

## HR 4377

### RAPID Act

**Congress:** 112 (2011–2013, Ended)

**Chamber:** House

**Policy Area:** Government Operations and Politics

**Introduced:** Apr 18, 2012

**Current Status:** Placed on the Union Calendar, Calendar No. 431.

**Latest Action:** Placed on the Union Calendar, Calendar No. 431. (Jul 17, 2012)

**Official Text:** <https://www.congress.gov/bill/112th-congress/house-bill/4377>

### Sponsor

**Name:** Rep. Ross, Dennis A. [R-FL-12]

**Party:** Republican • **State:** FL • **Chamber:** House

### Cosponsors (12 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Coble, Howard [R-NC-6]	R · NC		Apr 18, 2012
Rep. Peterson, Collin C. [D-MN-7]	D · MN		Apr 18, 2012
Rep. Smith, Lamar [R-TX-21]	R · TX		Apr 18, 2012
Rep. Franks, Trent [R-AZ-2]	R · AZ		May 7, 2012
Rep. Rooney, Thomas J. [R-FL-16]	R · FL		May 7, 2012
Rep. West, Allen B. [R-FL-22]	R · FL		May 7, 2012
Rep. Amodei, Mark E. [R-NV-2]	R · NV		May 8, 2012
Rep. Long, Billy [R-MO-7]	R · MO		May 15, 2012
Rep. Quayle, Benjamin [R-AZ-3]	R · AZ		May 15, 2012
Rep. Griffin, Tim [R-AR-2]	R · AR		May 16, 2012
Rep. Poe, Ted [R-TX-2]	R · TX		May 16, 2012
Rep. Adams, Sandy [R-FL-24]	R · FL		Jun 6, 2012

### Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Discharged from	May 7, 2012
Natural Resources Committee	House	Discharged From	Jul 17, 2012

### Subjects & Policy Tags

#### Policy Area:

Government Operations and Politics

## Related Bills

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Bill	Relationship	Last Action
112 HR 4078	Related bill	<b>Jul 31, 2012:</b> Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 477.

Responsibly And Professionally Invigorating Development Act of 2012 or the RAPID Act - (Sec. 2) States that the purpose of this Act is to establish procedures to streamline, increase the efficiency of, and enhance coordination of agency administration of the regulatory review, environmental decision making, and permitting process for major actions that are construction activities undertaken, reviewed, or funded by federal agencies.

Authorizes a project sponsor, upon the request of a lead agency (the agency responsible preparing the environmental document), to prepare any document for environmental review required in support of, or for approval of, such an activity if such agency furnishes oversight and independently evaluates, approves, and adopts such document prior to taking action or making any approval based on such document. Defines "environmental review" as federal agency procedures for preparing an environmental impact statement (EIS), environmental assessment (EA), categorical exclusion, or other document under the National Environmental Policy Act of 1969 (NEPA).

Prohibits requiring more than one EIS and one EA for a project, except for supplemental environmental documents prepared under NEPA or environmental documents prepared pursuant to a court order. Requires the lead agency to prepare the EIS or EA, except as otherwise provided by law. Prohibits, after the lead agency issues a record of decision, any federal agency responsible for making any approval for a project from relying on a document other than the environmental document prepared by the lead agency.

Allows the lead agency, upon the request of a project sponsor, to: (1) adopt, use, or rely upon secondary and cumulative impact analyses included in documents prepared under NEPA for projects in the same geographic area if such documents are pertinent to the NEPA decision for the project under review; and (2) adopt a document that has been prepared for a project under state laws as the EIS or EA for the project if such laws provide environmental protection and opportunities for public involvement that are substantially equivalent to NEPA. Requires the lead agency to publish a supplement to the state document if: (1) a significant change has been made to the project that is relevant for purposes of environmental review of the project, or (2) there have been significant changes in circumstances or availability of information relevant to the environmental review for the project. Requires a lead agency to issue its record of decision or finding of no significant impact based upon such adopted document.

