot clock, the suit is automatically denied with prejudice, meaning that the suit can't be brought again, through no fault of the harmed party.

Finally, this amendment requiring any suit to be filed within 30 days also applies to the operation of whatever the license or permit is for. As we know, many infrastructure projects are designed to be in service for 100 years. Who knows what impacts might come 50 or 75 years down the road or what changes will occur if the company stops maintaining a facility in the future. This provision is dangerous and a shortsighted assault on the ability to maintain clean water.

I encourage my colleagues to oppose the amendment.

Mr. Chair, I reserve the balance of my time.

Mr. BABIN. Mr. Chair, I thank the gentlewoman and understand her opposition, but her reasons for opposing this amendment are the very reasons that we need this amendment.

We have a situation that has been weaponized, that has held up and killed many good projects that would lead to our energy independence and to those very States that she is talking about.

Mr. Chair, I urge support of my amendment, and I reserve the balance of my time.

Ms. SCHOLTEN. Mr. Chair, I yield 2 minutes to the gentleman from Virginia (Mr. BEYER).

Mr. BEYER. Mr. Chair, the PERMIT Act is the bill you offer when you don't want to protect clean water. It is a very sad and extreme bill. With respect to my good friend, Chairman BABIN, this amendment only makes it worse.

In 2023, the Supreme Court gutted clean water protections that we have relied on since the 1980s, and now, the Trump administration is trying to make it the law that Americans don't deserve clean water.

Already today, clean water protections have been defanged, leaving up to 80 percent of our streams and 50 percent of our wetlands at risk of pollution or destruction, but my House Republican friends have offered this bill that further rolls back the remaining protections on clean water.

Mr. Chair, there are a couple of articles this week that highlight why this is so important. In Louisville, Kentucky, their water facility recently investigated why they had a spike in PFAS, so-called forever chemicals, and found out that a superconductor plant, Chemours, had dumped a PFAS called GenX into the water. This is a company that knowingly violated the allowable dumping limits several times.

The only way that folks knew that they were able to address this was when they found out that Chemours had been violating its Clean Water Act permit.

Louisville citizens have not only had to pay for upgrades to make up for their company's violations, but now they face serious health risks. This bill is only going to increase the burdens on Louisville taxpayers and everyone who is downstream on the river.

The second article today is from The Washington Post. Mothers whose drinking water was downstream of sites contaminated with PFOA and PFOS, both of which are considered likely carcinogens, were much more likely to lose their babies and more likely to have a preterm or low-weight birth.

Pollution has impacts, and we are just beginning to learn about the impacts of PFAS in our water.

The Trump administration said that they want to make America healthy again, a wonderful goal and a good idea, but this bill does exactly the opposite. Please, let's kill the bill and kill the amendment. It is dangerous to us all.

Mr. BABIN. Mr. Chair, may I inquire as to the time remaining.

The Acting CHAIR. The gentleman from Texas has 2 minutes remaining.

□ 1240

Mr. BABIN. Mr. Chair, I yield 1¼ minutes to the gentleman from North Carolina (Mr. ROUZER).

Mr. ROUZER. Mr. Chair, I rise in support of the amendment offered by Mr. BABIN.

Let's be very clear about this. This amendment builds directly on the critical Clean Water Act section 401 certification reforms that I authored in the underlying bill. These are reforms that refocus the 401 certification process on its original and proper purpose, and that is: protecting water quality.

Unfortunately, in recent years, certain States have abused this process, using it as a tool to block or indefinitely delay infrastructure projects for reasons that have absolutely nothing to do with water quality.

Mr. BABIN's amendment strengthens judicial review for 401 certifications on major energy infrastructure projects by curbing frivolous lawsuits and, two, ensuring expedited consideration when legitimate challenges are brought.

Mr. Chair, that is all there is to it. It is very simple and straightforward. It is actually exceptionally pro-environment, and I support this amendment.

Ms. SCHOLTEN. Mr. Chair, I reserve the balance of my time.

Mr. BABIN. Mr. Chair, I reiterate exactly what we said in my opening statement and what Mr. ROUZER has stated. Many times, the opposition has nothing to do with clean water whatsoever. It has been weaponized. We need to expedite this, as Mr. ROUZER, my friend, said.

Mr. Chair, this is extremely good for the environment, and I would still urge all my colleagues on both sides of the aisle to support this amendment.

Mr. Chair, I yield back the balance of my time.

Ms. SCHOLTEN. Mr. Chair, this amendment doubles down on two of the bad ideas in the base text of the PERMIT Act: limiting a State's right to protect its own water resources and limiting legitimate civil actions on harmful permits. I oppose this amendment and encourage my colleagues to do the same.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. BABIN).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. BIGGS OF ARIZONA

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 119–399.

Mr. BIGGS of Arizona. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 37, line 15, strike ''five years'' and insert ''ten years''.

The Acting CHAIR. Pursuant to House Resolution 936, the gentleman from Arizona (Mr. BIGGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. BIGGS of Arizona. Mr. Chair, this particular amendment is a very simple and straightforward amendment. It deals with ranching lands that have been used for more than 40 years. It gives the ranchers the flexibility they need without Washington bureaucrats second-guessing their operations.

