

AMENDMENT TO THE RULES COMMITTEE PRINT
117-13
OFFERED BY MR. BABIN OF TEXAS

Add at the end of subtitle B of title III the following
new section:

1 **SEC. 3__ . PARTICIPATION IN POLLUTANT BANKS AND**
2 **WATER QUALITY TRADING.**

3 (a) IN GENERAL.—Chapter 159 of title 10, United
4 States Code, is amended by inserting after section 2694c
5 the following new section:

6 **“§ 2694d. Participation in pollutant banks and water**
7 **quality trading**

8 “(a) AUTHORITY TO PARTICIPATE.—The Secretary
9 of a military department, and the Secretary of Defense
10 with respect to matters concerning a Defense Agency,
11 when engaged in an authorized activity that may or will
12 result in the discharge of pollutants, may make payments
13 to a pollutant banking program or water quality trading
14 program approved in accordance with the Water Quality
15 Trading Policy dated January 13, 2003, set forth by the
16 Office of Water of the Environmental Protection Agency,
17 or any successor administrative guidance or regulation.

1 “(b) TREATMENT OF PAYMENTS.—Payments made
2 under subsection (a) to a pollutant banking program or
3 water quality trading program may be treated as eligible
4 project costs for military construction.

5 “(c) DISCHARGE OF POLLUTANTS DEFINED.—In
6 this section, the term ‘discharge of pollutants’ has the
7 meaning given that term in section 502(12) of the Federal
8 Water Pollution Control Act (33 U.S.C. 1362(12)) (com-
9 monly referred to as the ‘Clean Water Act’).”.

10 (b) CLERICAL AMENDMENT.—The table of sections
11 at the beginning of such chapter is amended by inserting
12 after the item relating to section 2694c following new
13 item:

“2694d. Participation in pollutant banks and water quality trading.”.

