you apply for a permit for a project that complies with the law, then you should be able to get that permit, and you should be able to rely on it.

Thoughtful permitting reforms, many of which are in the SPEED Act, are meaningless if the executive branch is allowed to revoke issued permits for no good reason, or if the permitting process can be subjected to political gamesmanship.

The language added to the SPEED Act at markup would have restricted some of the political interference with issued permits, and that was a great start to solving the problem. It wasn't everything we needed, but it was a lot. I was confident that a bipartisan bill was well within reach.

I was really disappointed this week that some of my colleagues on the other side of the aisle, after seeing that good bipartisan progress, decided to force this bill in the other direction this week to satisfy grievances and score political points instead of doing what is best for the country. An all-of-the-above energy strategy is what we were after. That took a big hit this week.

Giving Donald Trump, or any President, the ability to decide what gets permitting reform, which would be the effect of the partisan amendment added to the SPEED Act behind closed doors, significantly reduces certainty for investment in America.

That provision codifies a broken permitting status quo, instead of setting a level playing for everyone. Energy producers, investors, and communities want to know that investment in America, regardless of the electrons powering that investment, is safe from the swing of the political pendulum, and, unfortunately, that goal has not yet been achieved.

We need to get permitting reform done in this Congress. I look forward to working with my colleagues across the aisle in the Senate to craft a bipartisan product that could become law. This is not the final draft. I think there is more we can do.

Mr. WESTERMAN. Mr. Chair, I yield 2 minutes to the gentleman from Michigan (Mr. WALBERG), who is on the Natural Resources Committee and is also the chair of the Education and Workforce Committee.

Mr. WALBERG. Mr. Chair, I thank the chairman for yielding.

Mr. Chairman, as the Member who represents one-half of NEPA's original author's district, I rise in strong support of the SPEED Act. This bipartisan, commonsense legislation will streamline our permitting process, making it faster, more predictable, and more accountable.

Currently, our broken permitting process delays critical energy, infrastructure, and manufacturing projects for years. This not only hurts workers but raises costs for hardworking families and makes us more dependent on foreign countries, including our adversaries.

In Michigan, we need access to reliable energy to meet our growing demands, increase affordability, and help us compete. However, these essential projects can't move forward if our permitting process is holding us back.

The SPEED Act addresses these issues by streamlining reviews, setting clear timelines, and improving coordination across agencies.

Mr. Chair, this legislation helps us build again in this country, from energy projects to manufacturing facilities. America is entering a golden age of energy dominance thanks to President Trump's policies and the Working Families Tax Cuts that Republicans passed earlier this year.

The SPEED Act builds on this progress by cutting bureaucratic red tape, bringing back good-paying jobs and revitalizing our infrastructure and energy sectors.

We must restore common sense to our permitting process so we can unleash American energy and lower costs for hardworking Michiganders.

For all those reasons, Mr. Chairman, I urge my colleagues to vote ''yes.'' Michigan will thank you.

Mr. HUFFMAN. Mr. Chair, I yield 2 minutes to the gentlewoman from Colorado (Ms. DEGETTE).

Ms. DEGETTE. Mr. Chairman, I am a strong proponent of elimination of unnecessary regulations and of permitting reform, but this bill doesn't streamline permitting. It blindfolds the agencies meant to protect us and our natural resources.

Under this legislation, the agencies could not consider new science, even from the project applicant; conduct new environmental reviews; or assess indirect, let alone cumulative, impacts.

This anti-fact, anti-science administration would rather live in denial than understand the full impact that these projects could have on our health.

Earlier this year, the Supreme Court ruled on a case in my home State of Colorado. A 100-mile crude oil train route along the Colorado River was approved despite local objections and Federal estimates that spills would occur once every 5 years. The court said that agencies did not need to consider these downstream impacts.

This ruling alone is alarming, but the bill goes farther by outright preventing agencies from considering those factors.

This law says that ignorance is bliss. That is why I offered an amendment to widen the scope of review to ensure that agencies weigh all relevant facts and subsequent consequences. If we have information, then we should use it. Republicans refused to accept that amendment in the Rules Committee.

Rather than supporting agencies with the funding and staffing they need to process applications faster, Republicans just want them to look the other way.

Most Americans believe any job worth doing is worth doing right, even if it takes a little more time. However, cutting corners today means that we are going to have to clean up disasters tomorrow, and those costs won't fall on us, Mr. Chairman. They will fall on the communities we are supposed to protect.

Mr. Chairman, I urge my colleagues to vote ''no.''

The Acting CHAIR (Mr. STUTZMAN). The Committee will rise informally.

The Speaker pro tempore (Mr. BENTZ) assumed the chair.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Ferrari, one of its clerks, announced that the Senate has agreed to without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 66. Concurrent resolution directing the Secretary of the Senate to make a correction in the enrollment of the bill S. 1071.

The message also announced that the Senate agreed to the amendment of the House to the bill (S. 1071) ''An Act to require the Secretary of Veterans Affairs to disinter the remains of Fernando V. Cota from Fort Sam Houston National Cemetery, Texas, and for other purposes.''.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 2393. An act to authorize a major medical facility project for the Department of Veterans Affairs for fiscal year 2026 in St. Louis, Missouri, and for other purposes.

S. 2503. An act to require all aircraft to be equipped with Automatic Dependent Surveillance—Broadcast In, to improve aviation safety, and for other purposes.

S. 3436. An act to amend title 38, United States Code, to require the provision of certain services to veterans in the Freely Associated States, and for other purposes.

The message also announced that pursuant to 10 U.S.C. 9355(a), as amended by Public Law 118–159, the Chair, on behalf of the Chairman of the Committee on Armed Services, appoints the following Senator to the Board of Visitors of the U.S. Air Force Academy:

The Senator from North Carolina (Mr. BUDD).

The message also announced that pursuant to 10 U.S.C. 9355(a), as amended by Public Law 118–159, the Chair, on behalf of the Majority Leader, appoints the following Senators to the Board of Visitors of the U.S. Air Force Academy:

The Senator from Oklahoma (Mr. MULLIN) (Appropriations).

The Senator from North Dakota (Mr. CRAMER).

The SPEAKER pro tempore. The Committee will resume its sitting.

STANDARDIZING PERMITTING AND EXPEDITING ECONOMIC DEVELOPMENT ACT

The Committee resumed its sitting.

Mr. WESTERMAN. Mr. Chairman, I yield 2 minutes to the gentlewoman from Utah (Ms. MALOY).

