

116TH CONGRESS
2D SESSION

H. R. 8256

To amend the National Environmental Policy Act of 1969 to provide a rule to determine venue for a proceeding for judicial review of certain agency actions.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 15, 2020

Ms. CHENEY (for herself, Mr. GOSAR, Mr. LAMALFA, Mr. YOUNG, Mr. PERRY, Mr. STAUBER, Mr. BISHOP of Utah, Mr. CRAWFORD, Mr. KEVIN HERN of Oklahoma, Mr. NEWHOUSE, Mr. WESTERMAN, and Mr. JOHNSON of Louisiana) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, 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

A BILL

To amend the National Environmental Policy Act of 1969 to provide a rule to determine venue for a proceeding for judicial review of certain agency actions.

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 “Recognition of Local
5 Interests in NEPA Decision Making”.

1 **SEC. 2. VENUE FOR JUDICIAL REVIEW.**

2 Title I of the National Environmental Policy Act of
3 1969 (42 U.S.C. 4321 et seq.) is amended by adding at
4 the end the following:

5 **“SEC. 106. VENUE FOR JUDICIAL REVIEW.**

6 “(a) IN GENERAL.—A proceeding for judicial review
7 of an agency action when there is an alleged failure to
8 fulfill the requirements of section 102(2)(C) shall be
9 brought exclusively in any of the following:

10 “(1) A United States district court for a dis-
11 trict in which the authorized activity is proposed to
12 be carried out.

13 “(2) The United States district court for the
14 District of Columbia.

15 “(b) AGENCY ACTION DEFINED.—The term ‘agency
16 action’ has the meaning given such term in section 551
17 of title 5, United States Code.”.

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