In Arizona and, in fact, the entire Western United States, drought cycles can last decades. In fact, Arizona and much of the West have been in a 30-year drought. Under the current 5-year window, pauses that ranchers and farmers might take can often revert to wetlands, triggering EPA oversight that locks out grazing.

My amendment recognizes the reality of the West and protects these parcels so they can return to production when conditions improve without fear of Federal reclamation. During the Biden administration, expansive WOTUS interpretations treated dry washes and ephemeral streams as navigable waters, piling on permits that crippled ranchers and farmers in the West.

Without grazing, it triggers something more devastating in some respects, which is wildfires. We have had a bit of a wet year. We have grasslands in part of the West now that are 2 feet in height. When the summer comes and the heat comes and they dry up, this will trigger massive wildfires.

Ranchers in my own district have spent hundreds of thousands, even millions, on compliance costs, environmental assessments, and legal fees just to access lands they have stewarded for generations and, in some case, almost 100 years.

This overreach hurts family ranchers and contributes to a shrinking U.S. cattle herd, now at its lowest level since the 1950s, driving beef prices up more than 14 percent in the last year. By opening more land and cutting red tape, this amendment empowers ranchers to expand grazing, manage habitat, control wildfires, and meet market needs.

Mr. Chair, I urge my colleagues to adopt this amendment, and I reserve the balance of my time.

Ms. SCHOLTEN. Mr. Chair, I rise in opposition to the amendment offered by the gentleman from Arizona.

The Acting CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. SCHOLTEN. Mr. Chair, the gentleman's amendment would change the abandonment threshold for certain agricultural lands that had historically been wetlands.

Under the 1985 Swampbuster Act, farmers are discouraged from converting wetlands to farmland by making farmers ineligible for Federal farm program benefits if they drain, dredge, or fill wetlands for agricultural production after 1985.

However, since 1985, the Clean Water Act has recognized that certain prior converted cropland would not be subject to the Clean Water Act permitting if those agricultural lands remain in production and are not abandoned for more than 5 years.

This 5-year abandonment threshold has been in place for over 40 years and has balanced the need for certainty for farmers with the reality that some of these areas might revert back to critically important wetlands if abandoned by the farmer.

The gentleman's amendment would upend this established practice and create more uncertainty on whether a renewed wetland is or is not subject to Federal protections.

In light of the ongoing assault on Federal wetland protections undertaken by the Supreme Court, the Trump administration, and this bill, I do not support adding more uncertainty to the protection of critical waters and wetlands.

Mr. Chair, I reserve the balance of my time.

Mr. BIGGS of Arizona. Mr. Chair, what I would suggest is that folks come out West and take a look at the land. Take a look at land that has been determined to be wetlands, dry washes, and ephemeral streams. Then ask the question: Why is that a wetland?

When we get great rains, what, once every 3 years, that wash gets filled. When we do not allow grazing, what happens is there is time for wildfires. The habitat is endangered, and things aren't better; they are worse. This amendment helps cure that.

Mr. Chair, I reserve the balance of any time.

Ms. SCHOLTEN. Mr. Chair, I reserve the balance of my time.

Mr. BIGGS of Arizona. Mr. Chair, I think we have made the case here. We

are not abandoning lands. We are taking lands that have been in production for over 40 years. They have to let it lie fallow and let it grow.

My colleagues across the aisle are saying: We don't care if they have to let it lie fallow. We don't care what the reality is in the West. All we care about is protecting the bureaucratic rule.

Mr. Chair, that is a doggone shame because beef production is incredibly low right now. Beef consumption is projected to be 28.6 billion pounds this year. It is falling because of high prices.

What are we doing? We are saying we are going to import it from Argentina. When a county in my State normally has 60,000 head, and over the last 10 years that has gone down to 25,000 head, that is because of this rule that needs to be changed.

Mr. Chair, I urge passage of the amendment, and I yield back the balance of my time.

Ms. SCHOLTEN. Mr. Chair, I oppose this amendment for all the reasons asserted previously and encourage my colleagues to do the same.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. BIGGS).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. BIGGS OF ARIZONA

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part A of House Report 119–399.

Mr. BIGGS of Arizona. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

SEC. ___. IDENTIFICATION AND PERMITTING FOR WATER RECHARGE ON CERTAIN FEDERAL LANDS.

(a) REVIEW AND IDENTIFICATION.—Not later than 1 year after the date of enactment of this Act, the Secretary of the Army, acting through the Chief of Engineers, shall review lands under the jurisdiction of the Secretary to identify parcels of such lands that are hydrologically and geologically well-suited for water recharge efforts, including aquifer recharge, surface water infiltration, or managed aquifer recharge projects, taking into consideration factors such as soil permeability, proximity to water sources, and minimal environmental impact.