Ms. MALOY. Mr. Chairman, I rise today in strong support of H.R. 4776, the Standardizing Permitting and Expediting Economic Development Act, known as the SPEED Act, introduced by my colleague from Arkansas, Chairman WESTERMAN.

Federal permitting under NEPA has strangled economic development and delayed critical projects. What should take months takes years, and what should be straightforward becomes bureaucratic maze.

The core purpose of this bill is to restore NEPA to its original purpose as a procedural statute intended to ensure agencies look at alternatives and focus on real proximate environmental effects rather than speculative, politically motivated hypotheticals.

The key reforms that will help bring that about are that it prevents completed environmental reports from being undone without a court order. It creates litigation timelines and requires substantive public comment in order to establish standing for litigation.

The way NEPA is being implemented now and has been implemented for the last several years wastes taxpayer time and money. What was intended to make sure Federal agencies are being thoughtful and looking at multiple alternatives before they make important decisions on behalf of the American people has turned into a bureaucratic boondoggle that isn't serving the American people.

These reforms are especially critical for rural States with a large Federal footprint like Utah. It rebalances the scales in favor of local voices, working families, and economic opportunities.

These changes help all Americans. All Americans are going to be benefited by upgraded infrastructure, increased energy production, and less wasted time and money.

This isn't about lowering environmental standards, but it is about eliminating redundancy and bureaucratic paralysis. It represents reforms Americans have been demanding: practical solutions that cut red tape while maintaining environmental protections that we all appreciate.

It is time for some predictability, consistency, and efficiency in government decisions. I thank Chairman WESTERMAN for meeting the need of our time which is a need for speed.

Mr. Chair, I urge my colleagues to support this important legislation. The time for action is now, and we must give the American people the effective government that we all deserve.

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Mr. HUFFMAN. Mr. Chair, I reserve the balance of my time.

Mr. WESTERMAN. Mr. Chair, I yield 1 minute to the gentleman from Colorado (Mr. HURD).

Mr. HURD of Colorado. Mr. Chairman, I support the SPEED Act because it fixes something that people back home understand instinctively: It takes too long to build anything in this country—water infrastructure, roads, power lines, housing, or energy projects. When it takes just a decade to get a permit, families pay more, and America falls behind.

NEPA was meant to ensure that agencies look before they act, not to function as a litigation strategy to stop reasonable projects. Today, it too often stalls projects and advantages competitors like China.

The SPEED Act restores common sense. It focuses on real impacts, ends endless delays, and brings predictability back to permitting. Just as important for me as chairman of the Subcommittee on Indian and Insular Affairs, it respects Tribal reviews and was developed with Tribal consultation to ensure that NEPA does not block Tribal economic development.

This isn't about weakening environmental protections. It is about ending unreasonable delays so America can build again and so we can lower energy costs, build reliable infrastructure, and compete globally.

The SPEED Act is balanced reform, and it is long overdue. I urge my colleagues to support it.

Mr. HUFFMAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we have heard over and over again in this debate that this bill is not about lowering environmental standards. This is another one of those rather remarkable inversions, when you actually look at what the bill does.

Entire classes of projects are simply eliminated from environmental review. Entire classes of impacts no longer count in an environmental review under this proposed legislation. Certain types of comments that allow people to take part in the public review process and potentially challenge a project are no longer qualifying for them to be part of the public review and legal challenge process. If that is not lowering environmental standards, I don't know what is.

Another aspect of this bill should be considered specifically: allowing broad exemptions for grants, loans, and other financial assistance, which this bill does. It means that large, federally backed projects could avoid triggering a NEPA review, even when those impacts could be very significant.

This includes projects like many Federal highways, which were one of the original reasons that NEPA was passed, because they often ran right through disadvantaged communities. Those communities didn't even know about the proposed projects, let alone have the ability to require consideration of environmental impacts.

If you just take a look at this image here, this is what happens to transportation projects without NEPA. When we hear that this is not about lowering environmental standards, I think it is important to bring it back to the reality of what this bill would do. This is what this bill would do: no environmental review process at all for many of these projects.

Mr. Chair, I reserve the balance of my time.

Mr. WESTERMAN. Mr. Chair, I yield 3 minutes to the gentlewoman from Wyoming (Ms. HAGEMAN).

Ms. HAGEMAN. Mr. Chairman, I rise today in strong support of modernizing our permitting system through the SPEED Act.

While other nations are rushing to win the AI race, build out energy generation, and modernize infrastructure, America is stuck in the 20th century.

Our Nation's permitting process has been corrupted, morphing from what NEPA was crafted to do into a leviathan designed to do what activists and courts want it to do, transforming from a procedural statute into a hammer to block development and innovation.

The resulting lawlessness in the permitting system finally culminated in the Seven County Supreme Court decision, which provided much-needed relief. Simply stated, and as the Court found, there is no reason a rail project should fail because project opponents don't like the commodity that will be shipped on that rail line.

An examination of other lawsuits filed under NEPA confirms the frivolous nature of many of them. In the last decade, circuit courts witnessed a 56 percent increase in NEPA appeals. NGOs instigated over 70 percent of these challenges, with just 10 organizations filing many of those cases. In these cases, agencies won roughly 80 percent of the challenges to both environmental assessments and environmental impact statements.

In other words, agencies are seldom faulted for inadequate environmental review, yet NGOs capitalize on the 6-year statute of limitations to file a lawsuit, slow projects down, increase costs, and finance their organizations through EAJA funds.

In recognition of this reality, and in line with the Seven County decision, this bill clarifies the role of the court over this purely procedural statute, and places shot clocks on when lawsuits must be filed and decided.

The SPEED Act is project agnostic, which I believe is well reflected in its bipartisan nature, and I am proud to be one of its cosponsors.

Permitting impacts every aspect of our economy. When the system is broken, it is broken for everyone. The SPEED Act will provide the certainty that the system currently lacks and which American industries need.

Mr. Chair, I thank Chairman WESTERMAN for his strong leadership on this crucial piece of legislation. I urge all of my colleagues to support it.

Mr. HUFFMAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we hear it over and over again from the other side: NEPA should just be a purely procedural law.

Well, a lot of really important things are procedural—MRIs, X-rays, any number of things. Those are procedures, but you don't turn the power off and reduce that very important procedure to a meaningless exercise. That is what this legislation would do.

Mr. Chairman, I yield 3 minutes to the gentlewoman from Nevada (Ms. LEE).

Ms. LEE of Nevada. Mr. Chair, in Nevada, the Sun shines more than 300 days a year, and solar is among the cheapest and most abundant sources of energy, not only in my State but across the country. That is why I am leading 30 of my colleagues in championing the most supported amendment to the SPEED Act by far to save solar and wind from this administration's war on clean energy.

