

AMENDMENT TO H.R. 3898, AS REPORTED
OFFERED BY MR. BABIN OF TEXAS

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

Page 15, after line 14, insert the following:

1 “(h) JUDICIAL REVIEW.—

2 “(1) AFFECTED CERTIFICATION ACTIONS.—

3 This subsection shall apply to any civil action for the
4 review of a certification action with respect to an ap-
5 plicant for a license or permit—

6 “(A) for the construction or operation of
7 facilities for the transmission of electric energy
8 or energy fuels in interstate or foreign com-
9 merce; or

10 “(B) from the Federal Energy Regulatory
11 Commission.

12 “(2) STANDING AND FILING DEADLINE.—Not
13 withstanding any other provision of law, no court
14 shall have jurisdiction to review a civil action under
15 this subsection, except for a civil action filed not
16 later than 30 days after the final action on the cer-
17 tification by—

1 “(A) the applicant; or

2 “(B) a person who has suffered, or likely
3 and imminently will suffer, direct and irrep-
4 arable economic harm from the authorization;
5 provided that an organization or association
6 satisfies this harm requirement only if each
7 member of the organization or association satis-
8 fies the requirement.

9 “(3) EXPEDITED CONSIDERATION.—

10 “(A) The Court shall—

11 “(i) set any petition for review
12 brought under this subsection for expedited
13 consideration; and

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

20 “(B) FAILURE TO COMPLY WITH DEAD-
21 LINE.—If the civil action concerns a certifi-
22 cation that has been granted, the Court’s fail-
23 ure to issue a final decision in compliance with

- 1 the deadlines in subparagraph (A) shall mean
- 2 the civil action is denied with prejudice.”.

