



July 30, 2025

The Honorable Bruce Westerman
Chairman
Committee on Natural Resources
U.S. House of Representatives
1324 Longworth House Office Building
Washington, D.C. 20515

The Honorable Jared Huffman
Ranking Member
Committee on Natural Resources
U.S. House of Representatives
1332 Longworth House Office Building
Washington, D.C. 20515

Dear Chairman Westerman and Ranking Member Huffman:

ClearPath Action supports H.R. 4776, the “Standardizing Permitting and Expediting Economic Development Act” or “SPEED Act.”¹ This bipartisan legislation provides needed changes to streamline the environmental review process, reform the judicial review system and get American energy projects built.

ClearPath Action 501(c)(4) advocates for more clean energy innovation, modernized permitting and regulatory reform, America’s global competitiveness for manufacturing, and unlocking more American resources. Achieving American energy dominance and affordability requires the rapid deployment of advanced clean energy technologies, including nuclear, geothermal, carbon capture, hydrogen, and modern transmission and energy storage systems. With electricity demand expected to increase by 35-50% by 2040,² modernizing our permitting system in the U.S. is required to unlock the scale and speed needed to meet today’s energy challenges and opportunities. Those who seek to build energy projects at the pace necessary to meet this unprecedented demand face an overly complex, unpredictable permitting regime that obstructs energy and economic development goals at every level of government. The SPEED Act contains meaningful reforms that will modernize the investment-chilling status quo, enable new projects to break ground, and unleash American energy.

ClearPath Action strongly supports the following provisions:

- **Streamlining NEPA’s Scope** – The SPEED Act narrows the scope of NEPA by eliminating duplicative review when analysis has already been conducted by other government entities or reviewed under other environmental statutes. Further, the bill builds on the Supreme Court’s *Seven County Infrastructure Coalition v. Eagle County* (*Seven County*) decision by limiting agency review to effects that share a reasonably close, causal relationship and are proximately caused by the federal action under review.³ These reforms would significantly reduce duplication, provide more clarity to project developers as to what kinds of impacts will be evaluated in an environmental review, and issue final permitting decisions on a significantly faster timeframe.
- **Reducing Uncertainty** – The SPEED Act would create greater certainty for project developers who approach the environmental review process in good faith but are vulnerable to the risk of permitting requirements changing, or decisions becoming void. The bill insulates developers from unnecessary risk by preventing NEPA reviews from

¹ <https://www.congress.gov/bill/119th-congress/house-bill/4776>

² <https://cleanpower.org/resources/us-national-power-demand-study/>

³ https://www.supremecourt.gov/opinions/24pdf/23-975_m648.pdf

being withdrawn without a court order, strengthening “One Federal Decision,” and allowing previous analysis and data to be utilized throughout a project’s permitting process. These reforms will increase confidence in the permitting system. ClearPath Action recommends that the Committee consider additional reforms that would mandate the publication of publicly available permitting data to further reduce uncertainty for project developers, in line with the Council on Environmental Quality’s “Permitting Technology Action Plan.”⁴

- **Reforming Judicial Review** – To make any meaningful progress in permitting reform, it is vital to narrow the scope of legal challenges against approved projects and streamline judicial review of agency actions. Even though agencies win about 80% of challenges,⁵ the current system is overwhelmingly tilted in favor of those seeking to delay or block projects. This can result in years of additional analysis that often changes little to nothing about the project. Litigants exploit these delays, aiming to stretch the process until developers run out of funding and abandon their projects. The SPEED Act makes major strides to reform this broken process by codifying judicial deference to agencies, limiting judicial review and relief, and establishing strict deadlines for legal challenges and resolution. ClearPath Action supports these key reforms to establish a more predictable process that allows claims to move forward when real harms occur while limiting litigation that merely seeks to delay or cancel projects.
- **Clarifying the Definition of “Major Federal Action”** – The SPEED Act would clarify that an agency action will not be considered a “major federal action” solely because it is a recipient of federal funds or financial assistance. This will encourage greater public-private partnership and tailor the permitting process to the most relevant projects.
- **Expanding Categorical Exclusions** – The SPEED Act builds upon the Fiscal Responsibility Act (FRA) reforms by allowing an agency to use Section 109 authorities to adopt legislative categorical exclusions of another federal agency in the same manner as a categorical exclusion originally created administratively. This codifies the original intent of the FRA as an effective method to streamline reviews and deploy infrastructure on a more expeditious timeframe.

ClearPath Action is ready to work with this Committee and other policymakers to advance this and additional policies that will achieve broad permitting reform, reduce uncertainty for developers and expand energy deployment. We thank the Committee for its leadership and commitment to practical solutions that unleash clean, reliable, affordable energy for Americans.

Sincerely,



Jeremy Harrell
CEO
ClearPath Action

⁴ https://permitting.innovation.gov/CEQ_Permitting_Technology_Action_Plan.pdf

⁵ <https://thebreakthrough.org/issues/energy/understanding-nepa-litigation>