



September 10, 2025

Via Email

The Honorable Bruce Westerman
Chairman, House Committee on Natural Resources
202 Cannon House Office Building
Washington, D.C. 20515

The Honorable Jared Huffman
Ranking Member, House Committee on Natural Resources
2330 Rayburn House Office Building
Washington, D.C. 20515

Re: Legislative Hearing on H.R. 573, H.R. 4503, and H.R. 4776

Dear Chairman Westerman and Ranking Member Huffman:

On behalf of America's leading independent oil and natural gas producers, the [American Exploration & Production Council \(AXPC\)](#), supports this Committee's efforts to advance comprehensive, durable permitting reform. Specifically, the Standardizing Permitting and Expediting Economic Development (SPEED) Act (H.R. 4776) will address one of the clearest impediments to secure America's energy future: Reforming the National Environmental Policy Act (NEPA).

Over fifty-five years ago, Congress enacted NEPA as a procedural statute to assess the environmental impacts of major federal actions. Unlike later environmental laws, like the Clean Air Act and Clean Water Act, NEPA didn't create substantive environmental obligations. Its goal was to inform transparent agency decision-making in tandem with other substantive laws.

Today, NEPA has become something else completely. It's ill-equipped to regulate a modern energy economy, and it's been abused by third-party litigants whose singular goal is to delay and ultimately kill critical energy projects no matter the source.

NEPA's statutory framework is broad and undefined, giving federal agencies wide discretion to determine the scope, depth, and content of environmental reviews. As a result, agencies have evaluated considerations far outside the project's scope and attempt to litigation-proof their reviews through wide-ranging, speculative, and duplicative analyses. The result is inconsistent processes with unpredictable results that increase costs, deter investment, spur delays, and with little to no additional environmental benefit.

Then there's the litigation. NEPA is by far the most litigated environmental law in the U.S. Code. Based on an analysis from the Breakthrough Institute, from 2013–2022, 423 federal-court rulings were issued for 210 energy projects.¹ Challenged projects spent a median of three years between agency approval and final decision, with many projects delayed far longer. But initial federal-agency approval was upheld about 70% of the time on appeal. And in a similar analysis, projects for oil and natural gas as well as renewables were equally impacted — with 37% of NEPA cases challenging the former and 33% of NEPA cases challenging the latter.² NEPA litigation doesn't change the result; it delays already-approved, well-evaluated energy projects at the cost of project developers and end-users.

But this Committee's legislation — the SPEED Act — puts NEPA back on track by addressing the pitfalls of yesterday's abuse while advancing the needs of today and tomorrow's energy economy.

The SPEED Act represents a critical, bipartisan step toward durable reforms that are needed across all energy projects to bring efficiency, predictability, and common sense to the federal-permitting system. By tightening

¹ Breakthrough Institute, The Procedural Hangover: How NEPA Litigation Obstructs Critical Projects (2025), available at [link](#).

² Breakthrough Institute, Understanding NEPA Litigation: A Systematic Review of Recent NEPA-Related Appellate Court Cases (2024), available at [link](#).

the review process, streamlining agency reviews, and curbing endless litigation, this legislation restores the “purely procedural” nature of NEPA and ensures that we can build again.

We commend this Committee and its bipartisan work to begin unlocking a comprehensive, durable solution to a decades-old permitting problem.

Regards,

A handwritten signature in dark ink, appearing to be 'P. Kasmer', with a stylized 'P' and a horizontal line extending to the right.

Parker D. Kasmer
VP, Government Affairs
American Exploration & Production Council