

## HR 7023

### Creating Confidence in Clean Water Permitting Act

**Congress:** 118 (2023–2025, Ended)

**Chamber:** House

**Policy Area:** Environmental Protection

**Introduced:** Jan 17, 2024

**Current Status:** Received in the Senate and Read twice and referred to the Committee on Environment and Public Works.

**Latest Action:** Received in the Senate and Read twice and referred to the Committee on Environment and Public Works. (Mar 22, 2024)

**Official Text:** <https://www.congress.gov/bill/118th-congress/house-bill/7023>

### Sponsor

**Name:** Rep. Rouzer, David [R-NC-7]

**Party:** Republican • **State:** NC • **Chamber:** House

### Cosponsors

*No cosponsors are listed for this bill.*

### Committee Activity

Committee	Chamber	Activity	Date
Environment and Public Works Committee	Senate	Referred To	Mar 22, 2024
Transportation and Infrastructure Committee	House	Discharged from	Jan 31, 2024

### Subjects & Policy Tags

#### Policy Area:

Environmental Protection

### Related Bills

Bill	Relationship	Last Action
118 HRES 1085	Procedurally related	<b>Mar 20, 2024:</b> Motion to reconsider laid on the table Agreed to without objection.

## **Creating Confidence in Clean Water Permitting Act**

This bill modifies requirements under the Clean Water Act, including requirements concerning water quality criteria, the National Pollutant Discharge Elimination System (NPDES) program, the permit program for discharging dredged or fill material into waters of the United States, and the meaning of *waters of the United States*. It also limits the issuance of permits under the act.

First, the bill directs the Environmental Protection Agency (EPA) to develop any new or revised water quality criteria for states through a rule.

Next, the bill modifies the NPDES program, including by providing statutory authority for provisions that shield NPDES permit holders from liability under certain circumstances. It also provides statutory authority for the EPA to issue general permits under the program. The EPA must also provide written notification two years before the expiration of a general permit. If notice is not provided by that deadline, then discharges under the expired permit may continue until a new permit is issued. Finally, the bill extends the maximum term for NPDES permits issued to states or municipalities from 5 to 10 years.

Additionally, the bill modifies the permitting program of the EPA and the U.S. Corps of Engineers that regulates the discharge of dredged or fill material into waters of the United States. For example, the bill limits the EPA's veto authority to restrict, prohibit, deny, or withdraw the specification by the Corps of a site for the discharge of dredged or fill material into waters of the United States. The bill also modifies requirements for general permits to discharge dredge or fill material that are issued on a nationwide, regional, or state basis for particular categories of activities, including by extending the maximum term for a general permit from a period of 5 years to 10 years. It also exempts the Corps from certain consultation and environmental review requirements when reissuing nationwide general permits.

Further, the bill also provides statutory authority for the EPA's decision to approve Florida's request to assume permitting authority from the Corps for the discharge of dredged or fill material. The decision, which was issued in 2020, was subsequently vacated in 2024 by the U.S. District Court for the District of Columbia.

The bill also directs the EPA and the Corps to begin a process to issue guidance on the implementation of the 2023 final rule titled *Revised Definition of "Waters of the United States"; Conforming* and stipulates the guidance must comply with the decision of the Supreme Court in *Sackett v. EPA*.

Finally, the bill prohibits permits from being issued under Title IV of the Clean Water Act for any discharges from a point source that is owned or operated by certain foreign counties of concern and any subsidiaries of entities that are subject to the jurisdiction of such countries.

