

112TH CONGRESS
1ST SESSION

H. R. 2765

To amend the Federal Water Pollution Control Act to clarify the requirement that permit applications for the discharge of pollutants be approved by disinterested board members, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 1, 2011

Mr. GARY G. MILLER of California (for himself, Mr. ROHRABACHER, and Mr. CALVERT) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend the Federal Water Pollution Control Act to clarify the requirement that permit applications for the discharge of pollutants be approved by disinterested board members, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Sunshine on Conflicts
5 Act of 2011”.

1 **SEC. 2. APPROVAL BY DISINTERESTED BOARD MEMBERS.**

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

5 “(6) Not later than 60 days after the date of the en-
6 actment of this paragraph, the Administrator shall issue
7 a rule to prohibit any member of a board or body that
8 approves permit applications or portions thereof from vot-
9 ing upon, or seeking to influence, the approval of any per-
10 mit in which that member has a direct or indirect financial
11 interest, as defined in applicable State law.”.

12 (b) NO FORCE OR EFFECT OF EXISTING REGULA-
13 TION.—Section 123.25(c) of title 40, Code of Federal Reg-
14 ulations, shall have no further force or effect after the ear-
15 liest of the date on which a rule is issued under section
16 402(a)(6) of the Federal Water Pollution Control Act (33
17 U.S.C. 1342(a)(6)) or the end of the 120-day period be-
18 ginning on the date of the enactment of this section.

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