Authorizes a lead agency to adopt for a project an environmental document for a similar project that is in geographical proximity and that was subject to environmental review or similar state procedures within the preceding five years if the agency determines that there is a reasonable likelihood that the projects will have similar environmental impacts.

Requires the lead agency to invite and designate as a participating agency in the preparation of an environmental document for a project any federal agency that is required to adopt such document. Requires such an agency to collaborate on the preparation of such document unless it informs the lead agency that it has no jurisdiction, authority, expertise, or information with respect to, and does not intend to submit comments on, the project. Precludes any agency that declines to participate from submitting comments on such document or taking measures to oppose any permit, license, or approval related to that project based on the environmental review. Prohibits the lead agency from acting upon, responding to, or including in any document prepared under NEPA any comment submitted by a participating agency that concerns matters that are outside of such agency's authority and expertise.

Requires federal agencies to carry out: (1) obligations under other applicable laws concurrently and in conjunction with the review required under NEPA; and (2) such rules, policies, and procedures as may be reasonably necessary to enable such agency to ensure the completion of the environmental review and environmental decision making process in a

timely, coordinated, and environmentally responsible manner.

Sets forth provisions concerning requirements for initiating and completing environmental review for a project, including requirements for: (1) determining the range of alternatives to be considered; (2) methodologies for analyzing such alternatives, including potential effects on employment; (3) a plan for coordinating public and agency participation in the environmental review; (4) periods for public and agency comments on draft EISs; and (5) a schedule for completing the review. Requires all participating agencies to comply with such schedule.

Establishes: (1) for projects requiring preparation of an EA, a one-year deadline for issuing a finding of no significant impact or a Notice of Intent to Prepare an EIS; and (2) for projects requiring preparation of an EIS, a two-year deadline for completing the EIS. Sets forth conditions for extensions.

Sets forth deadlines for decisions required under any other federal law relating to the undertaking of a project being reviewed under NEPA. Deems: (1) a project to be approved in the event that a federal agency fails to approve or otherwise act upon a permit, license, or other similar application for approval related to a project within such deadlines, and (2) such approval to be final agency action that may not be reversed by an agency.

Prescribes responsibilities of the lead agency and the participating agencies to work cooperatively to identify and resolve issues that could delay completion of the environmental review or could result in denial of any approvals required for the project under applicable laws.

Requires the head of each federal agency to report annually on: (1) the projects for which the agency initiated preparation of an EIS or EA; (2) the projects for which the agency issued a record of decision or a finding of no significant impact and the length of time it took the agency to complete the environmental review for each such project; and (3) the filing and resolution of any lawsuits against the agency seeking judicial review of a permit, license, or approval issued by the agency for an action subject to NEPA.

Sets forth limitations to claims arising under federal law seeking judicial review of a permit, license, or approval issued by a federal agency for an action subject to NEPA.

Requires the Council on Environmental Quality and each federal agency to amend NEPA implementing regulations to implement the provisions of this Act.

## **Actions Timeline**

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- **Jul 17, 2012:** Reported (Amended) by the Committee on Judiciary. H. Rept. 112-596, Part I.
- **Jul 17, 2012:** Committee on Natural Resources discharged.
- **Jul 17, 2012:** Placed on the Union Calendar, Calendar No. 431.
- **Jun 6, 2012:** Committee Consideration and Mark-up Session Held.
- **Jun 6, 2012:** Ordered to be Reported (Amended) by the Yeas and Nays: 14 - 8.
- **May 7, 2012:** Subcommittee on Courts, Commercial and Administrative Law Discharged.
- **Apr 25, 2012:** Subcommittee Hearings Held.
- **Apr 19, 2012:** Referred to the Subcommittee on Courts, Commercial and Administrative Law.
- **Apr 18, 2012:** Introduced in House
- **Apr 18, 2012:** Referred to the Committee on the Judiciary, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.