

video recordings of the alleged violation(s). Also, the Committee will send a letter to the Member notifying them of their right to appeal, the deadline by which to file an appeal, the Committee's special policies and procedures, and noting that an appeal to the Committee shall include a response to the findings issued by the Sergeant at Arms, and may include the basis for the appeal, a description of the occurrence precipitating the fine, any exculpatory information, any request to appear before the Committee, and any additional information that the appellant believes will assist the Committee in considering the appeal. In addition, for receipt of any fine notification under H. Res. 73, the Committee shall notify the Member of the Committee's obligation to publish the fine notification.

2. For a fine notification received under H. Res. 73, the Chair and Ranking Member will make the notification public within two business days of receipt. The Committee will provide the subject of the fine with notice of publication one business day prior to release.

3. The Chair and Ranking Member may make redactions to the public fine notification received under H. Res. 73 as they deem necessary to protect certain personally identifiable information or other sensitive details.

4. In appealing a fine to the Committee, the appellant may be represented by counsel at their own expense.

5. Upon receipt of an appeal of a fine, the Committee will send a letter confirming its receipt of the appeal and notifying the appellant that it will consider the appeal within 30 calendar days. Also, upon receipt of an appeal, the Committee will send a letter to the Sergeant at Arms, U.S. Capitol Police, and/or Chief Administrative Officer requesting that they provide the Committee with a copy of all records of any reviews, determinations, or decisions regarding the alleged violation(s) and any additional information, including video recordings of the alleged violation(s).

6. If the written appeal does not provide sufficient information to fully assess an appeal, the Chair and Ranking Member may jointly authorize staff to request additional information from the appellant.

7. If an appellant asserts there are factual errors with the findings and any supporting documentation, the Chair and Ranking Member will request a response from the Sergeant at Arms and the U.S. Capitol Police. The Chair and Ranking Member may also jointly seek additional information from other sources.

8. The Chair or Ranking Member, consistent with Committee Rule 5(b), may place consideration of an appeal on the agenda at any time. If no meeting of the Committee is scheduled to occur within 30 days of receipt of an appeal, the Chair will make reasonable efforts to convene a meeting during that time period.

9. Members of the Committee will be provided any information needed for consideration of the appeal not later than three days prior to any meeting in which the appeal will be considered, whenever possible.

10. The Committee may agree to an appeal if it determines the fine is (a) arbitrary and capricious, an abuse of discretion, or otherwise not consistent with law or with principles of fairness; (b) not made consistent with required procedures; or (c) unsupported by substantial evidence.

11. The Chair and Ranking Member will notify the Speaker, the Sergeant at Arms, Chief Administrative Officer, and the public of the determination regarding a fine appeal (or that no appeal has been filed) two business days after such determination (or the expiration of the appeal period), and will also publish the written appeal if the appellant so chooses. The Committee will provide the subject of the fine with notice of publication one business day prior to release.

NATIONAL POLLUTANT DIS-
CHARGE ELIMINATION SYSTEM
(NPDES)

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, March 12, 2021

Mr. GARAMENDI. Madam Speaker, today I reintroduce a noncontroversial amendment to the Clean Water Act, extending permit terms for publicly owned water infrastructure projects under the National Pollutant Discharge Elimination System (NPDES). I thank my colleague Congressman KEN CALVERT (R-CA) for his support as the original cosponsor.

This bipartisan bill would simply extend the NPDES permit term for projects owned by local public agencies and water districts from the current 5 up to 10 years. This would encourage investment in modern wastewater treatment facilities by relieving unnecessary, bureaucratic paperwork and allow regulators to focus on watershed-scale planning and water quality standards. This bill is supported by the National Association of Clean Water Agencies, National Association of Counties, United States Conference of Mayors, National Association of Counties, National League of Cities, National Water Resources Association, Association of California Water Agencies, California Association of Sanitation Agencies, WaterReuse Association, and Water Environment Federation.

The United States has fallen behind many other developed nations in wastewater infrastructure, receiving a D+ grade in the Amer-

ican Society of Civil Engineers' most recent report card. One reason for this lapse in infrastructure improvements is arbitrary permitting timetables imposed by the federal government. Permit terms should match the construction timelines and on-the-ground reality for the projects to which they apply. This is currently not the case. With over 95 percent of wastewater infrastructure spending at the local level, according to the U.S. Conference of Mayors, lengthening permit terms for local governments would be one of the most expeditious ways to encouraging further investment in 21st-century wastewater treatment facilities.

Current NPDES permitting under the Clean Water Act has a maximum term of 5 years, an aggressive timeline that is impracticable given construction schedules of local public agencies. As a result, California's State Water Resources Control Board and Clean Water Act regulators in other states are overwhelmed with a backlog of NPDES permitting requests for existing projects. New public projects are, likewise, significantly delayed by this unnecessary bureaucracy.

My office has identified nearly a dozen major public projects to modernize wastewater treatment plants or build water recycling facilities in California delayed by the current 5-year NPDES term. One such public water recycling project in a drought-stricken region of southern California is well into its third NPDES permit term before even breaking ground on the underlying project. This is just one example where the arbitrary 5-year permit term impedes public water infrastructure projects that would advance the stated goals of the Clean Water Act.

My bill would alleviate this burden by extending the maximum permit to 10 years, helping local water agencies nationwide better implement the Clean Water Act and literally cutting the permitting backlog in half. Extending the NPDES permitting term is a practical solution that allows local agencies to meet the existing regulatory standards while building public water projects that measurably improve water quality, which after all is the purpose of the Clean Water Act. NPDES permit terms for private projects or industrial discharges would remain at the current 5-year term.

Madam Speaker, I encourage all Members to cosponsor this bipartisan bill to extend the maximum NPDES permit term for public water projects under the Clean Water Act. I plan to make this commonsense legislation a top priority in my work on the House Committee on Transportation and Infrastructure.