On July 15, President Trump's Interior Department actively chose to wrap the biggest piece of permitting red tape around the neck of the renewable energy sector that we have ever seen, directing the Interior Secretary to personally sign off on every permit to solar and wind energy.

In just one example from my State, what would have been the largest solar facility in North America, the administration is making that project jump through 69 hoops seven times. That is the opposite of efficient.

Even my State's Republican Governor has said that these actions have ''not only stopped solar development on Federal lands in Nevada, but also on private land where Federal approvals . . . are required.''

More broadly, this administration's attacks on America's solar and storage industry are threatening over 500 projects that could be powering 16 million homes. Together, these projects represent half of all new planned capacity in the United States.

For this reason, at the appropriate time, I will offer a motion to recommit this bill back to the committee.

If the House rules permitted, I would have offered the motion with my important amendment to this bill.

Quite simply, my amendment to the SPEED Act would put an end to this nonsensical political tit for tat and ensure equal treatment for all energy sources as part of the DOI permitting process moving forward.

If we are going to bring down energy bills for everyone, the path forward is obvious. Solar and wind are the clear cheapest choice.

Republicans in Congress are more interested in getting retribution for their corporate donors than bringing down the costs for American families. Let's be clear: They know this isn't right. Even my colleagues who represent States like Texas and Arizona, where energy projects are being held up, are refusing to speak up. They would rather let this reckless administration put its finger on the scale and jack up prices for their constituents than stand up to this President.

Already, families across the country are seeing their electric bills increase by an average of 13 percent. In States like Florida, that is an average annual increase of about $400.

The Acting CHAIR (Mr. STUTZMAN). The time of the gentlewoman has expired.

Mr. HUFFMAN. Mr. Chair, I yield an additional 30 seconds to the gentlewoman from Nevada.

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Ms. LEE of Nevada. Mr. Chair, every day, more Americans are concerned about huge data centers causing their electric prices to spiral even further out of control. It doesn't have to be this way.

We need to provide real permitting certainty and permitting fairness and let investors, not Washington, pick winners and losers. Under this approach, Americans paying their electric bills each month are the ones who are really losing.

Mr. Chair, I include in the RECORD the text of my amendment.

Ms. Lee of Nevada moves to recommit the bill H.R. 4776 to the Committee on Natural Resources with instructions to report the same back to the House forthwith, with the following amendment:

Add at the end the following:

SEC. 5. PARITY.

(a) REQUIREMENT FOR PARITY.—The Secretary of the Interior shall ensure that no category or specific type of energy project on Federal land or which requires Federal review is subject to more arbitrarily restrictive or burdensome procedural requirements than other types of energy projects regarding the processing and denial of applications, authorizations, or related approvals, including—

(1) requirements for elevated or discretionary review by the Secretary, Deputy Secretary, other political appointees, or career employees;

(2) additional documentation or review for a category or specific type of energy project not required for all other types of energy projects;

(3) withholding, delaying, or reversing decisions by local, State, or regional entities for a category or specific type of energy project for reasons not applied to all other types of energy projects; and

(4) denial or delay of routine administrative authorizations, such as testing permits, cost recovery agreements, or notices to proceed once all criteria have been met for approval, based on underlying technology.

(b) POLICY REVIEW.—Not later than 90 days after the date of enactment of this section, the Secretary of the Interior shall—

(1) review all applicable regulations, guidance documents, policy manuals, departmental directives, Secretarial orders, and other procedures regarding energy projects; and

(2) identify any provision of such regulations, documents, manuals, directives, orders, and procedures not otherwise required in statute that do not comply with the requirements in subsection (a).

(c) RESCISSION.—Not later than 120 days after the date of enactment of this section, and without delay, the Secretary of the Interior shall rescind and amend as necessary any provision identified under subsection (b)(2).

Ms. LEE of Nevada. Mr. Chair, I hope my colleagues will join me in voting for the motion to recommit.

Mr. WESTERMAN. Mr. Chair, I yield 1 minute to the gentleman from Colorado (Mr. CRANK).

Mr. CRANK. Mr. Chair, I rise in strong support of the SPEED Act.

America's permitting system is broken. Today, an estimated $1.5 trillion in economic value is tied up in projects waiting for approval, costing our economy roughly $140 billion every year in lost growth.

Instead of encouraging responsible development, our system too often rewards bad actors driven by ideology rather than legitimate concerns.

Endless litigation has become the single biggest obstacle to building energy, infrastructure, and critical projects in this country. At the same time, energy demand is projected to grow by 50 percent by 2050.

The question is simple: Will we rise to meet that demand? We won't, not with our current permitting process.

The SPEED Act brings commonsense reform. It limits judicial review under NEPA to 150 days. It directs stakeholders to engage during the public comment process and tightens the scope of review, so agencies take a hard look at expected impacts.

The Acting CHAIR. The time of the gentleman has expired.

Mr. WESTERMAN. Mr. Chair, I yield an additional 30 seconds to the gentleman from Colorado.

Mr. CRANK. The bill allows America to build again, produce energy again, and stop being held hostage by litigious groups content to see jobs and investment move overseas. Permitting reform unleashes American energy and the American economy.

Mr. Chair, I urge my colleagues to support the SPEED Act.

Mr. HUFFMAN. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I am glad to hear the gentleman's concern for projects that are awaiting approval, but for the past year, we have seen huge projects that were already approved that were under construction.

In one case, the Revolution Wind project in Rhode Island was 80 percent complete, with thousands of jobs and some of the cheapest electricity that New England would see to bring down these soaring utility bills, and President Trump stepped in and stopped it. They had to get a court to release the hostage, to allow this already approved project to simply move forward. I am always grateful to hear concern for projects awaiting approval.

What this bill does, though, unfortunately, is nothing at all to end the crazy war on clean energy that is killing off projects that have already been approved. Our colleagues really should care about that, too.

Mr. Chair, I reserve the balance of my time.

Mr. WESTERMAN. Mr. Chair, if we want to talk about projects that have been killed by an administration, let's go back to the Biden administration and the Obama administration. Let's

look at projects like the Resolution Copper mine in Superior, Arizona, where they got a permit. They spent $2 billion, and they have yet to mine an ounce of copper because of NEPA holdups.

Let's look at the Twin Metals project in northern Minnesota, where we have one of the largest deposits of copper, nickel, cobalt, platinum, and palladium, all things we need. That has been going back and forth from one administration to the next.

Let's look at the Keystone XL pipeline that was stopped after billions of dollars were spent, and not one drop of oil went through it.

