

AMENDMENT TO RULES COMMITTEE PRINT

114-32

OFFERED BY MR. ROTHFUS OF PENNSYLVANIA

At the end of subtitle D of title I of Division A, add the following:

1 **SEC. ____ . EMERGENCY EXEMPTIONS.**

2 Any road, highway, railway, bridge, or transit facility
3 that is damaged by an emergency that is declared by the
4 Governor of the State and concurred in by the Secretary
5 of Homeland Security or declared as an emergency by the
6 President pursuant to the Robert T. Stafford Disaster Re-
7 lief and Emergency Assistance Act (42 U.S.C. 5121 et
8 seq.) and that is in operation or under construction on
9 the date on which the emergency occurs—

10 (1) may be reconstructed in the same location
11 with the same capacity, dimensions, and design as
12 before the emergency; and

13 (2) shall be exempt from any environmental re-
14 views, approvals, licensing, and permit requirements
15 under—

16 (A) the National Environmental Policy Act
17 of 1969 (42 U.S.C. 4321 et seq.);

1 (B) sections 402 and 404 of the Federal
2 Water Pollution Control Act (33 U.S.C. 1342,
3 1344);

4 (C) division A of subtitle III of title 54,
5 United States Code;

6 (D) the Migratory Bird Treaty Act (16
7 U.S.C. 703 et seq.);

8 (E) the Wild and Scenic Rivers Act (16
9 U.S.C. 1271 et seq.);

10 (F) the Fish and Wildlife Coordination Act
11 (16 U.S.C. 661 et seq.);

12 (G) the Endangered Species Act of 1973
13 (16 U.S.C. 1531 et seq.), except when the re-
14 construction occurs in designated critical habi-
15 tat for threatened and endangered species;

16 (H) Executive Order 11990 (42 U.S.C.
17 4321 note; relating to the protection of wet-
18 land); and

19 (I) any Federal law (including regulations)
20 requiring no net loss of wetland.