(b) STREAMLINED PERMITTING PROCESS.—The Secretary, in consultation with the Administrator of the Environmental Protection Agency and each relevant State water resource agency, shall—

(1) establish clear and simple permitting processes for water recharge projects on parcels of land identified by the Secretary under subsection (a), including a process to facilitate (to the extent practicable)—

(A) the actions of the Secretary under section 17 applicable to such projects; and

(B) the expedited issuance of a permit under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344), as amended by this Act, relating to such projects; and

(2) ensure, to the extent practicable, that each process established under paragraph (1) minimizes regulatory burdens, provides for categorical exclusions or streamlined environmental assessments, and promotes collaboration with State and local entities to expand water recharge efforts.

(c) REPORT TO CONGRESS.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to Congress a report detailing the parcels identified under subsection (a) and each permitting process established under subsection (b).

The Acting CHAIR. Pursuant to House Resolution 936, the gentleman from Arizona (Mr. BIGGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

□ 1250

Mr. BIGGS of Arizona. Mr. Chair, I want to give context to folks about the West, but, particularly, my own home State. In my State, which is the sixth largest geographically in the Nation, only 18 percent of the land is privately owned. All of the rest, 82 percent, is controlled by a government entity, State, Federal, or reservation.

My amendment is common sense and targeted. It directs the Secretary of the Army, acting through the Chief of Engineers, to review lands under their jurisdiction within 1 year and identify parcels suitable for water recharge projects like aquifer recharge and surface infiltration.

That is a very limited scope of the federally controlled land in Arizona. It streamlines permitting under section 404 of the Clean Water Act, and it minimizes red tape through categorical exclusions in collaboration with State agencies.

This ensures Federal lands become partners in water management, not barriers, allowing Arizona communities to secure the water they need.

In Arizona, water is life, yet over 95 percent of rainfall evaporates before it can even recharge aquifers. Even a small increase in recharge could substantially boost underground water supplies in Arizona.

Drought cycles and Federal restrictions have idled vast areas and threatened water security. My amendment promotes recharge efforts on Federal lands, giving States the tools to capture and store water before it is lost.

Mr. Chair, I want you to know, in the 18 percent of land, we lead the world in recharge. We lead the world in recharge, and when you can recharge underground aquifers, Mr. Chair, you save lives and you promote good environmental quality. Under the Biden administration, routine water projects became regulatory nightmares with EPA restrictions untailored to Arizona's desert reality.

Securing permits often means chaotic delays from Federal bureaucracies, even to access water on lands the Federal Government controls, which is over 80 percent of Arizona. With only 18 percent of Arizona privately owned, streamlined Federal permitting is essential.

My amendment delivers by identifying hydrologically suitable Federal land and cutting bureaucracy.

Mr. Chair, I reserve the balance of my time.

Ms. SCHOLTEN. Mr. Chair, I rise to oppose the amendment offered by the gentleman from Arizona (Mr. BIGGS).

The Acting CHAIR. The gentlewoman from Michigan is recognized for 5 minutes.

Ms. SCHOLTEN. Mr. Chairman, this amendment would be more appropriate in a bipartisan Water Resources Development Act instead of a toxic, partisan assault on the Clean Water Act.

Addressing the water supply needs of communities ought to be something we all agree on.

While the gentleman's amendment would seek to address water supply needs through aquifer recharge projects conducted by the Army Corps of Engineers, it is being offered to a bill that will roll back clean water protections and increase costs for vulnerable communities.

I urge the gentleman and other supporters of this amendment to engage with the bipartisan collaborative Water Resources Development Act process to move their proposal forward. We would love to talk to him about it.

Mr. Chair, I oppose this amendment in this context, and I reserve the balance of my time.

Mr. BIGGS of Arizona. Mr. Chairman, this amendment empowers local entities to expand recharge efforts keeping aquifers full and communities strong in Arizona and the West. Arizona's rural economy depends on agriculture and ranching. We cannot allow water shortages to slow growth or drive up food costs nationwide.

By investing in groundwater and stormwater recharge, this amendment increases supplies, lowers costs for farmers, and strengthens the domestic food chain. It removes red tape so Arizona can secure water for future generations.

Identifying Federal lands for recharge is simple, it is necessary, and it is appropriate. I urge my colleagues to vote ''yes,'' and I yield back the balance of my time.

Ms. SCHOLTEN. Mr. Chair, I oppose this amendment, and I urge my colleagues to do the same. We invite this amendment in a separate Water Resources Development Act process.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. BIGGS).

The amendment was agreed to.

The Chair understands that amendment No. 5 will not be offered.

AMENDMENT NO. 6 OFFERED BY MR. CRAWFORD

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part A of House Report 119–399.

Mr. CRAWFORD. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Insert after section 16 the following:

SEC. ___. REVISION OF FRAMEWORK FOR COMPENSATORY MITIGATION.

(a) REQUIREMENT TO REVISE.—Not later than 180 days after the date of enactment of this Act, the Secretary, in coordination with the Administrator of the Environmental Protection Agency, shall publish in the Federal Register a proposed rule, consistent with section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344), to revise the regulations issued in the final rule of the Department of Defense and the Environmental Protection Agency titled ''Compensatory Mitigation for Losses of Aquatic Resources'' and published in the Federal Register on April 10, 2008 (73 Fed. Reg. 19594).

