

**AMENDMENT TO H.R. 4776, AS REPORTED**  
**OFFERED BY MS. DEXTER OF OREGON**

Add at the end the following:

1   **SEC. 4. STAFFING.**

2       (a) FEDERAL PERMITTING CAPACITY.—

3           (1) FINDING.—Not later than 90 days after the  
4       date of enactment of this section, the head of each  
5       agency listed under section 41002(b)(2)(B) of the  
6       FAST Act (42 U.S.C. 4370m-1(b)(2)(B)) shall sub-  
7       mit to the Director of the Office of Personnel Man-  
8       agement, the Committee on Natural Resources of  
9       the House of Representatives, and the Committee on  
10      Environment and Public Works of the Senate a find-  
11      ing by the agency whether there are a sufficient  
12      number of employees of the agency (broken down by  
13      field office) to comply with sections 107(g) and  
14      110A(a)(4) (as redesignated by this Act) of the Na-  
15      tional Environmental Policy Act of 1969.

16           (2) IMPLEMENTATION PLAN.—If an agency  
17      finds under paragraph (1) that there is an insuffi-  
18      cient number of employees of the agency to comply  
19      with sections 107(g) and 110A(a)(4) of the National  
20      Environmental Policy Act of 1969, the Director of

1 the Office of Personnel Management shall develop  
2 and execute a plan to increase personnel capacity at  
3 the agency.

4 (b) DIRECT HIRE AUTHORITY.—Notwithstanding  
5 section 3304 of title 5, United States Code, and without  
6 regard to the provisions of sections 3309 through 3318  
7 of such title 5, upon development of a plan referenced in  
8 subsection (a)(2), the applicable agency head may recruit  
9 and directly appoint highly qualified individuals into the  
10 competitive service.