My colleagues are making the case for permitting reform. It just happens to be that we are in a Republican administration now, when they turned a blind eye to what was happening during a Democratic administration.

This is why we need permitting reform.

Mr. Chair, I yield 1 minute to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Chair, I thank the gentleman for yielding.

Mr. Chair, I rise today in support of H.R. 4776, the SPEED Act.

Mr. Chair, regardless of which sector of our economy you are talking about, whether it be healthcare, technology, or energy, it is always the same when groups come into my office: Permitting and regulations are crushing us.

The SPEED Act is a critical step toward unleashing American energy dominance, bringing supply chains home, and much more. The National Environmental Policy Act is a well-intentioned piece of legislation, but it has created a costly, cumbersome process that has crippled our permitting system.

The SPEED Act will modernize NEPA, and it will help permitting in the U.S. return to what it was originally intended to be. The SPEED Act will establish permitting timelines, and it will cut down on frivolous litigation that is simply meant to delay projects.

Under SPEED, American development will no longer be held hostage by activists and environmental groups simply seeking to profit off of lawsuits.

America needs to update its infrastructure, create new sources of energy, and deploy more broadband and transmission lines. The SPEED Act will help power a new generation of growth in our Nation.

Mr. Chair, I urge the passage of this legislation.

Mr. HUFFMAN. Mr. Chair, we just heard a list of projects that were allegedly halted by frivolous litigation, a case study for the SPEED Act.

In fact, many of these are really bad projects, and the examples are often examples of the environmental review process working to protect the environment and protect people.

The Dakota Access Pipeline decision was challenged by the Standing Rock Sioux Tribe, which won in court because the Army Corps of Engineers had failed to consider the impact of catastrophic oil spills on the Tribe's water supply and culturally sacred sites.

The Resolution Copper mine was delayed because the proposed mine would, in fact, destroy Oak Flat, the most sacred site for the San Carlos Apache Tribe.

Micron chose to build its semiconductor manufacturing facility near federally regulated wetlands and endangered habitat.

I think what we are hearing, unfortunately, is that permitting reform to my friends across the aisle means a green light even for bad and destructive projects. That is not something the American people want to see.

Mr. Chair, I reserve the balance of my time.

Mr. WESTERMAN. Mr. Chair, how about the last runway that was built at the Atlanta airport? It only took 11 years to build it. Actually, it only took 18 months. It took 9.5 years to go through the NEPA permitting process.

These are the kinds of projects we are talking about all across the country that are being adversely affected by a cumbersome permitting process. It is not doing anything extra to help the environment or protect our resources. It is simply a way to stop progress and stop projects from happening.

Mr. Chair, I yield 1 minute to the gentleman from Colorado (Mr. EVANS).

Mr. EVANS of Colorado. Mr. Chair, I am proud to support the bipartisan SPEED Act today, of which I am a cosponsor, because, in part, my home State of Colorado is the sixth most heavily regulated State in the country. From affordable housing to affordable energy, it has become virtually impossible to build anything.

The overburdensome Federal permitting process, layered with State regulations, passes on extraordinary costs to Coloradans by adding years of unnecessary delays and millions of dollars to new projects that communities need. In fact, many of the projects require more money to navigate the bureaucratic permitting process than they do for actual construction.

Today, the House will change that and take a significant step toward comprehensive permitting reform by passing this bill. Americans who are worried about the high cost of living should pay attention.

If my colleagues are serious about lowering costs for their constituents, they should support the SPEED Act.

Mr. HUFFMAN. Mr. Chair, I reserve the balance of my time.

Mr. WESTERMAN. Mr. Chair, what about the $12 billion we put in the reconciliation bill to upgrade our air traffic control system? We are not talking about just permitting energy. We are talking about permitting safety.

Look at how long it takes to build interstate highways and bridges, and the safety effects that happen because those projects are dragged out for so long. It costs so much more money, and it creates congestion. It creates all kinds of problems.

If we could just move the permitting process more quickly, we could benefit not only from the cost of energy, the cost of transmission, and the cost of raw materials that we can be mining, but we could also improve the safety of our country.

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Mr. Chair, we allocated $12 billion to upgrade the air traffic control system. The Department of Transportation tells me the problem is they can't get a NEPA permit to put fiber-optic cables in air traffic control towers. That is insane when something like an outdated air traffic control system that has funding can't be implemented because we can't get through the NEPA process to run a fiber-optic cable.

Mr. Chairman, I reserve the balance of my time.

Mr. HUFFMAN. Mr. Chair, may I inquire as to how much time is remaining.

The Acting CHAIR. The gentleman from California has 4 minutes remaining. The gentleman from Arkansas has 7 minutes remaining.

Mr. HUFFMAN. Mr. Chair, I yield myself the balance of my time.

Mr. Chair, a lot of numbers have been thrown around on how NEPA takes so very, very long.

Much of this is looking deep into the past and extrapolating from that. I want to correct the RECORD because, as of January 2025, $1 billion in the Inflation Reduction Act for permitting was actually doing its job quite well. It had helped reduce the median time it takes to complete an Environmental Impact Statement, the most complex environmental review, by 28 percent. That is compared to times under the first Trump administration.

The time was down a little over 2 years in 2024 compared to over 3½ in 2019. That is 1½ years of improvement. Unfortunately, these steps forward have been taken away by our friends across the aisle. We are going in the wrong direction.

Mr. Chair, in closing, the majority had a great opportunity here. Democrats were ready to work with them on meaningful and bipartisan permitting reform. They chose to reject our efforts to engage in good faith. Instead, what we have here is another Christmas giveaway to the wealthiest, most powerful people and companies in the country.

I guess this is the golden age. These are wonderful times. A person can throw Great Gatsby parties if they are a billionaire, if they are one of these very, very rich interest groups.

We should be thinking about everyday Americans right now. Many overburdened communities are saddled with significant pollution. We should think about helping them instead of making it harder for them to challenge projects that threaten the health and environmental damage visited upon their community.

We should also think about rising utility bills, something we hear more and more about in this affordability crisis driven by Republican policies. Yet, our friends across the aisle look the other way as President Trump's crazy war on clean energy drives utility bills higher and higher.

We should work toward a level playing field for clean energy instead of another handout for Big Oil. The American Clean Power Association has pulled its support for this legislation. The bill is opposed by the Solar Energy Industries Association and, of course, countless environmental justice organizations who know this bill will take a wrecking ball to government transparency, to community engagement, and to health and environmental protections.

It didn't have to be this way. This was a terrible missed opportunity, but a bad bill has actually gotten worse through the process and not better.

