

117TH CONGRESS  
2D SESSION

# H. R. 8418

To amend titles 46 and 49, United States Code, to streamline the environmental review process for major projects, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 19, 2022

Mr. RODNEY DAVIS of Illinois introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend titles 46 and 49, United States Code, to streamline the environmental review process for major projects, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “One Federal Decision  
5       Act 1.3”.

6       **SEC. 2. ONE FEDERAL DECISION FOR PORTS.**

7       (a) IN GENERAL.—Chapter 543 of title 46, United  
8       States Code, is amended by adding at the end the fol-  
9       lowing:

1 **“§ 54302. Efficient environmental reviews and one**  
2 **Federal decision**

3 “(a) EFFICIENT ENVIRONMENTAL REVIEWS.—

4 “(1) IN GENERAL.—The Secretary of Transpor-  
5 tation shall apply the project development proce-  
6 dures, to the greatest extent feasible, described in  
7 section 139 of title 23 to any port infrastructure  
8 project that requires the approval of the Secretary  
9 under the National Environmental Policy Act of  
10 1969 (42 U.S.C. 4321 et seq.).

11 “(2) REGULATIONS AND PROCEDURES.—In car-  
12 rying out paragraph (1), the Secretary shall incor-  
13 porate into agency regulations and procedures per-  
14 taining to port infrastructure projects described in  
15 paragraph (1) aspects of such project development  
16 procedures, or portions thereof, determined appro-  
17 priate by the Secretary in a manner consistent with  
18 this section, that increase the efficiency of the review  
19 of port infrastructure projects.

20 “(3) DISCRETION.—The Secretary may choose  
21 not to incorporate into agency regulations and proce-  
22 dures pertaining to port infrastructure projects de-  
23 scribed in paragraph (1) such project development  
24 procedures that could only feasibly apply to highway  
25 projects, public transportation capital projects, and  
26 multimodal projects.

1           “(4) APPLICABILITY.—Subsection (l) of section  
 2       139 of title 23 shall apply to port infrastructure  
 3       projects described in paragraph (1), except that the  
 4       limitation on claims of 150 days shall be 2 years.

5           “(b) ADDITIONAL CATEGORICAL EXCLUSIONS.—The  
 6       Secretary shall maintain and make publicly available, in-  
 7       cluding on the Internet, a database that identifies project-  
 8       specific information on the use of a categorical exclusion  
 9       on any port infrastructure project carried out under this  
 10      title.”.

11          (b) CLERICAL AMENDMENT.—The analysis for chap-  
 12      ter 601 of title 49, United States Code, is amended by  
 13      adding at the end the following:

“54302. Efficient environmental reviews and one Federal decision.”.

14      **SEC. 3. ONE FEDERAL DECISION FOR PIPELINES.**

15          (a) IN GENERAL.—Chapter 601 of title 49, United  
 16      States Code, is amended by adding at the end the fol-  
 17      lowing:

18      **“§ 60144. Efficient environmental reviews and one**  
 19                                      **Federal decision**

20          “(a) EFFICIENT ENVIRONMENTAL REVIEWS.—

21              “(1) IN GENERAL.—The Secretary of Transpor-  
 22      tation shall apply the project development proce-  
 23      dures, to the greatest extent feasible, described in  
 24      section 139 of title 23 to any pipeline project that  
 25      requires the approval of the Secretary under the Na-

1 tional Environmental Policy Act of 1969 (42 U.S.C.  
2 4321 et seq.).

3 “(2) REGULATIONS AND PROCEDURES.—In car-  
4 rying out paragraph (1), the Secretary shall incor-  
5 porate into agency regulations and procedures per-  
6 taining to pipeline projects described in paragraph  
7 (1) aspects of such project development procedures,  
8 or portions thereof, determined appropriate by the  
9 Secretary in a manner consistent with this section,  
10 that increase the efficiency of the review of pipeline  
11 projects.

12 “(3) DISCRETION.—The Secretary may choose  
13 not to incorporate into agency regulations and proce-  
14 dures pertaining to pipeline projects described in  
15 paragraph (1) such project development procedures  
16 that could only feasibly apply to highway projects,  
17 public transportation capital projects, and  
18 multimodal projects.

19 “(4) APPLICABILITY.—Subsection (l) of section  
20 139 of title 23 shall apply to pipeline projects de-  
21 scribed in paragraph (1).

22 “(b) ADDITIONAL CATEGORICAL EXCLUSIONS.—The  
23 Secretary shall maintain and make publicly available, in-  
24 cluding on the Internet, a database that identifies project-

1 specific information on the use of a categorical exclusion  
 2 on any pipeline project carried out under this title.”.

3 (b) CLERICAL AMENDMENT.—The analysis for chap-  
 4 ter 601 of title 49, United States Code, is amended by  
 5 adding at the end the following:

“60144. Efficient environmental reviews and one Federal decision.”.

6 **SEC. 4. ONE FEDERAL DECISION FOR AIRPORTS AND AVIA-**  
 7 **TION.**

8 Section 47171 of title 49, United States Code, is  
 9 amended—

10 (1) by striking subsection (a) and inserting the  
 11 following:

12 “(a) AVIATION PROJECT REVIEW PROCESS.—The  
 13 Secretary of Transportation shall apply the project devel-  
 14 opment procedures, to the greatest extent feasible, de-  
 15 scribed in section 139 of title 23 to any airport or aviation  
 16 project that requires the approval of the Secretary under  
 17 the National Environmental Policy Act of 1969 (42 U.S.C.  
 18 4321 et seq.).”;

19 (2) in subsection (b) by striking “coordinated  
 20 and expedited environmental review process require-  
 21 ments set forth in this section” and inserting  
 22 “project development procedures described in sub-  
 23 section (a)”; and

24 (3) by striking subsections (c) through (m) and  
 25 inserting the following:

1 “(c) EFFICIENT ENVIRONMENTAL REVIEWS.—

2 “(1) REGULATIONS AND PROCEDURES.—In car-  
3 rying out subsection (a), the Secretary shall incor-  
4 porate into agency regulations and procedures per-  
5 taining to airport or aviation projects described in  
6 subsection (b) aspects of such project development  
7 procedures, or portions thereof, determined appro-  
8 priate by the Secretary in a manner consistent with  
9 this section, that increase the efficiency of the review  
10 of such projects.

11 “(2) DISCRETION.—The Secretary may choose  
12 not to incorporate into agency regulations and proce-  
13 dures pertaining to airport or aviation projects de-  
14 scribed in subsection (b) such project development  
15 procedures that could only feasibly apply to highway  
16 projects, public transportation capital projects, and  
17 multimodal projects.

18 “(3) APPLICABILITY.—Subsection (l) of section  
19 139 of title 23 shall apply to airport or aviation  
20 projects described in subsection (b).

21 “(d) ADDITIONAL CATEGORICAL EXCLUSIONS.—The  
22 Secretary shall maintain and make publicly available, in-  
23 cluding on the Internet, a database that identifies project-  
24 specific information on the use of a categorical exclusion

1 on any airport or aviation project carried out under this  
2 title.”.

3 **SEC. 5. EFFICIENT ENVIRONMENTAL REVIEWS.**

4 Section 24201(a)(4) of title 49, United States Code,  
5 is amended by striking “, except that the limitation on  
6 claims of 150 days shall be 2 years”.

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