

118TH CONGRESS
1ST SESSION

S. 2319

To improve the environmental review process for highway projects through the use of interactive, digital, cloud-based platforms, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 13, 2023

Ms. LUMMIS (for herself and Mr. KELLY) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To improve the environmental review process for highway projects through the use of interactive, digital, cloud-based platforms, 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 “Interactive Federal Re-
5 view Act”.

6 **SEC. 2. DIGITAL PLATFORMS FOR NEPA REVIEWS FOR**
7 **HIGHWAY PROJECTS.**

8 (a) DEFINITIONS.—In this section:

1 (1) COVERED PROJECT.—The term “covered
2 project” means a highway project that received a
3 grant under any of the following:

4 (A) The nationally significant freight and
5 highway projects program under section 117 of
6 title 23, United States Code (commonly known
7 as the “Infrastructure for Rebuilding America
8 (INFRA) grant program”).

9 (B) The national infrastructure project as-
10 sistance program under section 6701 of title 49,
11 United States Code (commonly known as the
12 “Mega grant program”).

13 (C) The local and regional project assist-
14 ance program under section 6702 of title 49,
15 United States Code (commonly known as the
16 “Rebuilding American Infrastructure with Sus-
17 tainability and Equity (RAISE) grant pro-
18 gram”).

19 (D) The program for national infrastruc-
20 ture investments (commonly known as the “Re-
21 building American Infrastructure with Sustain-
22 ability and Equity (RAISE) grant program”
23 and formerly known as the “Better Utilizing
24 Investments to Leverage Development
25 (BUILD) grant program”).

1 (2) SECRETARY.—The term “Secretary” means
2 the Secretary of Transportation.

3 (b) PURPOSES.—The purposes of this Act are—

4 (1) to expedite the environmental review process
5 at Federal agencies and for the general public; and

6 (2) to facilitate interactive public stakeholder
7 engagement and understanding of environmental im-
8 pacts of projects under the Federal-aid highway sys-
9 tem.

10 (c) ENCOURAGED USE OF DIGITAL PLATFORMS.—

11 (1) IN GENERAL.—The Secretary shall encour-
12 age recipients of Federal funds from the Secretary
13 to utilize interactive, digital, cloud-based platforms
14 when carrying out environmental reviews under the
15 National Environmental Policy Act of 1969 (42
16 U.S.C. 4321 et seq.) by publishing the guidance de-
17 scribed in paragraph (2).

18 (2) GUIDANCE.—Not later than 90 days after
19 the date of enactment of this Act, the Secretary
20 shall publish technology-neutral best practice guid-
21 ance to encourage sponsors of projects that receive
22 Federal funds from the Secretary to use an inter-
23 active, digital, cloud-based platform in carrying out
24 the environmental impact analysis and community
25 engagement processes required under the National

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

3 (d) USE OF DIGITAL PLATFORMS IN COVERED
4 PROJECTS.—

5 (1) IN GENERAL.—The Secretary shall select
6 not less than 10 covered projects to demonstrate the
7 use of interactive, digital, cloud-based platforms in
8 carrying out the environmental impact analysis and
9 community engagement processes required under
10 that Act, which may include projects in States par-
11 ticipating in the surface transportation project deliv-
12 ery program under section 327 of title 23, United
13 States Code.

14 (2) ADDITIONAL PROJECTS.—In addition to the
15 covered projects selected by the Secretary under
16 paragraph (1), the Secretary shall include additional
17 projects that utilize interactive, digital, cloud-based
18 platforms in the report under subsection (e), on re-
19 quest of the sponsors of those projects.

20 (3) PRIORITY.—Notwithstanding any other pro-
21 vision of law, in selecting covered projects under a
22 program described in subparagraphs (A) through
23 (D) of subsection (a)(1), the Secretary shall give pri-
24 ority to applications for projects that demonstrate a
25 plan to implement an interactive, cloud-based plat-

1 form to carry out the environmental impact analysis
2 and community engagement processes required
3 under the National Environmental Policy Act of
4 1969 (42 U.S.C. 4321 et seq.).

5 (e) REPORTS.—

6 (1) IN GENERAL.—Not later than 180 days
7 after the date of enactment of this Act, the Sec-
8 retary shall submit to the Committee on Environ-
9 ment and Public Works of the Senate and the Com-
10 mittee on Transportation and Infrastructure of the
11 House of Representatives a report on the efficacy of
12 using interactive, cloud-based platforms in carrying
13 out environmental impact analysis and community
14 engagement requirements under the National Envi-
15 ronmental Policy Act of 1969 (42 U.S.C. 4321 et
16 seq.), including—

17 (A) metrics that describe estimates of
18 achieved efficiencies, community engagement
19 measures, and efficiencies enjoyed across Fed-
20 eral agencies; and

21 (B) examples of digital workflows enabled.

22 (2) PUBLICATION OF EXAMPLES.—Not later
23 than 1 year after the date of enactment of this Act,
24 the Secretary shall publish on the website of the De-
25 partment of Transportation, and submit to the Com-

1 mittee on Environment and Public Works of the
2 Senate and the Committee on Transportation and
3 Infrastructure of the House of Representatives, not
4 less than 5 examples of an environmental impact
5 statement, environmental assessment, or categorical
6 exclusion document developed using an interactive,
7 digital, cloud-based platform.

8 (f) SAVINGS PROVISION.—Nothing in this section af-
9 fects or interferes with the authorities or responsibilities
10 assumed by a State under section 327 of title 23, United
11 States Code.

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