

**AMENDMENT TO H.R. 8469, AS REPORTED
OFFERED BY MR. OGLES OF TENNESSEE**

At the end of the bill (before the short title), insert
the following:

1 SEC. _____. (a) IN GENERAL.—Notwithstanding any
2 other provision of law, any covered military construction
3 project shall be deemed to satisfy the requirements of the
4 National Environmental Policy Act of 1969 (42 U.S.C.
5 4321 et seq.) and shall not be subject to further environ-
6 mental review, unless the Secretary of Defense determines
7 that the covered military construction project is reason-
8 ably likely to result in a significant environmental impact.

9 (b) EXPEDITED ENVIRONMENTAL REVIEW.—With
10 respect to any military construction project funded by this
11 Act that is not a covered military construction project, the
12 Secretary shall ensure that—

13 (1) any environmental assessment for such mili-
14 tary construction project is completed by not later
15 than 120 days after the day on which such environ-
16 mental assessment was initiated; and

17 (2) any environmental impact statement for
18 such military construction project is completed by

1 not later 180 days after the day on which the envi-
2 ronmental impact statement was initiated.

3 (c) PAGE AND SCOPE LIMITATIONS.—Any environ-
4 mental impact statement prepared for a military construc-
5 tion project funded by this Act shall—

6 (1) not exceed 150 pages, excluding technical
7 appendices;

8 (2) be limited to analysis of reasonably foresee-
9 able, site-specific impacts directly related to the pro-
10 posed action.

11 (d) CONCURRENT REVIEWS.—All Federal, State, and
12 local environmental reviews required for a military con-
13 struction project funded under this Act shall be conducted
14 concurrently, to the maximum extent practicable, and not
15 sequentially.

16 (e) LEAD AGENCY AUTHORITY.—The Department of
17 Defense shall serve as the lead agency for all environ-
18 mental reviews for military construction projects under
19 this Act and shall have authority to set deadlines and re-
20 solve interagency disputes.

21 (f) LIMITATION ON JUDICIAL REVIEW.—Any claim
22 arising under the National Environmental Policy Act of
23 1969 with respect to a military construction project fund-
24 ed by this Act shall be filed not later than 120 days after
25 the date of final agency action. No court shall have juris-

1 diction to enjoin such project unless the plaintiff dem-
2 onstrates a likelihood of irreparable harm and that such
3 harm outweighs the national security interest in timely
4 project completion.

5 (g) COVERED MILITARY CONSTRUCTION PROJECT
6 DEFINED.—In this section, the term “covered military
7 construction project” means a military construction
8 project that is—

- 9 (1) funded by this Act;
- 10 (2) located entirely within the boundaries of an
11 existing military installation;
- 12 (3) does not expand the overall footprint of a
13 military installation; and
- 14 (4) is consistent with the master plan of the
15 military installation.