(b) SCOPE OF REVISIONS.—In carrying out subsection (a), the Secretary shall—

(1) incorporate lessons learned since the implementation of the final rule described in subsection (a) and reflect advances in science, restoration practices, and regulatory efficiency;

(2) promote equivalency and flexibility among mitigation options, including mitigation banking, in-lieu fee programs, and permittee-responsible mitigation;

(3) expedite the approval of plans that use mitigation banks, in-lieu fee programs, and permittee-responsible mitigation;

(4) support regional watershed approaches, including by—

(A) encouraging compensatory mitigation credit generation and sales across primary, secondary, and tertiary service areas; and

(B) implementing mitigation requirements, policies, and guidance that are consistent, predictable, and transparent;

(5) ensure timely coordination between Corps of Engineers district offices and Interagency Review Teams;

(6) ensure that, for projects involving temporary impacts to aquatic resources, including mining and other energy or infrastructure projects with approved reclamation plans, the revised regulations—

(A) take into account the temporary nature of such impacts;

(B) recognize activities carried out under an approved reclamation plan as a form of minimization of such impacts, consistent with the guidelines developed under section 404(b)(1) of the Federal Water Pollution Control Act;

(C) consider financial assurances already required under applicable regulatory programs (including instruments such as surety bonds, collateral bonds, letters of credit, insurance, trust funds, and, where permitted, self-bonding) when determining the need for additional financial assurances; and

(D) allow the use, transfer, or sale of surplus compensatory mitigation credits generated through activities carried out under an approved reclamation plan, if such credits meet applicable environmental performance standards;

(7) encourage the use of off-site and out-of-kind mitigation options where appropriate; and

(8) include any other revisions determined appropriate by the Secretary.

(c) GUIDANCE.—After issuing a final rule under this section, the Secretary shall issue guidance establishing objective, measurable success criteria for activities carried out under an approved reclamation plan for purposes of generating compensatory mitigation credits, and a phased credit release schedule tied to milestones for such activities.

(d) DEFINITIONS.—In this section:

(1) APPROVED RECLAMATION PLAN.—The term ''approved reclamation plan''—

(A) means—

(i) a reclamation plan approved pursuant to section 510 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1260);

(ii) a reclamation plan, plan of operations, or other similar plan approved by the Secretary of Agriculture or the Secretary of the Interior with respect to the mining or related operations of—

(I) minerals subject to location under the general mining laws;

(II) minerals subject to leasing under the mineral leasing laws; or

(III) mineral materials subject to disposition under the Act of July 31, 1947, commonly known as the Materials Act of 1947 (30 U.S.C. 601 et seq.);

(iii) a surface use plan of operations approved pursuant to subpart 3162 of title 43, Code of Federal Regulations (or a successor regulation);

(iv) a plan of operations or utilization plan approved pursuant to subpart 3200 of title 43, Code of Federal Regulations (or a successor regulation); and

(v) a plan of development approved pursuant to subpart 2805 of title 43, Code of Federal Regulations (or a successor regulation) that includes enforceable reclamation or surface restoration requirements; and

(B) includes a plan of operations approved under—

(i) subpart 3809 of title 43, Code of Federal Regulations (or a successor regulation); or

(ii) part 228 of title 36, Code of Federal Regulations (or a successor regulation).

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Army, acting through the Chief of Engineers.

The Acting CHAIR. Pursuant to House Resolution 936, the gentleman from Arkansas (Mr. CRAWFORD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arkansas.

Mr. CRAWFORD. Mr. Chair, this amendment is so great, you are not even going to believe it.

Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I rise today in support of my amendment to H.R. 3898, the PERMIT Act, that offers a solution to compensatory mitigation.

A lack of wetland mitigation credits is holding back residential housing construction, and the available credits are increasingly expensive.

These costs are passed down to the consumer, exacerbating the already unaffordable housing market that the U.S. is facing.

Unpredictable and lengthy permitting timelines for mitigation banks are making it more challenging to bring new credits to the market. Moreover, the requirement to purchase mitigation credits located within the same hydraulic unit code—geographic area determined by surface hydraulic features—can mean that credits available at a nearby wetland bank cannot be used if they are too far away.

Without available credits, a builder's second option is in-lieu fee programs; however, not all States offer this option, or builders can use a permittee-responsible mitigation. Still, most builders are not equipped to carry this out. Both options are expensive and burdensome.

My amendment fixes this issue by increasing the supply of mitigation bank credits, driving down the cost curve, and lowering home prices both through directly lowering the regulatory cost of building a new home and allowing builders to use lots that the cost of mitigation today prevents them from using.

Additionally, my amendment directs the Army Corps of Engineers and EPA to publish a revised compensatory mitigation rule that incorporates advances in science and lessons learned since 2007; promotes equivalency and flexibility among mitigation options, providing builders additional options beyond mitigation bank credits; speeds the approval of mitigation banks, including through the interagency review process, which provides numerous duplicative opportunities for the Army Corps offices to raise the same concerns; allows for mitigation credits to be used across multiple hydraulic unit codes; and allows for out-of-kind mitigation where appropriate.

