

WRITTEN TESTIMONY OF
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“Legislative Hearing on H.R. 4503, H.R. 573, H.R. 4776”

BEFORE THE
UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON NATURAL RESOURCES

September 10, 2025

Chairman Westerman, Ranking Member Huffman, and members of the Committee thank you for the opportunity provide written testimony on H.R. 4503, H.R. 573, H.R. 4776 in respect to the Federal environmental review and permitting process.

By way of introduction, my career has been focused on the intersection of environmental law, regulation, and policy. Serving as General Counsel for the Council on Environmental Quality (CEQ), I am able to provide legal guidance on key environmental and regulatory policies across the Federal government. I previously served as Deputy General Counsel at the U.S. Environmental Protection Agency.

This Administration inherited a *status quo* in the environmental review and permitting process under the National Environmental Policy Act (NEPA) that was inefficient, unpredictable, and counterproductive to the growth of the American economy and infrastructure projects that benefit the American people. A lengthy and complex environmental review process can delay or even halt important projects to modernize our nation’s infrastructure, conserve our federal lands, secure economic prosperity, and enhance our national security.

All three branches of the Federal government recently have indicated that the NEPA process is broken and needs to be reformed.

In 2023, Congress gave NEPA its first significant overhaul in the more than 50 years since its original passage. Congress, in its BUILDER Act amendments as part of the 2023 Fiscal Responsibility Act, offered a blueprint for Federal agencies to revise their NEPA implementing procedures. Congress’s reforms included imposing deadlines and time limits for completing Environmental Assessments (EA) and Environmental Impact Statements (EIS), encouraging Federal agencies to create and share categorical exclusions (CE), and excluding certain types of federal actions from the definition of “major Federal action,” thereby removing the agencies’ obligation to do any NEPA analysis for those actions.

On the first day of his second term, President Trump, in his *Unleashing American Energy* Executive Order 14154, directed Federal agencies to swiftly move forward with revisions to their NEPA implementing procedures while ensuring that these revisions follow applicable law. CEQ

is coordinating this effort to ensure consistency and predictability across the Federal government. This is in keeping both with the President’s direction in his Executive Order and with Congress’s direction that agencies consult with CEQ as they develop methods to conduct the environmental analysis that NEPA requires, *see* 42 U.S.C. § 4332(2)(B).

Finally, the United States Supreme Court in its recent landmark decision in *Seven County Infrastructure Coalition v. Eagle County* reinforced the need for NEPA reform. *Seven County* explicitly calls for a “course correction” in NEPA litigation to bring implementation back in line with the statutory text and commonsense decision making.

In Executive Order 14154, President Trump directed CEQ to return to its statutory role: working with agencies for consistency as they revise their own agency-specific NEPA procedures to ensure that those procedures are consistent with the statute as amended and with President Trump’s policy direction. Until recently, many of the agency-level procedures had never been modernized. Some Federal agencies are still using NEPA procedures that date back to the 1980s or even earlier.

On June 30, 2025, several key parts of the Executive Branch issued revised NEPA implementing procedures. These include the Department of Agriculture, the Department of Commerce (including the National Oceanic and Atmospheric Administration), the Department of the Interior, the Department of Energy, the Federal Energy Regulatory Commission, the Department of Transportation, the Department of Defense, and the U.S. Army Corps of Engineers.

These agency NEPA implementing procedures are not *identical*, because they take into account the specific statutory authorities Congress has given to each agency in their organic authorizing statutes. However, the revised agency procedures are generally *consistent* – and frankly, they’re more consistent both with one another and with the statute than they were prior to this reform effort.

In this Administration, CEQ is focused on achieving meaningful permitting reform through modernizing outdated implementing procedures, enhancing certainty and efficiency, and eliminating delays. With respect to Administration priorities and directives, I am pleased to comment on legislation of significance to the environmental review and permitting process.

H.R. 4503, the “ePermit Act”

The White House has taken bold action to modernize permitting technology to speed up and simplify the Federal environmental review process, which will empower the United States to meet critical infrastructure needs, secure energy independence, and fuel economic growth.