I strongly oppose the SPEED Act. I urge all of my colleagues on both sides of the aisle, regardless of whether they may have supported this in the past—the bill has gotten worse—to vote ''no.''

Mr. Chair, I yield back the balance of my time.

Mr. WESTERMAN. Mr. Chair, I yield myself the balance of my time.

Mr. Chair, permitting reform in the SPEED Act will help every American by lowering costs and increasing affordability. That is a word that is talked about a lot today, but I think we sometimes forget the question: Why are things not affordable?

When we have to import all of our products, when we can't build new energy plants, and when we can't build public infrastructure projects on budget and on time, things become unaffordable. Now is the time for Congress not just to talk about how we need permitting reform but to actually walk the walk when it comes to helping the families in their districts keep the lights on.

An analysis by Common Good shows that a 6-year delay in construction on public projects like building roads, something I think we all can agree on, costs the U.S. economy $3.7 trillion.

The SPEED Act is supported by over 375 industry leaders ranging from utility companies and energy producers to homebuilders and domestic manufacturers. These are the industries that will lower everyday costs if we simply allow them to build here in America again. A vote for the SPEED Act is a vote for affordability.

As I close, I want to return to the core principle at the heart of this debate and this legislation. The Federal permitting process should serve our national interests and not obstruct them. Let me say this again. Permitting should serve our national interests and not obstruct our national interests.

NEPA no longer passes the test. It is currently a source of waste, abuse, and predatory litigation. Its unpredictability is fundamentally unfair to the local communities, to working families, and to taxpayers who depend on the infrastructure projects that NEPA obstructs. This has never been more true than today when demand for energy is dramatically spiking.

America is blessed with resources we need for a future of energy dominance and critical mineral abundance. God has blessed America with minerals and with energy, we are just refusing to use them.

Mr. Chair, we are dependent on China for 90 percent of our rare earth and critical minerals. That is not just economic insecurity. That is a national defense issue. They mine 70 percent of those around the world and process and control 90 percent of them.

We have all of them here in America. We refuse to do the permitting, not just to build mines but to build refineries that will create jobs for Americans.

When we mine the materials out of the ground and we process them and put them into manufactured goods, there is a multiplier effect by 28. That is what the USGS and Department of Commerce says. We multiply that value by 28. Think of the good-paying jobs Americans could have if we not only mined here in America but if we refined and manufactured products from those things that we mined.

The SPEED Act is a targeted, bipartisan solution that will restore balance and accountability to the Federal permitting process. It will streamline administrative review and curtail open-ended and dilatory litigation. These are practical, commonsense reforms that, again, I will say have garnered the support of more than 375 business, labor, and nonprofit groups from across the country, from all 50 States and Puerto Rico.

Mr. Chair, we are at a critical point in our country. America has always been a place where we have a can-do attitude. We have always been able to succeed. I like to say we are ''Americans.'' We are not ''Ameri-can'ts.''

The current permitting laws are telling Americans they can't. We can't be innovative. We can't develop. We can't build here. We have to be dependent on somebody else, somewhere else. We can't have the jobs to earn good wages. We can't grow our rural communities because we can't get through the bureaucratic red tape and permitting. The SPEED Act is the first step in doing that.

Mr. Chair, we have to pass this bill. We have to get it to the Senate. We have to work with our Senate colleagues because this is an important time in our country, and this is an important piece of legislation. It is an important issue that affects every American, and today is the day to pass the SPEED Act. I urge my colleagues to support the SPEED Act to get ourselves building again.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

The amendment in the nature of a substitute recommended by the Committee on Natural Resources, and the further amendment specified in section 5 of House Resolution 953, printed in the bill, shall be considered as adopted. The bill, as amended, shall be considered as the original bill for the purpose of further amendment and shall be considered as read.

The text of the bill, as amended, is as follows:

H.R. 4776

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Standardizing Permitting and Expediting Economic Development Act'' or the ''SPEED Act''.

SEC. 2. NEPA REFORM.

(a) PURPOSE.—Section 2 of the National Environmental Policy Act of 1969 (42 U.S.C. 4321) is amended—

(1) by striking ''The purposes'' and inserting ''(a) The purposes''; and

(2) by adding at the end the following:

''(b) This Act is a purely procedural statute intended to ensure Federal agencies consider the environmental impacts of their actions during the decisionmaking process. This Act does not mandate particular results, and only prescribes a process. Nothing in this Act shall be construed to mandate any specific environmental outcome or result, nor shall this Act be interpreted to confer substantive rights or impose substantive duties beyond procedural requirements.''.

(b) PROCEDURE FOR DETERMINATION OF LEVEL OF REVIEW.—Section 106 of the National Environmental Policy Act of 1969 (42 U.S.C. 4336) is amended—

*(1) in the heading, by inserting ''***; SCOPE OF REVIEW***'' after ''***LEVEL OF REVIEW***'';*

(2) in subsection (a)—

(A) in paragraph (3), by striking ''or'';

(B) in paragraph (4), by striking ''action.'' and inserting ''action;''; and

(C) by adding at the end the following:

''(5) the agency determines the proposed agency action is an action for which such agency's compliance with another statute's requirements serves the function of agency compliance with this Act with respect to such action; or

''(6) the proposed agency action relates to a project or action that has already been reviewed pursuant to a State environmental review statute or a Tribal environmental review statute, ordinance, resolution, regulation, or formally adopted policy and the lead agency determines such review serves the function of agency compliance with this Act.'';

(3) in subsection (b)—

(A) in paragraph (2), by striking ''does not'' and inserting ''is not likely to''; and

(B) in paragraph (3), by amending subparagraph (B) to read as follows:

''(B) is not required to—

''(i) undertake new scientific or technical research unless the new scientific or technical research is essential to a reasoned choice among alternatives, and the overall costs and time frame of obtaining it are not unreasonable; or

''(ii) undertake new scientific or technical research after the receipt of an application, as applicable, with respect to a proposed agency action.''; and

(4) by adding at the end the following:

''(c) SCOPE OF REVIEW.—In preparing an environmental document for a proposed agency action, a Federal agency—

''(1) may consider only those effects that share a reasonably close causal relationship to, and are proximately caused by, the immediate project or action under consideration; and

''(2) may not consider effects that are speculative, attenuated from the project or action, separate in time or place from the project or action, or in relation to separate existing or potential future projects or actions.

''(d) CERTAINTY.—

''(1) ENVIRONMENTAL DOCUMENTS.—A Federal agency may not rescind, withdraw, amend, alter, or otherwise render ineffective any environmental document completed under this Act for a project or action where there is an applicant unless the Federal agency has been so ordered by a court or the applicant has agreed in writing to such rescission, withdrawal, amendment, or alteration.