## Actions Timeline

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- **Mar 22, 2024:** Received in the Senate and Read twice and referred to the Committee on Environment and Public Works.
- **Mar 21, 2024:** Considered under the provisions of rule H. Res. 1085. (consideration: CR H1322-1340; text of amendment in the nature of a substitute: CR H1331-1332)
- **Mar 21, 2024:** Rule provides for consideration of H.R. 1023, H.R. 1121, H.R. 6009, H. Con. Res. 86, H. Res. 987 and H.R. 7023. The resolution provides for consideration H.R. 1023, H.R. 1121, H.R. 6009, H. Con. Res. 86, and H. Res. 987 under a closed rule, and H.R. 7023 under a structured rule, each with one hour of general debate. The rule provides for one motion to recommit each on H.R. 1023, H.R. 1121, H.R. 6009, and H.R. 7023.
- **Mar 21, 2024:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 1085 and Rule XVIII.
- **Mar 21, 2024:** The Speaker designated the Honorable Daniel Meuser to act as Chairman of the Committee.
- **Mar 21, 2024:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 7023.
- **Mar 21, 2024:** DEBATE - Pursuant to the provisions of H. Res. 1085, the Committee of the Whole proceeded with 10 minutes of debate on the Bergman amendment No. 1.
- **Mar 21, 2024:** DEBATE - Pursuant to the provisions of H. Res. 1085, the Committee of the Whole proceeded with 10 minutes of debate on the Garamendi amendment No. 2.
- **Mar 21, 2024:** DEBATE - Pursuant to the provisions of H. Res. 1085, the Committee of the Whole proceeded with 10 minutes of debate on the Houlahan amendment No. 3.
- **Mar 21, 2024:** DEBATE - Pursuant to the provisions of H. Res. 1085, the Committee of the Whole proceeded with 10 minutes of debate on the James amendment No. 4.
- **Mar 21, 2024:** DEBATE - Pursuant to the provisions of H. Res. 1085, the Committee of the Whole proceeded with 10 minutes of debate on the Moolenaar amendment No. 5.
- **Mar 21, 2024:** DEBATE - Pursuant to the provisions of H. Res. 1085, the Committee of the Whole proceeded with 10 minutes of debate on the Bean (FL) amendment No. 7.
- **Mar 21, 2024:** DEBATE - Pursuant to the provisions of H. Res. 1085, the Committee of the Whole proceeded with 10 minutes of debate on the Graves (LA) amendment No. 8.
- **Mar 21, 2024:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 7023.
- **Mar 21, 2024:** The previous question was ordered pursuant to the rule.
- **Mar 21, 2024:** The House adopted the amendments en gross as agreed to by the Committee of the Whole House on the state of the Union.
- **Mar 21, 2024:** Ms. Scholten moved to recommit to the Committee on Transportation and Infrastructure. (text: CR H1328)
- **Mar 21, 2024:** On motion to recommit Failed by the Yeas and Nays: 205 - 213 (Roll no. 100).
- **Mar 21, 2024:** Passed/agreed to in House: On passage Passed by recorded vote: 213 - 205 (Roll no. 101).
- **Mar 21, 2024:** On passage Passed by recorded vote: 213 - 205 (Roll no. 101).
- **Mar 21, 2024:** Motion to reconsider laid on the table Agreed to without objection.
- **Mar 21, 2024:** The title of the measure was amended. Agreed to without objection.
- **Mar 20, 2024:** Rule H. Res. 1085 passed House.
- **Mar 19, 2024:** Rules Committee Resolution H. Res. 1085 Reported to House. Rule provides for consideration of H.R. 1023, H.R. 1121, H.R. 6009, H. Con. Res. 86, H. Res. 987 and H.R. 7023. The resolution provides for consideration H.R. 1023, H.R. 1121, H.R. 6009, H. Con. Res. 86, and H. Res. 987 under a closed rule, and H.R. 7023 under a structured rule, each with one hour of general debate. The rule provides for one motion to recommit each on H.R. 1023, H.R. 1121, H.R. 6009, and H.R. 7023.
- **Feb 6, 2024:** Reported (Amended) by the Committee on Transportation and Infrastructure. H. Rept. 118-375.
- **Feb 6, 2024:** Placed on the Union Calendar, Calendar No. 306.
- **Jan 31, 2024:** Subcommittee on Water Resources and Environment Discharged
- **Jan 31, 2024:** Committee Consideration and Mark-up Session Held
- **Jan 31, 2024:** Ordered to be Reported (Amended).
- **Jan 19, 2024:** Referred to the Subcommittee on Water Resources and Environment.
- **Jan 17, 2024:** Introduced in House
- **Jan 17, 2024:** Referred to the House Committee on Transportation and Infrastructure.

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