

Legislative Highlights



H.R. 4776, the Standardizing Permitting and Expediting Economic Development Act

H.R. 4776, the Standardizing Permitting and Expediting Economic Development (SPEED) Act, sponsored by House Natural Resources Chairman Bruce Westernman (R-AR) and Representative Jared Golden (D-ME), addresses substantial and complex problems with the National Environmental Protection Act (NEPA) process which have prevented construction of critical domestic projects and infrastructure for decades. The bill will shorten permitting timelines, narrow the scope of judicial review and set shorter statutory timelines for litigation to be brought against federal infrastructure projects.

In advance of the House of Representatives voting on the SPEED Act this week, the Congressional Western Caucus put together five highlights about this landmark legislation which would significantly improve the permitting process in America.

Project Agnostic (Section 2(a))

Across the past two decades, the basics of the NEPA process have repeatedly been threatened by the executive branch, including both President Barack Obama and President Joe Biden, in an attempt to pick winners and losers. These threats take away from one of America's most important founding principles: the rule of law. The process for reviewing projects must always apply broadly without carveouts. In contravention of this, the Obama Administration attempted to change the NEPA process to elevate considerations of greenhouse gases (GHG) and other environmental concerns. The Biden Administration also attempted to inject executive preferences into the NEPA process, including through the "National Environmental Policy Act Implementing Regulations Revisions Phase 2" rule, which required "environmental justice" to be considered for the first time.

The SPEED Act eschews these approaches. building on significant judicial branch rulings in 2024 and 2025, it clarifies that NEPA is a project- and technology-agnostic process, which must apply the same standards to each relevant project.

Barriers Against Political Agendas (Section 2 (b)(4))

The SPEED Act prohibits federal agencies from "rescinding, withdrawing, amending, altering, or otherwise rendering ineffective" a completed environmental document, unless so ordered by a court, preventing ideology-driven bureaucrats in Washington, D.C. from creating uncertainty after projects and their sponsors complete an environmental review.

Codifies Seven County (Section 2 (b)(4))

The decision in *Seven County Infrastructure Coalition v. Eagle County, Colorado* (2024), an 8-0 judgement, ruled the National Environmental Policy Act procedural requirements focus only on the "proposed action" under review, not the effects of potential, separate projects.

The SPEED Act codifies the narrowing of consideration of effects for review under permits to "direct effects." This significantly narrows the range of lawsuits that radical environmental NGOs can bring against federal infrastructure projects.

Sets a Concrete Timeline for Judicial Review (Section 3)

The SPEED Act establishes short timelines for when litigation can be brought against infrastructure projects, such as cutting down the timeline under which a NEPA review can be litigated from 6 years to 150 days. It also requires courts to issue a final judgement on litigation in no longer than 180 days. These strict timelines give project certainty to developers and investors.

Paperwork Reductions (Section 2 (d)(1) and Section 2(c)(2))

The SPEED Act significantly cuts redundant paperwork requirements that only serve to slow down projects. The bill allows agencies to adopt categorical exclusions that Congress enacted for use in other agencies, as well as removes the requirement to consider new, outside studies that were published after the application for a permit was received.