''(2) AUTHORIZATIONS.—

''(A) IN GENERAL.—Except as provided in this subsection or existing law, a Federal agency may not revoke, rescind, withdraw, terminate, suspend, amend, alter, or take any other action to interfere with an authorization unless—

''(i) the Federal agency is required to take such action by order of a court of competent jurisdiction;

''(ii) the holder of the authorization has materially breached the terms of the authorization, or otherwise violated applicable law;

''(iii) the authorization was obtained through fraud, intentional concealment, or material misrepresentation;

''(iv) such action is necessary to prevent specific, immediate, substantial, and proximate harm or damage to life, property, national security, or defense that was not considered in the underlying environmental review process or final agency action for the authorization; or

''(v) the Federal agency has received a request from the holder of the authorization or project sponsor to take such action.

''(B) REQUIREMENT.—The actions described in subparagraph (A) shall be, as appropriate and where feasible, supported by clear and convincing evidence and reasonably limited in duration and scope by the agency to address the specific issue such action is intended to address.

''(C) NOTICE.—Before an agency takes an action described in subparagraph (A), the agency shall notify the holder of the authorization and the project sponsor in writing of such action, including by providing a detailed explanation of the action, identifying the statutory authority relied upon for the action, and providing the evidence supporting the action.

''(D) JUDICIAL REVIEW.—

''(i) IN GENERAL.—An action described in subparagraph (A) shall be subject to judicial review under chapter 7 of title 5, United States Code.

''(ii) VENUE.—A person seeking judicial review of an action described in subparagraph (A) may only obtain review of such action in the United States court of appeals for any circuit wherein the project for which the authorization was issued is located.

''(iii) PETITIONS BY FEDERAL AGENCIES.—No Federal agency may petition a court for vacatur or voluntary remand of an authorization unless the holder of the authorization or the project sponsor consents in writing to such a petition.

''(E) SAVINGS CLAUSE.—Nothing in subparagraph (A) shall be construed to provide any Federal agency new, enhanced, or expanded authority, or to limit any existing authority, concerning any authorization.

''(e) PRESUMPTION OF NEGATIVE IMPACTS OF TAKING NO ACTION RELATING TO TRIBAL TRUST RESOURCES.—For any proposed agency action carried out on, or directly affecting, tribal trust resources (including lands and minerals) that is initiated by the federally recognized Indian Tribe for which the United States holds the affected resources in trust, and for which an environmental document was prepared that included consideration of a no action alternative, there shall be a presumption that the effects of taking no action will be negative for the federally recognized Indian Tribe.

''(f) EFFECT OF THRESHOLD DETERMINATIONS ON OTHER AGENCIES.—If a lead agency determines an environmental document is not required to be prepared with respect to a proposed agency action under subsection (a), another agency may not prepare an environmental document with respect to such proposed agency action.''.

(c) TIMELY AND UNIFIED FEDERAL REVIEWS.—

(1) LEAD AGENCY.—Section 107(a) of the National Environmental Policy Act of 1969 (42 U.S.C. 4336a(a)) is amended—

(A) in paragraph (2)—

(i) in subparagraph (B), by striking ''at the earliest practicable time'' and inserting ''in accordance with subsection (g)(2)'';

(ii) in subparagraph (D), by striking ''carry out the proposed agency action'' and inserting ''carry out the proposed agency action in compliance with the deadlines outlined in subsection (g)''; and

(iii) in subparagraph (E)—

(I) by striking ''a review'' and inserting ''an environmental review''; and

(II) by striking ''such review'' and inserting ''such environmental review''; and

(B) in paragraph (3)—

(i) by inserting ''(including counties, boroughs, parishes, and other political subdivisions of a State)'' after ''local agency''; and

(ii) by adding at the end ''Such comments from Federal cooperating agencies shall be limited to matters relating to the proposed agency action with respect to which such Federal cooperating agency has jurisdiction by law.''.

(2) ONE DOCUMENT.—Section 107(b) of the National Environmental Policy Act of 1969 (42 U.S.C. 4336a(b)) is amended—

(A) by striking ''To the extent practicable,'' and inserting the following:

''(1) DOCUMENT.—To the extent practicable,''; and

(B) by adding at the end the following:

''(2) CONSIDERATION TIMING.—

''(A) IN GENERAL.—In preparing an environmental document for a proposed agency action, no Federal agency shall be required to consider any scientific or technical research that becomes publicly available after the earlier of, as applicable—

''(i) the date of receipt of an application with respect to such proposed agency action; and

''(ii) the date of publication of a notice of intent or decision to prepare such environmental document for such proposed agency action.

''(B) APPLICABILITY TO OTHER LAW.—This paragraph does not affect any review of information required under subchapter II of chapter 5 of title 5, United States Code, with respect to comments received during the public comment period as applicable.

''(C) DELAY.—A Federal agency may not delay the issuance of an environmental document or a final agency action, including any decision or determination, on the basis of awaiting new scientific or technical research or information that was not available as of the earlier of the dates described in subparagraph (A).''.

(3) STATEMENT OF PURPOSE AND NEED.—Section 107(d) of the National Environmental Policy Act of 1969 (42 U.S.C. 4336a(d)) is amended by striking ''action.'' and inserting ''action. Where applicable, the statement of purpose and need shall meet the goals of the applicant.''.

(4) DEADLINES.—Section 107(g) of the National Environmental Policy Act of 1969 (42 U.S.C. 4336a(g)) is amended—

(A) by redesignating paragraphs (1), (2), and (3) as paragraphs (3), (5), and (6), respectively;

(B) by inserting before paragraph (3) (as so redesignated) the following:

''(1) APPLICATIONS FOR AUTHORIZATIONS.—

''(A) NOTIFICATION OF COMPLETE OR INCOMPLETE APPLICATION.—Unless a shorter deadline is specified by law, in connection with a proposed agency action for which an applicant submitted an application for an authorization to an agency, not later than 60 days after the date on which the applicant submits the application to the agency, the agency shall document the receipt of the application and—

''(i) notify the applicant that the application is complete; or

''(ii) notify the applicant that the application is incomplete and request in writing any additional information that the agency needs to determine that the application is complete and begin preparation of an environmental document.

''(B) AGENCY DETERMINATION.—

''(i) COMPLETE DETERMINATION.—If an agency determines an application is complete under subparagraph (A)(i), the agency shall, not later than 60 days after the date on which the agency makes such determination—

''(I) notify the applicant that the agency has determined that the proposed agency action is excluded pursuant to one of the agency's categorical exclusions, is not a major Federal action, or that no further agency action is required;

''(II) issue a notice of intent to prepare an environmental impact statement for such proposed agency action; or

''(III) notify the applicant that the agency has determined that preparation of an environmental assessment is necessary.