Together, these changes will increase the availability of credits and provide alternatives to ensure that a lack of credits doesn't hamstring new developments.

Mr. Chair, I urge my colleagues to support my amendment to H.R. 3898, and I reserve the balance of my time.

Ms. SCHOLTEN. Mr. Chair, I am generally an agreeable person, but I do have to oppose this amendment, as well, offered by the gentleman from Arkansas (Mr. CRAWFORD).

The Acting CHAIR. The gentlewoman from Michigan is recognized for 5 minutes.

Ms. SCHOLTEN. Mr. Chair, as I have said throughout the proceedings today, I agree with Mr. CRAWFORD that we have an outdated and overly cumbersome permitting process right now that is in dire need of reform. It is increasing costs. However, the PERMIT Act and Mr. CRAWFORD's amendment do nothing to address that. In fact, they add to the confusion and the burden.

I oppose the continued weakening of Federal protections over our wetlands and streams, as well, and I oppose this amendment because it further weakens any remaining Federal protections to address impacts to these critical water bodies.

There has been an ongoing assault on Federal wetlands protections undertaken by the Supreme Court, the Trump administration, and this bill.

As a result of the Sackett decision, historic Federal protections were lost on over 50 percent of our wetlands and up to 70 percent of our rivers and streams. As a four-season angler, I can tell you I take this personally.

Now, the Trump administration is undertaking a rule to further erode Federal protections on wetlands and streams well beyond and potentially in contravention to the Sackett decision.

The PERMIT Act doubles down on these weakenings of Federal protections and goes well beyond Sackett and is wholly inconsistent with the goals and purposes of the Clean Water Act.

The Crawford amendment, while potentially well-intentioned, by focusing on mitigation of wetlands impacts, misses the mark by letting inferior mitigation proposals be deemed sufficient. This includes mitigation proposals in different watersheds than impacts, mitigation options that do not address lost wetland functions, or removing mitigation requirements for so-called temporary impacts to wetlands.

We all remember deadly flash floods overwhelming local communities this summer, a story that, unfortunately, will continue to unfold in more and more communities across the country as extreme weather events explode.

A root cause of those flash floods is the slow removal of the critical benefits that wetlands play in upstream communities.

I oppose the continued weakening of these Federal protections because of the harm that they cause to these critical wetlands.

Mr. Chair, I reserve the balance of my time.

□ 1300

Mr. CRAWFORD. Mr. Chair, I am very pleased to recognize that my friends on the other side of the aisle do recognize that we have a real big problem with compliance burdens and the costs associated with that, and how that prevents Americans from realizing the American Dream of homeownership. As they raise the point of affordability, they neglect the fact that we can address affordability by reducing costs to potential homeowners.

At least we can agree that we have a cumbersome regulatory framework that needs to be fixed. This helps fix and is actually a proactive step in addressing the affordability crisis. One of those things has to do with homeownership, and by adopting this amendment, we are increasing the likelihood that an American can actually build a home and realize the American Dream.

Mr. Chair, I reserve the balance of my time.

Ms. SCHOLTEN. Mr. Chair, I yield myself such time as I may consume.

The housing crisis is felt acutely in west Michigan. I have supported numerous bipartisan solutions to help get more affordable homes on the market, and permitting reform is a critical component of that.

As I have said, however, this amendment, as well as the PERMIT Act itself, does nothing to address it. Soon, homeowners won't be able to afford whatever home they are able to purchase and build because of the rising costs of flood insurance or the floods that will devastate those new homes.

At a time when costs are rising and flooding becomes more frequent, destroying just 1 acre of wetland will increase costs by $8,000 in additional payouts by American taxpayers through the National Flood Insurance Program.

We can come to meaningful permitting reforms together by increasing the staff that we have to administer permits and cutting red tape that is truly hindering these permits from getting executed expeditiously. I mentioned previously that the Army Corps lost its three senior-most experts, as well as an additional 15 to 30 percent of its regulatory staff. The confusion at the agency caused by this administration is adding to the increase in rising costs to the American people.

Mr. Chair, I reserve the balance of my time.

Mr. CRAWFORD. Mr. Chair, I have heard this mentioned more than once today, and that is that we need to increase the number of personnel to process, manage, and administer the regulatory burdens that Americans are facing. Let me say that again. The Democrats say we need to increase personnel because the regulatory burden is so cumbersome that it takes additional personnel to be able to administer it. That seems counterintuitive to regulatory relief.

Mr. Chair, I urge passage of my amendment, and I yield back the balance of my time.

Ms. SCHOLTEN. Mr. Chair, I yield myself the balance of my time.

Adding additional staff is just one component of the overall permitting reform process that we hope to engage in in a meaningful bipartisan way because we know that there are bipartisan solutions on the table.

In the past few years, we have seen the Supreme Court, the Trump administration, and the Republican Congress chip away at the historic Clean Water Act.