The Permitting Innovation Center, established by CEQ, responds to President Trump’s memorandum to update permitting technology for the 21st century. Specifically, CEQ was tasked by the President with establishing a Permitting Innovation Center to address the issue of improving the technology used by Federal agencies as part of the Federal environmental review and permitting process. As part of this work, CEQ is advancing a number of initiatives that align

with the goals of the proposed legislation through the use of interactive, digital, and cloud-based platforms, such as:

- Issuing a data standards and Permitting Technology Action Plan in May 2025.
- Developing prototypes for permitting software solutions, in coordination with GSA and other federal permitting agencies.
- Coordinating with permitting agencies directly through the Federal Permitting Improvement Steering Council and Chief Information Officers to advance these efforts.
- Meeting with external stakeholders to discuss potential private-sector solutions.

The proposed ePermit Act would build on this work by:

- 1) codifying the concept of a data standard for NEPA and permitting processes, which will improve the efficiency of agency systems by providing a common “language” for exchanging information;
- 2) tasking CEQ with the development of prototype tools in conjunction with the General Services Administration and other partner agencies, and
- 3) codifying and mandating implementation of minimum functional requirements for Federal agency systems.

The bill would also require a unified interagency data system, which is aligned with the recommendations of CEQ’s [E-NEPA Report to Congress](#). This interagency system would consist of interconnected agency systems as well as shared services (common tools used by multiple agencies). Within a year of enactment, CEQ would be tasked by the act with overseeing the development of shared services pilots, including an authorization portal for Federal permits. CEQ would also be required to develop and implement the requirement for a unified interagency data system by December 1, 2027. These mandates would require appropriate resourcing, coordination among all agencies involved in environmental review and permitting, and iterative development. While these timelines are feasible for initial product development, successful software tools will require ongoing investment and resources.

CEQ is supportive of legislation that makes maximum use of technology in environmental review and permitting processes as directed by the President in his memorandum *Updating Permitting Technology for the 21st Century*.

H.R. 573, the “Studying NEPA’s Impact on Projects Act”

The Studying NEPA’s Impact on Projects Act would require CEQ to publish an annual report on environmental reviews and causes of action based on alleged non-compliance with the National Environmental Policy Act, and for other purposes.

CEQ is supportive of legislation that provides accountability and transparency in the environmental review and permitting process.

H.R. 4776, the “Standardizing Permitting and Expediting Economic Development Act” (“SPEED Act”)

NEPA is the most litigated environmental statute within the United States. There are a range of litigation reforms under NEPA that would help eliminate delays and ambiguity in the environmental review and permitting process. The SPEED Act would adopt some of these in the form of judicial review limitations. CEQ is supportive of Congress solidifying reforms via legislation that provide clarity to Federal agencies who have been frequently subjected to reckless NEPA claims.

The SPEED Act will also clarify the definition of “Major Federal Action.” While CEQ has taken action to provide this reform in its guidance, further clarification would reinforce Congress’s intent for the Federal government to focus its NEPA analysis on proposed actions that are truly major, discretionary federal undertakings.

The reforms in the SPEED Act expand on the BUILDER Act amendments as part of the 2023 Fiscal Responsibility Act and help codify the Supreme Court’s decision in *Seven County Infrastructure Coalition v. Eagle County*.

CEQ is supportive of legislation that streamlines the environmental review process, helps identify and scope federal actions that may have negative impacts on the environment, and establishes judicial review limitations for NEPA claims to remedy frivolous lawsuits that stall economic growth or halt critical infrastructure construction.

Conclusion

At the direction of President Trump, CEQ will continue to focus on achieving meaningful permitting reform through streamlining outdated implementing procedures, enhancing certainty and efficiency, and eliminating delays and ambiguity.

We greatly appreciate the opportunity to comment on all three bills (H.R. 4503, H.R. 573, and H.R. 4776). As Congress works toward permitting reform, CEQ looks forward to working with this Committee to fulfill the President’s directive to unleash American energy dominance through efficient permitting. Thank you again for the opportunity.