''(ii) INCOMPLETE DETERMINATION.—If the agency requests additional information under subparagraph (A)(ii), the deadline described in clause (i) shall be based on the date on which the agency receives the additional information instead of the date on which the determination is made.

''(2) COOPERATING AGENCIES.—

''(A) IN GENERAL.—Not later than 21 days after a lead agency issues a notice of intent under paragraph (1)(B)(i)(II) or notifies an applicant under paragraph (1)(B)(i)(III) with respect to a proposed agency action, the lead agency shall—

''(i) identify all agencies that are likely to have environmental review, authorization, or other responsibilities with respect to the proposed agency action; and

''(ii) invite each such agency to become a cooperating agency.

''(B) DEADLINE TO ACCEPT INVITATION.—Not later than 21 days after an agency receives an invitation to become a cooperating agency under subparagraph (A)(ii), such agency shall accept or deny the invitation.

''(C) CONVENING OF COOPERATING AGENCIES.—Not later than 7 days after the deadline described in subparagraph (B) has passed for each agency that received an invitation to become a cooperating agency under subparagraph (A)(ii), the lead agency that sent each such invitation shall convene each agency that accepts such an invitation to coordinate on developing the schedule under subsection (a)(2)(D) for the applicable proposed agency action.

''(D) UNIDENTIFIED AGENCIES.—In the event that an agency that has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposed agency action is not identified under subparagraph (A)(i), the lead agency with respect to the proposed agency action shall—

''(i) invite such unidentified agency to become a cooperating agency by not later than 7 days after becoming aware that the agency has jurisdiction by law or special expertise; and

''(ii) if such agency accepts the invitation, incorporate such agency into the schedule developed under subsection (a)(2)(D) and update such schedule accordingly by not later than 14 days after the date on which such agency accepts the invitation.'';

(C) in paragraph (3) (as so redesignated)—

(i) by striking ''IN GENERAL'' and inserting ''REVIEW TIMELINE''; and

(ii) by striking ''(2)'' and inserting ''(5)'';

(D) by inserting after paragraph (3) (as so redesignated) the following:

''(4) DEADLINE FOR FINAL AGENCY ACTION.—For any proposed agency action for which an applicant submitted an application for an authorization to an agency, not later than 30 days after completing an environmental impact statement or an environmental assessment for the proposed agency action, the lead agency, and any cooperating agency, shall issue a final agency action. The agency issuing such final agency action shall include in the final agency action a performance schedule for the completion of any other outstanding authorizations.'';

(E) in paragraph (5) (as so redesignated)—

(i) by striking ''the deadline described in paragraph (1)'' and inserting ''a deadline described in this subsection''; and

(ii) by striking '', in consultation with the applicant, to'' and inserting ''if the applicant approves such extension. If the applicant approves such extension, the lead agency shall'';

(F) in paragraph (6) (as so redesignated)—

(i) by striking ''A project sponsor may'' and inserting ''Except as provided in subparagraph (C), a project sponsor may''; and

(ii) by adding at the end the following:

''(C) EXCEPTION.—A project sponsor that approved an extension of a deadline under paragraph (5) may not obtain judicial review of a failure to act in accordance with such deadline under subparagraph (A) unless the lead agency fails to meet the new deadline or is delaying for reasons other than those necessary to complete its review.''; and

(G) by adding at the end the following:

''(7) CONCURRENT REVIEW.—In carrying out an environmental review, the lead agency and each cooperating agency shall carry out the obligations of that agency under other applicable laws concurrently, and in conjunction, with other required reviews for the proposed agency action, pursuant to the requirements of applicable law, including, if applicable, under this Act.''.

(d) PROGRAMMATIC ENVIRONMENTAL DOCUMENTS.—Section 108 of the National Environmental Policy Act of 1969 (42 U.S.C. 4336b) is amended—

(1) by striking ''When an agency prepares'' and inserting the following:

''(a) PROGRAMMATIC ENVIRONMENTAL DOCUMENTS.—When an agency prepares'';

(2) in paragraph (1), by striking ''5'' and inserting ''10'';

(3) in paragraph (2), by striking ''5'' and inserting ''10''; and

(4) by adding at the end the following:

''(b) RELIANCE ON PREVIOUSLY COMPLETED ENVIRONMENTAL REVIEWS.—

''(1) ACTIONS THAT ARE SUBSTANTIALLY THE SAME.—A lead agency may satisfy the requirements of this Act with respect to a major Federal action by relying on an environmental assessment, environmental impact statement, or a categorical exclusion determination that the lead agency, another Federal agency, or a project sponsor under the supervision of a Federal agency completed for another major Federal action if the lead agency determines that—

''(A) the new major Federal action is substantially the same as the other major Federal action or, if applicable, an alternative analyzed in such environmental assessment or environmental impact statement; and

''(B) if applicable, the effects of the new major Federal action are substantially the same as the effects analyzed in such environmental assessment or environmental impact statement.

''(2) ACTIONS THAT ARE NOT SUBSTANTIALLY THE SAME.—If a new major Federal action is not substantially the same as another major Federal action or an alternative analyzed in an environmental assessment or environmental impact statement completed by the lead agency, another Federal agency, or a project sponsor under the supervision of a Federal agency, the lead agency may modify or augment any such previously completed environmental assessment or environmental impact statement as necessary to satisfy the requirements of this Act with respect to the new major Federal action. The lead agency shall make such modified environmental assessment or environmental impact statement publicly available as a new environmental assessment or environmental impact statement.''.

(e) ADOPTION OF CATEGORICAL EXCLUSIONS.—Section 109 of the National Environmental Policy Act of 1969 (42 U.S.C. 4336c) is amended in the text preceding paragraph (1), by inserting '', or that was legislatively enacted by Congress,'' after ''procedures''.