Under the Supreme Court's misreading of this critical law, decades-old protections have been slashed for over half of our wetlands and up to 70 percent of our streams, resulting in almost 90 percent of our wetlands and streams losing protection. This amendment only worsens those protections.

I oppose this amendment, and I encourage my colleagues to do the same. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arkansas (Mr. CRAWFORD).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. NUNN OF IOWA

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part A of House Report 119–399.

Mr. NUNN of Iowa. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

SEC. ___. STATE-LED PERMITTING EFFICIENCY AND WATER QUALITY PILOT.

(a) IN GENERAL.—The Administrator of the Environmental Protection Agency shall establish a voluntary pilot program to support State-led water quality improvements in waters listed as impaired for nitrogen or phosphorus under section 303(d) of the Federal Water Pollution Control Act (33 U.S.C. 1313(d)).

(b) VOLUNTARY PARTICIPATION.—Participation by agricultural producers in the program established under this section shall be voluntary.

(c) SAVINGS CLAUSE.—Nothing in this section may be construed to authorize the regulation of nonpoint sources or expand Federal jurisdiction.

The Acting CHAIR. Pursuant to House Resolution 936, the gentleman from Iowa (Mr. NUNN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. NUNN of Iowa. Mr. Chair, I yield myself such time as I may consume.

I would like to begin by thanking Representative COLLINS for his leadership on the PERMIT Act and the Transportation and Infrastructure Committee for their joint work in a bipartisan way on many of these issues in this bill, as well.

I rise in support today of an amendment to the PERMIT Act that would establish a new State-led water quality pilot program through the Environmental Protection Agency.

This amendment is straightforward, and like my home State in Iowa, it is something that can help in our rural communities. It supports States across the country in working to address water quality challenges using voluntary, science-backed conservation practices that our landowners and local partners are already engaged in implementing.

This issue hits particularly close to home for me. In the Hawkeye State, we have seen some of the highest nitrate levels ever recorded in our rivers and streams across Iowa. This year alone, the Raccoon and Des Moines Rivers exceeded Federal nitrate limits multiple times, requiring expensive water treatment to provide safe drinking water for more than 600,000 Iowans.

More than 600 water segments across Iowa are now listed as impaired, with just over 60 percent of our nutrient-impaired watersheds remaining on the 303(d) list.

Iowans worked hard, as have many States, to address this issue, but the scale of the challenge demands better coordination and support from our Federal Government.

My amendment would create a new pilot program to strengthen the State and Federal collaboration in areas with nitrogen and phosphorus impairments, exactly what Iowa is struggling with. It would bring the Environmental Protection Agency to the table with States to help advance water quality improvements more efficiently and ensure that our existing tools and conservation programs work together as effectively as possible in a hybrid model.

This pilot is fully voluntary and keeps the Federal Government in its proper lane. It does not impose any new obligations on a producer or private landowner. What it does do is it helps best practices already being implemented in places like Iowa and many other States that are working to

meet ambitious nutrient reduction goals.

This amendment will help ensure that projects designed to improve water quality can move forward smoothly and with support, particularly in those areas with watersheds.

This approach is the type of State-led partnership that focuses on solutions the PERMIT Act is intended to help support. It accelerates the forward progress of water quality projects. It strengthens State leadership on this issue. It gets buy-in from communities. It promotes voluntary conservation work that everyone agrees is the best way to help our family farms, local communities, rural hometowns, and, most importantly, water quality across this country.

I respectfully ask my colleagues to support this commonsense amendment as we move forward with the PERMIT Act.

Mr. Chair, I reserve the balance of my time.

Ms. SCHOLTEN. Mr. Chair, I rise in opposition to the amendment offered by the gentleman from Iowa.

The Acting CHAIR. The gentlewoman from Michigan is recognized for 5 minutes.

Ms. SCHOLTEN. Mr. Chair, this amendment is redundant. There are existing programs at the EPA that cover both nitrogen and phosphorus pollution control and mitigation for their impacts on impaired waters.

Perhaps worse, this new program does not come with dedicated appropriations, which means that if stood up, this program would have to pull resources away from well-established EPA efforts to support water quality improvements in communities. It is expensive, and it does nothing.

This amendment is window dressing for this bad bill. Instead, we should be working together on bipartisan efforts to support clean water and improve water quality.

I encourage my colleagues to oppose this amendment, and I reserve the balance of my time.

□ 1310

Mr. NUNN of Iowa. Mr. Chairman, while I appreciate the feedback from my colleague on the other side of the aisle, I will remind the gentlewoman from Michigan that not every good answer comes out of Washington, D.C. In fact, many of them are best practice right in our family hometowns. In a State like Iowa and in Des Moines, who helped lead in water quality—and we want to do more—the lag time, the bureaucracy, the delay, and the permitting coming out of Washington has made it only harder.

This is a voluntary opportunity to create a pilot program that can create a new idea, make a good recommendation, capture a best practice, and help to instill it in a way that improves water quality not only at source, but downstream for every State, as well.

While I support what the EPA is trying to do at the Federal level, I think we all recognize that the EPA alone can't solve this. They need help from great leaders on the ground.

