

Public Law 94-83
94th Congress

An Act

Aug. 9, 1975
[H.R. 3130]

To amend the National Environmental Policy Act of 1969 in order to clarify the procedures therein with respect to the preparation of environmental impact statements.

Environmental
impact
statements,
preparation.
42 USC 4332.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 102(2) of the National Environmental Policy Act of 1969 (83 Stat. 852) is amended by redesignating subparagraphs (D), (E), (F), (G), and (H) as subparagraphs (E), (F), (G), (H), and (I), respectively; and by adding immediately after subparagraph (C) the following new subparagraph:

“(D) Any detailed statement required under subparagraph (C) after January 1, 1970, for any major Federal action funded under a program of grants to States shall not be deemed to be legally insufficient solely by reason of having been prepared by a State agency or official, if:

“(i) the State agency or official has statewide jurisdiction and has the responsibility for such action,

“(ii) the responsible Federal official furnishes guidance and participates in such preparation,

“(iii) the responsible Federal official independently evaluates such statement prior to its approval and adoption, and

“(iv) after January 1, 1976, the responsible Federal official provides early notification to, and solicits the views of, any other State or any Federal land management entity of any action or any alternative thereto which may have significant impacts upon such State or affected Federal land management entity and, if there is any disagreement on such impacts, prepares a written assessment of such impacts and views for incorporation into such detailed statement.

The procedures in this subparagraph shall not relieve the Federal official of his responsibilities for the scope, objectivity, and content of the entire statement or of any other responsibility under this Act; and further, this subparagraph does not affect the legal sufficiency of statements prepared by State agencies with less than statewide jurisdiction.”

Approved August 9, 1975.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 94-144 (Comm. on Merchant Marine and Fisheries) and No. 94-388 (Comm. of Conference).

SENATE REPORTS: No. 94-152 (Comm. on Interior and Insular Affairs) and No. 94-331 (Comm. of Conference).

CONGRESSIONAL RECORD, Vol. 121 (1975):

April 21, considered and passed House.

May 22, considered and passed Senate, amended.

July 25, Senate agreed to conference report.

July 29, House agreed to conference report.