

Congress of the United States

Washington, DC 20515

December 3, 2025

Chair Bruce Westerman
House Natural Resources Committee
1324 Longworth House Office Building
Washington, D.C. 20510

Chair Westerman,

Thank you for your work, alongside Rep. Golden, authoring and advancing the *Standardizing Permitting and Expediting Economic Development Act*, otherwise known as the *SPEED Act*. Your effort to gain bipartisan and cross-sector support for your bill is welcome and appreciated.

We believe it is extremely important to reform the federal permitting process – including the National Environmental Policy Act (NEPA) – to better power our economy, protect our environment and lower costs for consumers. The *SPEED Act* is a huge step forward, and as the bill moves from committee to the House floor, we want to work with you to address certain remaining concerns so that even more Democrats can support the bill.

First, permit certainty. Recent actions by the Trump Administration to revoke already issued and legally sound permits, and their reluctance or refusal to issue permits for new wind and solar projects is unprecedented and must be prevented going forward. We were encouraged that at the markup for the *SPEED Act*, critical language, brokered by Rep. Adam Gray, was incorporated ensuring that lawful, fully permitted projects are safeguarded against executive interference. This language needs to be strengthened.

Any permitting reform effort must address an administration's ability to delay the permitting process across all laws, not just NEPA. A recent memo from the Department of the Interior requires more than 68 routine permitting decisions – across several environmental laws outside of NEPA – to go directly through Secretary Burgum's office, but only for renewables. Agencies must be required to act on permits, routine authorizations, or any other administrative approvals, within a certain amount of time, across all federal environmental laws. Any final permitting bill must ensure that non-fossil energy resources will be treated fairly as it enters and moves through the federal permitting process.

Second, remedies. This bill as written precludes a court from stopping or pausing a project if the environmental analysis supporting the permit is found to be faulty, fraudulent or entirely absent. While we are certainly open to strong judicial review reforms, there should be some opportunity for a court to act on permits that rely on faulty analysis. If agencies cannot be held accountable for making uninformed decisions - when NEPA's purpose as a procedural law is to facilitate informed decision making - it incentivizes making it nothing more than a paperwork exercise. That would undermine any reforms this bill is meant to achieve. The judicial review process should be reformed to be swift, fair, and targeted, and we are confident we can come to agreement on a bill that achieves those goals.

Third, on standing for judicial review. We support requiring early engagement from relevant stakeholders regarding projects, so that federal agencies and project sponsors are put on notice and can address the issues important to local stakeholders. Under current law, FAST-41 projects and Federal Energy Regulatory Commission-jurisdictional projects require litigants to participate in and comment on environmental reviews before filing lawsuits, which encourages good-faith early engagement. However, the *SPEED Act* goes much farther by restricting judicial review to those that can demonstrate direct harm from the prospective project – which would further lengthen and complicate judicial review – while potentially precluding lawsuits from any future commentator that raises the same concerns, under the subjective justification that their comment was not sufficiently “substantive and unique”. We see virtually no support for this degree of restriction among Democrats, and believe there would be more support for standards closer to those in existing law, or that we’ve already voted in support of.

Finally, unintended consequences. We are concerned that the effort to reduce litigation and increase permitting certainty by putting blinders on agency analysis – described as codifying the Seven County decision – may backfire. That case held that federal agencies were not required to analyze certain impacts that were remote in place and time. The *SPEED Act* goes much further – affirmatively prohibiting that analysis. Notwithstanding the practical impacts of agencies implementing these restrictions – slowing down reviews – this could actually increase litigation, as project sponsors and opponents could now use this new standard to litigate over what is and is not in scope, creating additional uncertainty, and delaying project timelines.

This provision, combined with another in the bill that allows agencies to ignore new scientific information after the initiation of the review, could lead to environmental reviews – and subsequent agency decisions – being more uninformed and more subject to litigation, instead of making the review process more efficient and effective.

We respectfully request that you work with us and our staff to reach these goals, address the concerns we've expressed here, and build a broad bipartisan coalition around this bill and other priorities. The SPEED Act will be a critical component of a final, comprehensive agreement on permitting reform, along with necessary reforms at the Energy and Commerce Committee focusing on strengthening the energy grid, including by reforming the planning, siting, and permitting process for critical transmission infrastructure, while streamlining the interconnection queue.

Our north star is ensuring that any final bill makes the permitting process more efficient, reduces costs for our constituents, and increases certainty for American investment. We are confident that all parties on both sides can work in good faith to reach these goals and achieve durable bipartisan solutions.

Sincerely,



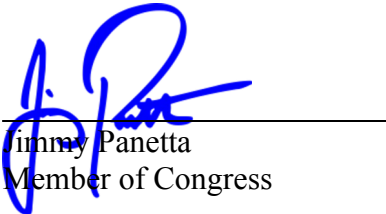
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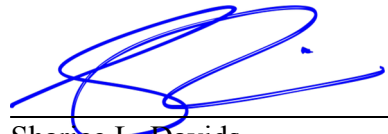
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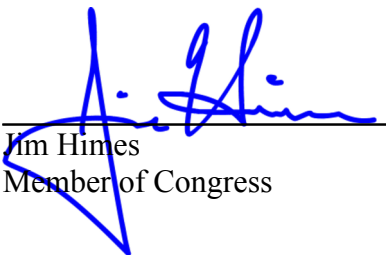
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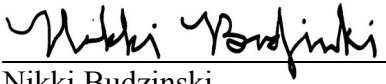
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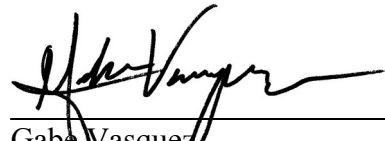
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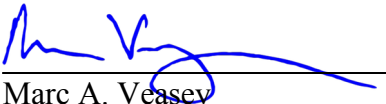
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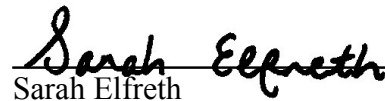
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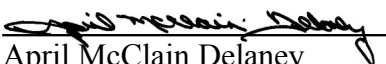
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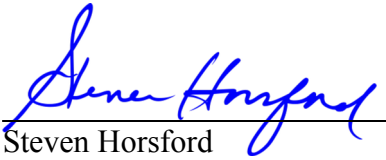
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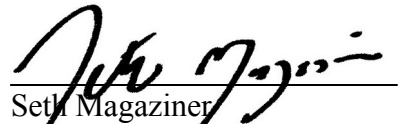
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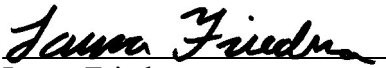
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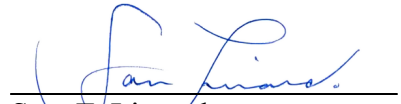
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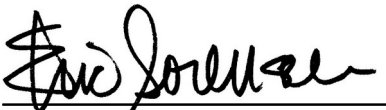
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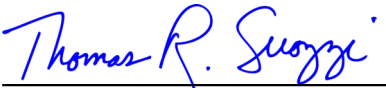
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