

**AMENDMENT TO RULES**  
**COMMITTEE PRINT 117-8**  
**OFFERED BY MR. GOSAR OF ARIZONA**

Page 1510, after line 5, insert the following:

1 **DIVISION H—NEPA DATA TRANS-**  
2 **PARENCY AND ACCOUNT-**  
3 **ABILITY**

4 **SEC. 11101. REQUIRED REPORTS UNDER NEPA.**

5 (a) IN GENERAL.—Title I of the National Environ-  
6 mental Policy Act of 1969 is amended—

7 (1) by redesignating section 105 (42 U.S.C.  
8 4335) as section 106; and

9 (2) by inserting after section 104 (42 U.S.C.  
10 4334) the following:

11 **“SEC. 105. REQUIRED REPORTS.**

12 **“(a) DEFINITIONS.—**In this section:

13 **“(1) ENVIRONMENTAL ASSESSMENT.—**The  
14 term ‘environmental assessment’ has the meaning  
15 given the term in section 1508.9 of title 40, Code of  
16 Federal Regulations (or a successor regulation).

17 **“(2) ENVIRONMENTAL IMPACT STATEMENT.—**  
18 The term ‘environmental impact statement’ means a  
19 detailed statement required under section 102(2)(C).

1           “(3) FEDERAL AGENCY.—The term ‘Federal  
2           agency’ includes a State that has assumed responsi-  
3           bility under section 327 of title 23, United States  
4           Code.

5           “(4) HEAD OF A FEDERAL AGENCY.—The term  
6           ‘head of a Federal agency’ includes the governor or  
7           head of an applicable State agency of a State that  
8           has assumed responsibility under section 327 of title  
9           23, United States Code.

10          “(5) NEPA PROCESS.—

11                 “(A) IN GENERAL.—The term ‘NEPA  
12                 process’ means the entirety of every process,  
13                 analysis, or other measure, including an envi-  
14                 ronmental impact statement, required to be car-  
15                 ried out by a Federal agency under this title be-  
16                 fore the agency undertakes a proposed action.

17                 “(B) PERIOD.—For purposes of subpara-  
18                 graph (A), the NEPA process—

19                         “(i) begins on the date on which the  
20                         head of a Federal agency receives an appli-  
21                         cation for a proposed action from a project  
22                         sponsor; and

23                         “(ii) ends on the date on which the  
24                         Federal agency issues, with respect to the  
25                         proposed action—

1                   “(I) a record of decision, includ-  
2                   ing, if necessary, a revised record of  
3                   decision;

4                   “(II) a finding of no significant  
5                   impact; or

6                   “(III) a categorical exclusion  
7                   under this title.

8                   “(6) PROJECT SPONSOR.—The term ‘project  
9                   sponsor’ means a Federal agency or other entity, in-  
10                  cluding a private or public-private entity, that seeks  
11                  approval of a proposed action.

12                  “(b) REPORTS.—

13                  “(1) NEPA DATA.—

14                  “(A) IN GENERAL.—The head of each  
15                  Federal agency that carries out the NEPA  
16                  process shall carry out a process to track, and  
17                  annually submit to Congress a report con-  
18                  taining, the information described in subpara-  
19                  graph (B).

20                  “(B) INFORMATION DESCRIBED.—The in-  
21                  formation referred to in subparagraph (A) is,  
22                  with respect to the Federal agency issuing the  
23                  report under that subparagraph—

1           “(i) the number of proposed actions  
2           for which a categorical exclusion was  
3           issued during the reporting period;

4           “(ii) the length of time the Federal  
5           agency took to issue the categorical exclu-  
6           sions described in clause (i);

7           “(iii) the number of proposed actions  
8           pending on the date on which the report is  
9           submitted for which the issuance of a cat-  
10          egorical exclusion is pending;

11          “(iv) the number of proposed actions  
12          for which an environmental assessment  
13          was issued during the reporting period;

14          “(v) the length of time the Federal  
15          agency took to complete each environ-  
16          mental assessment described in clause (iv);

17          “(vi) the number of proposed actions  
18          pending on the date on which the report is  
19          submitted for which an environmental as-  
20          sessment is being drafted;

21          “(vii) the number of proposed actions  
22          for which an environmental impact state-  
23          ment was issued during the reporting pe-  
24          riod;

1           “(viii) the length of time the Federal  
2           agency took to complete each environ-  
3           mental impact statement described in  
4           clause (vii); and

5           “(ix) the number of proposed actions  
6           pending on the date on which the report is  
7           submitted for which an environmental im-  
8           pact statement is being drafted.

9           “(2) NEPA COSTS.—

10           “(A) IN GENERAL.—Not later than 1 year  
11           after the date of enactment of this subsection,  
12           the Chair of the Council on Environmental  
13           Quality and the Director of the Office of Man-  
14           agement and Budget shall jointly develop a  
15           methodology to assess the comprehensive costs  
16           of the NEPA process.

17           “(B) REQUIREMENTS.—The head of each  
18           Federal agency that carries out the NEPA  
19           process shall—

20           “(i) adopt the methodology developed  
21           under subparagraph (A); and

22           “(ii) use the methodology developed  
23           under subparagraph (A) to annually sub-  
24           mit to Congress a report describing—

1                   “(I) the comprehensive cost of  
2                   the NEPA process for each proposed  
3                   action that was carried out within the  
4                   reporting period; and

5                   “(II) for a proposed action for  
6                   which the head of the Federal agency  
7                   is still completing the NEPA process  
8                   at the time the report is submitted—

9                   “(aa) the amount of money  
10                  expended to date to carry out the  
11                  NEPA process for the proposed  
12                  action; and

13                  “(bb) an estimate of the re-  
14                  maining costs before the NEPA  
15                  process for the proposed action is  
16                  complete.”.

17                  (b) APPLICABILITY.—The amendments made by this  
18                  section shall apply to any project authorized under this  
19                  Act and the amendments made by this Act.