Let's empower locals to have the opportunity to also be part of the solution and not turn to, as you have noted several times, a long, delayed permitting process in Washington to be a final solution for every challenge that America faces.

Mr. Chair, I reserve the balance of my time.

Ms. SCHOLTEN. Mr. Chairman, I am a huge supporter of Federal-State partnerships when it comes to protecting our waters and believe that localities and our States need to play a bigger role. However, this particular amendment is already in place. Without direct appropriations, we are tasking the Federal Government with creating even more programs that they don't have the resources to fulfill. It is costly and redundant, and that is why I am opposed.

Mr. Chair, I reserve the balance of my time.

Mr. NUNN of Iowa. Mr. Chairman, in closing, this amendment is about helping States succeed to improve their water quality—not creating a new mandate and not creating a new bureaucracy. It gives States the support that they need to do the things that currently aren't being executed under current law.

This is a good, project-focused effort to help innovators at the source. It is smart. It is targeted solutions. It supports a cleaner water for our country. It is strong State leadership. It is better outcomes for communities. It is locally driven, not federally mandated.

Mr. Chair, I urge my colleagues on both sides of the aisle to support H.R. 3898 and my amendment, and I yield back the balance of my time.

Ms. SCHOLTEN. Mr. Chairman, too much nitrogen and phosphorus in the water accelerates the growth of harmful levels of algae and bacteria. We see it firsthand in the Great Lakes every single year with the formation of algal blooms that are devastating to our Great Lakes, rivers, and streams. Significant increases in algae harm water quality, food resources, and habitats, and they decrease the oxygen that fish and other aquatic life need to survive.

The Clean Water Act has several regulatory and nonregulatory programs aimed at addressing nutrients, many of which suffer from the lack of Federal funding to truly make a difference. Adding a redundant program without funding doesn't help us roll back red tape and streamline permitting. It only adds to the problem.

Mr. Chair, I oppose the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Iowa (Mr. NUNN).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MR. PETERS

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in part A of House Report 119–399.

Mr. PETERS. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following:

SEC. 22. INTERNATIONAL BOUNDARY AND WATER COMMISSION AUTHORITY.

(a) AUTHORIZATION.—The Commission is authorized to accept funds from a Federal or non-Federal entity, including through a grant or funding agreement, to study, design, construct, operate, or maintain wastewater treatment works, water conservation projects, or flood control works, and related structures, consistent with the functions of the Commission.

(b) DEPOSIT.—Any funds accepted by the Commission under this section shall be—

(1) deposited into the account in the Treasury of the United States entitled ''International Boundary and Water Commission, United States and Mexico''; and

(2) subject to the availability of appropriations, available until expended to carry out the activities described in subsection (a).

(c) LIMITATIONS.—

(1) LIMIT ON REIMBURSEMENT.—The Commission may not provide credit towards the non-Federal share of the cost of a project, or reimbursement, to non-Federal entities for funds accepted under this section in an amount that exceeds a total of $5,000,000 in any fiscal year.

(2) SOURCE OF FUNDS.—The Commission may not accept funds under this section from any non-Federal entity—

(A) that is domiciled in, headquartered in, or organized under the laws of, or the principal place of business of which is located in, a foreign country of concern; or

(B) that has in place any agreement with a foreign country of concern.

(d) REPORT.—Not later than the last day of each fiscal year, the Commission shall submit to the Committee on Foreign Relations of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the funds accepted under this section that includes a description of—

(1) the activities carried out with such funds; and

(2) costs associated with such activities.

(e) DEFINITIONS.—In this section:

(1) The term ''Commission'' means the United States Section of the International Boundary and Water Commission, United States and Mexico.

(2) The term ''foreign country of concern'' has the meaning given that term in section 10638 of the Research and Development, Competition, and Innovation Act (42 U.S.C. 19237).

The Acting CHAIR. Pursuant to House Resolution 936, the gentleman from California (Mr. PETERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. PETERS. Mr. Chairman, my amendment includes the language from my bill, H.R. 1948, allowing the International Boundary and Water Commission, or IBWC, to accept up to $5 million per year from other Federal agencies or outside entities, such as cities, States, and nonprofit organizations, for wastewater treatment and flood-control projects like those that would fight the cross-border sewage crisis in San Diego.

The IBWC has jurisdiction over the South Bay International Wastewater Treatment Plant in San Diego, where longstanding operational and maintenance failures have allowed raw sewage to flow from the Tijuana River into San Diego's beaches. This has created a public health crisis that strains local resources, poses significant environmental risks, and forces our servicemembers to train in polluted sewage water.

Under current law, Federal agencies, State governments, and local entities cannot transfer funds to projects under IBWC's jurisdiction. This leaves IBWC reliant on annual appropriations or emergency funding to build and maintain its facilities.

My office, along with the rest of the San Diego delegation, has secured $360 million in emergency funding to help address chronic issues at the South Bay treatment plant. I thank all of the people in this Chamber who have supported that, including a number of my colleagues on the other side of the aisle who are veteran Navy SEALs and have been very concerned about this issue.

