

**AMENDMENT TO DIVISION B OF RULES**  
**COMMITTEE PRINT 117-57**  
**OFFERED BY MR. BENTZ OF OREGON**

At the end of division B, add the following:

1       **TITLE IX—EXEMPTIONS FOR**  
2       **POST-DISASTER WORK**

3       **SECTION 901. EXEMPTIONS FOR POST-DISASTER WORK.**

4       (a) DEFINITIONS.—In this section:

5           (1) ELIGIBLE PROJECT.—The term “eligible  
6       project” means a project—

7           (A) that is authorized under Federal Rec-  
8       lamation law;

9           (B) conducted by the Bureau of Reclama-  
10       tion, or a transferred works operating entity, in  
11       an eligible State; and

12          (C) for any of the following activities:

13           (i) Repairing, replacing, or maintain-  
14       ing existing facilities, structures, or appur-  
15       tenances damaged by a natural disaster.

16           (ii) Removing or relocating debris and  
17       sediment following a natural disaster (in-  
18       cluding a wildfire, flood, or storm) to re-

1 store a facility (including a dam, reservoir,  
2 or canal) to pre-disaster conditions.

3 (iii) Repairing, replacing, or maintain-  
4 ing existing fish ladders, screens, or  
5 spawning areas to pre-disaster conditions.

6 (2) ELIGIBLE STATE.—The term “eligible  
7 State” means any of the States and areas referred  
8 to in section 1 of the Act of June 17, 1902 (Chapter  
9 1093; 32 Stat. 388) (43 U.S.C. 391).

10 (3) TRANSFERRED WORKS OPERATING ENTI-  
11 TY.—The term “transferred works operating entity”  
12 means a non-Federal entity that is responsible for  
13 the operation and maintenance of a facility under an  
14 operations and maintenance transfer contract, or an-  
15 other agreement, with the Bureau of Reclamation.

16 (b) EXEMPTIONS.—

17 (1) NEPA.—An eligible project shall be cat-  
18 egorically excluded from the requirements of section  
19 102(2)(C) of the National Environmental Policy Act  
20 of 1969 (42 U.S.C. 4332(2)(C)).

21 (2) NATIONAL HISTORIC PRESERVATION ACT.—  
22 An eligible project shall not be considered an under-  
23 taking under section 300320 of title 54, United  
24 States Code.

