

HR 2641

RAPID Act

Congress: 113 (2013–2015, Ended)

Chamber: House

Policy Area: Government Operations and Politics

Introduced: Jul 10, 2013

Current Status: Received in the Senate.

Latest Action: Received in the Senate. (Mar 10, 2014)

Official Text: <https://www.congress.gov/bill/113th-congress/house-bill/2641>

Sponsor

Name: Rep. Marino, Tom [R-PA-10]

Party: Republican • State: PA • Chamber: House

Cosponsors (12 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Amodei, Mark E. [R-NV-2]	R · NV		Jul 10, 2013
Rep. Bachus, Spencer [R-AL-6]	R · AL		Jul 10, 2013
Rep. Coble, Howard [R-NC-6]	R · NC		Jul 10, 2013
Rep. Franks, Trent [R-AZ-8]	R · AZ		Jul 10, 2013
Rep. Owens, William L. [D-NY-21]	D · NY		Jul 10, 2013
Rep. Smith, Lamar [R-TX-21]	R · TX		Jul 10, 2013
Rep. Bonner, Jo [R-AL-1]	R · AL		Jul 11, 2013
Rep. Capuano, Michael E. [D-MA-7]	D · MA		Jul 18, 2013
Rep. Collins, Doug [R-GA-9]	R · GA		Jul 18, 2013
Rep. Pallone, Frank, Jr. [D-NJ-6]	D · NJ		Jul 18, 2013
Rep. Smith, Jason [R-MO-8]	R · MO		Jul 22, 2013
Rep. Peterson, Collin C. [D-MN-7]	D · MN		Jul 24, 2013

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Reported by	Jul 18, 2013
Natural Resources Committee	House	Referred to	Jul 15, 2013

Subjects & Policy Tags

Policy Area:

Government Operations and Politics

Related Bills

Bill	Relationship	Last Action
113 HR 2	Related bill	<b>Nov 17, 2014:</b> Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 601.
113 HRES 501	Procedurally related	<b>Mar 6, 2014:</b> Motion to reconsider laid on the table Agreed to without objection.

Responsibly And Professionally Invigorating Development Act of 2014 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. Applies the deadlines to environmental reviews and environmental decision making processes initiated after this Act's enactment. Requires any applicable period of time, for purposes of determining a deadline for a review or process initiated prior to this Act's enactment, to be calculated as beginning from the date of this Act's enactment.

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.

Prohibits the lead agency from using the social cost of carbon in the any environmental review or environmental decision making process.

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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- **Mar 10, 2014:** Received in the Senate.
- **Mar 6, 2014:** Rule H. Res. 501 passed House.
- **Mar 6, 2014:** Considered under the provisions of rule H. Res. 501. (consideration: CR H2220-2236)
- **Mar 6, 2014:** The resolution provides for consideration of H.R. 2824 and H.R. 2641. The resolution provides one hour of general debate for each bill and makes in order specified amendments printed in the Rules Committee Report 113-374. The resolution provides one motion to recommit.
- **Mar 6, 2014:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 501 and Rule XVIII.
- **Mar 6, 2014:** The Speaker designated the Honorable Steve Womack to act as Chairman of the Committee.
- **Mar 6, 2014:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 2641.
- **Mar 6, 2014:** DEBATE - Pursuant to the provisions of H. Res. 501, the Committee of the Whole proceeded with 10 minutes of debate on the Jackson Lee Part C amendment No. 1.
- **Mar 6, 2014:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Jackson Lee amendment No.1, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Ms. Jackson Lee demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Mar 6, 2014:** DEBATE - Pursuant to the provisions of H. Res. 501, the Committee of the Whole proceeded with 10 minutes of debate on the McKinley Part C amendment No. 2.
- **Mar 6, 2014:** POSTPONED PROCEEDINGS - At the conclusion of debate on the McKinley amendment No.2, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Johnson(GA) demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Mar 6, 2014:** DEBATE - Pursuant to the provisions of H. Res. 501, the Committee of the Whole proceeded with 10 minutes of debate on the Webster (FL) Part C amendment No. 3.
- **Mar 6, 2014:** DEBATE - Pursuant to the provisions of H. Res. 501, the Committee of the Whole proceeded with 10 minutes of debate on the Nadler Part C amendment No. 4.
- **Mar 6, 2014:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Nadler amendment No.4, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Nadler demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Mar 6, 2014:** DEBATE - Pursuant to the provisions of H. Res. 501, the Committee of the Whole proceeded with 10 minutes of debate on the Johnson(GA) Part C amendment No. 5.
- **Mar 6, 2014:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Johnson (GA) amendment No. 5, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Johnson (GA) demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Mar 6, 2014:** Mr. Goodlatte moved that the committee rise.
- **Mar 6, 2014:** On motion that the committee rise Agreed to by voice vote.
- **Mar 6, 2014:** Committee of the Whole House on the state of the Union rises leaving H.R. 2641 as unfinished business.
- **Mar 6, 2014:** Considered as unfinished business. (consideration: CR H2237-2243)
- **Mar 6, 2014:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
- **Mar 6, 2014:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 2641.
- **Mar 6, 2014:** The previous question was ordered pursuant to the rule. (consideration: CR H2240)
- **Mar 6, 2014:** The House adopted the amendment in the nature of a substitute as agreed to by the Committee of the Whole House on the state of the Union. (text of amendment in the nature of a substitute: CR H2228-2231)
- **Mar 6, 2014:** Ms. DelBene moved to recommit with instructions to Judiciary.
- **Mar 6, 2014:** DEBATE - The House proceeded with 10 minutes of debate on the DelBene motion to recommit with instructions. The instructions contained in the motion seek to require the bill to be reported back to the House with an amendment to ensure that the underlying bill does not weaken environmental review of projects.
- **Mar 6, 2014:** The previous question on the motion to recommit with instructions was ordered without objection.

(consideration: CR H2242)

- **Mar 6, 2014:** On motion to recommit with instructions Failed by recorded vote: 190 - 217 (Roll no. 112). (consideration: CR H2240-2241; text: CR H2240-2241)
- **Mar 6, 2014:** Passed/agreed to in House: On passage Passed by recorded vote: 229 - 179 (Roll no. 113).
- **Mar 6, 2014:** On passage Passed by recorded vote: 229 - 179 (Roll no. 113).
- **Mar 6, 2014:** Motion to reconsider laid on the table Agreed to without objection.
- **Mar 5, 2014:** Rules Committee Resolution H. Res. 501 Reported to House. The resolution provides for consideration of H.R. 2824 and H.R. 2641. The resolution provides one hour of general debate for each bill and makes in order specified amendments printed in the Rules Committee Report 113-374. The resolution provides one motion to recommit.
- **Feb 27, 2014:** Reported by the Committee on Judiciary. H. Rept. 113-363, Part I.
- **Feb 27, 2014:** Committee on Natural Resources discharged.
- **Feb 27, 2014:** Placed on the Union Calendar, Calendar No. 269.
- **Jul 31, 2013:** Committee Consideration and Mark-up Session Held.
- **Jul 31, 2013:** Ordered to be Reported by the Yeas and Nays: 18 - 9.
- **Jul 18, 2013:** Subcommittee Consideration and Mark-up Session Held.
- **Jul 18, 2013:** Forwarded by Subcommittee to Full Committee by Voice Vote .
- **Jul 15, 2013:** Referred to the Subcommittee on Public Lands and Environmental Regulation.
- **Jul 11, 2013:** Referred to the Subcommittee on Regulatory Reform, Commercial And Antitrust Law.
- **Jul 10, 2013:** Introduced in House
- **Jul 10, 2013:** 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.