This amendment would provide another tool to ensure San Diego does not need to move from emergency to emergency to secure adequate funding for the plant. If we can get money from other sources, there is no reason not to accept it. For some reason, current law prevents us from accepting even a donation from a nonprofit that would want to help us with the issue.

Mr. Chair, I say let's get out of the way. H.R. 1948 passed out of the House on suspension in June of this year, and I hope to see it become law on any topical legislative vehicle before us. In this case, our amendment would authorize additional funding sources to further expedite the completion of clean water projects that fall under IBWC's jurisdiction. I think it makes sense and is good for everyone.

Mr. Chair, I appreciate the support of my colleagues, and I reserve the balance of my time.

Mr. ROUZER. Mr. Chair, I claim the time in opposition to the amendment, even though I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from North Carolina is recognized for 5 minutes.

There was no objection.

Mr. ROUZER. Mr. Chairman, although I claim time in the opposition, I do not oppose the amendment. I rise, in fact, in support of the amendment No. 8 offered by my colleague from California (Mr. PETERS), as it would allow the United States section of the International Boundary and Water Commission, or IBWC as they call it, to receive additional funding from other Federal and non-Federal partners to support water and wastewater infrastructure.

This amendment will give the IBWC access to additional funding sources, enabling it to properly maintain these assets and, in turn, support cleaner training waters for our warfighters while strengthening security along our southern border.

This amendment is the same text as H.R. 1948, which was favorably reported out of the Committee on Transportation and Infrastructure and passed the House by voice vote earlier this Congress.

Mr. Chairman, I urge my colleagues to vote in favor of the amendment, and I reserve the balance of my time.

Mr. PETERS. Mr. Chairman, I appreciate the support of my colleague, the gentleman from North Carolina (Mr. ROUZER), and the committee. I urge support of the amendment, and I yield back the balance of my time.

Mr. ROUZER. Mr. Chair, this is a good amendment. I urge adoption of it, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. PETERS).

The amendment was agreed to.

The Acting CHAIR. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ROUZER) having assumed the chair, Mr. DESJARLAIS, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3898) to amend the Federal Water Pollution Control Act to make targeted reforms with respect to waters of the United States and other matters, and for other purposes, and, pursuant to House Resolution 936, he reported the bill, as amended pursuant to that resolution, back to the House with sundry further amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The Chair will put the amendments reported from the Committee of the Whole en gros.

The question is on the amendments.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 3898 is postponed.

RECESS

The SPEAKER pro tempore (Mr. DESJARLAIS). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 12 o'clock and 20 minutes p.m.), the House stood in recess.

□ 1330

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MORAN) at 1 o'clock and 30 minutes p.m.

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. GREEN of Texas. Mr. Speaker, I rise to a question of the privileges of the House and offer the resolution that was previously noticed.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 939

Resolved, That Donald John Trump, President of the United States, is an abuser of Presidential power who, if left in office, will continue to promote the incitement of violence, engender invidious hate, undermine our democracy, and dissolve our Republic, that he is impeached for high crimes and misdemeanors, and that the following articles of impeachment be exhibited to the United States Senate:

Articles of impeachment exhibited by the House of Representatives of the United States of America in the name of itself and of the people of the United States of America, against Donald J. Trump, President of the United States of America, in maintenance and support of its impeachment against him for high crimes and misdemeanors.

ARTICLE I: ABUSE OF PRESIDENTIAL POWER BY CALLING FOR THE EXECUTION OF MEMBERS OF CONGRESS

In his conduct of the office of President of the United States, Donald John Trump, in violation of his constitutional oath to faithfully execute the office of the President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed, has unfaithfully, dangerously, and unconstitutionally abused his official position by threatening Democratic lawmakers in Congress with execution.

President Trump called for the execution of six Democratic lawmakers, all of whom are currently serving in the U.S. Senate or U.S. House of Representatives and who previously served in the U.S. Military or in U.S. Intelligence communities, in response to a short video that they posted on November 18, 2025. In their video, the Democratic lawmakers appropriately urged current members of the military and intelligence communities to adhere to the Constitution and the laws of our country. They specifically said: ''Like us, you all swore an oath to protect and defend this Constitution. Right now, the threats to our Constitution aren't just coming from abroad, but from right here at home. Our laws are clear. You can refuse illegal orders. You can refuse illegal orders. You must refuse illegal orders. No one has to carry out orders that violate the law or our Constitution.''

On November 20, 2025, in response, President Trump called for their execution. In one social media post, he wrote: ''It's called SEDITIOUS BEHAVIOR AT THE HIGHEST LEVEL. Each one of these traitors to our Country should be ARRESTED AND PUT ON TRIAL. Their words cannot be allowed to stand—We won't have a Country anymore!!! An example MUST BE SET. President DJT.'' In another, he wrote of the lawmakers: ''SEDITIOUS BEHAVIOR, punishable by DEATH!'' Dangerously and unconstitutionally, he reposted a third party's post: ''HANG THEM GEORGE WASHINGTON WOULD!!''

President Trump's call for the execution of lawmakers is a reckless and flagrant abuse