(f) DEFINITIONS.—Section 111 of the National Environmental Policy Act of 1969 (42 U.S.C. 4336e) is amended—

(1) by redesignating paragraphs (1) through (13) as paragraphs (2) through (14), respectively;

(2) by inserting before paragraph (2) (as so redesignated) the following:

''(1) AUTHORIZATION.—The term 'authorization' means any lease, right-of-way, easement, license, permit, approval, finding, determination, or other administrative decision issued by an agency or any interagency consultation that is required or authorized under Federal law in order to construct, modify, or operate a project.'';

(3) in paragraph (2) (as so redesignated), by inserting '', or Congress deems by statute,'' after ''Federal agency has determined'';

(4) in paragraph (11) (as so redesignated)—

(A) in subparagraph (B)—

(i) in clause (iii)—

(I) by inserting ''grants (including capitalization grants), cost share awards,'' after ''loan guarantees,'';

(II) by striking ''sufficient'' and inserting ''complete''; and

(III) by striking ''subsequent use of such financial assistance or the'';

(ii) by redesignating clauses (iv) through (vii) as clauses (vi) through (ix), respectively; and

(iii) by inserting after clause (iii) the following:

''(iv) farm ownership loans and operating loan guarantees by the Farm Service Agency pursuant to sections 305 and 311 through 319 of the Consolidated Farm and Rural Development Act;

''(v) the issuance of an authorization by an agency where the effects of the action or project being permitted or authorized were previously evaluated by another agency in compliance with this Act;''; and

(B) by adding at the end the following:

''(C) ADDITIONAL EXCLUSIONS.—An agency action may not be determined to be a major Federal action solely on the basis of the provision of Federal funds, including a grant, loan, loan guarantee, and funding assistance.''; and

(5) by adding at the end the following:

''(15) REASONABLY FORESEEABLE.—The term 'reasonably foreseeable', with respect to environmental effects of a proposed agency action—

''(A) means effects that share a reasonably close causal relationship to, and are proximately caused by, the immediate project or action under consideration; and

''(B) does not include effects that are—

''(i) speculative;

''(ii) attenuated from the proposed agency action;

''(iii) separate in time or place from the proposed agency action; or

''(iv) in relation to separate existing or potential future projects.''.

(g) DUTIES.—Section 204 of the National Environmental Policy Act of 1969 (42 U.S.C. 4344) is amended in paragraph (4) by inserting ''energy,'' after ''health,''.

SEC. 3. JUDICIAL REVIEW.

Title I of the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.) is amended—

(1) by redesignating section 112 as section 110A and moving such section so as to appear after section 110; and

(2) by inserting before section 111 the following:

''SEC. 110B. JUDICIAL REVIEW.

''(a) ROLE OF THE COURT.—In reviewing a claim of whether a final agency action complies with the requirements of this Act, a court—

''(1) shall afford substantial deference to the agency; and

''(2) may not substitute its judgment for that of the agency regarding the environmental effects included in the final agency action or included in the environmental document.

''(b) REMAND.—

''(1) IN GENERAL.—If a court holds, under section 706(2)(A) of title 5, United States Code, that a final agency action does not comply with the requirements of this Act, the only remedy the court may order, notwithstanding chapter 7 of title 5, United States Code, is to remand, without vacatur or injunction, the final agency action to the agency with—

''(A) specific instruction to correct the errors or deficiencies found by the court; and

''(B) a reasonable schedule and deadline to correct such errors or deficiencies, which such deadline may not exceed—

''(i) with regard to an order entered on or after the date of enactment of this section, the date that is 180 days after the date on which the order was entered; and

''(ii) with regard to an order entered before the date of enactment of this section, the date that is 180 days after the date of enactment of this section.

''(2) CONTINUED EFFECT OF FINAL AGENCY ACTION.—A final agency action remanded under paragraph (1) shall remain in effect while the Federal agency corrects any errors or deficiencies found by the court.

''(c) LIMITATIONS ON CLAIMS.—

''(1) IN GENERAL.—Notwithstanding any other provision of law (except as provided in subparagraph (A) with respect to a shorter deadline), a claim described in subsection (a) shall be barred unless—

''(A) such claim is filed not later than 150 days after the final agency action is made public, unless a shorter deadline is specified under law;

''(B) in the case of a final agency action for which there was a public comment period on an environmental document, such claim—

''(i) is filed by a party that submitted a substantive and unique comment during such public comment period by the noticed comment deadline for the environmental document and such comment was sufficiently detailed to put the applicable Federal agency on notice of the issue upon which the party seeks review; and

''(ii) concerns the same subject matter raised in the comment submitted during the public comment period;

''(C) such claim is filed by a party that has suffered or imminently will suffer direct harm from the final agency action; and

''(D) such claim does not challenge the establishment of a categorical exclusion.

''(2) SUPPLEMENTAL ENVIRONMENTAL DOCUMENTS.—If an agency issues a supplemental environmental document in response to a court order remanding a final agency action, the deadline described in paragraph (1)(A) shall be the date on which the agency makes public the agency action for which the supplemental environmental document is prepared. A claim for review of such final agency action shall be limited to information contained in the final supplemental environmental document that was not contained in a previous environmental document for the final agency action.

''(3) ACTIONS FOR USE OF TRIBAL TRUST RESOURCES.—For any final agency action that authorizes or affects the use of lands, minerals, or other resources already held in trust at the time of the final agency action by the United States for the benefit of a federally recognized Indian Tribe—

''(A) except as provided in subparagraph (B), there shall be no administrative or judicial review of such final agency action based on a

claim of failure to comply with the requirements of this Act; and

''(B) subparagraph (A) shall not apply to actions for administrative or judicial review—

''(i) brought by the federally recognized Indian Tribe for which the United States holds the lands, minerals, or other resources in trust; or

''(ii) that involve reasonably foreseeable effects of the final agency action that occur outside the lands, minerals, or other resources held in trust by the United States for the benefit of a federally recognized Indian Tribe.

''(d) DEADLINE FOR RESOLUTION.—

''(1) IN GENERAL.—A court shall issue a final judgment on a claim described in subsection (a)—

''(A) as expeditiously as practicable; and

''(B) unless a shorter deadline is specified under Federal law, not later than the date that is 180 days after the date on which the agency record for the review is filed with the reviewing court, which shall not be more than 60 days after the filing of the claim.

''(2) ACCELERATED DEADLINES.—Nothing in this subsection may be construed to prevent a court from further expediting review of a claim described in subsection (a).

''(3) APPEALS.—

''(A) FILING.—A notice of appeal of a final judgment described in this subsection shall be filed not later than 60 days after such final judgment is issued. In the case of a final agency action remanded under subsection (b), the agency and, if applicable, the applicant, shall have the right to appeal during the pendency of the remand.

''(B) DEADLINE FOR REVIEW.—A court shall issue a final decision on an appeal filed under subparagraph (A)—

''(i) as expeditiously as practicable; and

''(ii) not later than the date that is 180 days after the date on which the appeal is filed.

''(e) NO EFFECT ON REVIEW OF COMPLIANCE WITH OTHER DEADLINES.—This section shall not affect the right to obtain review under section 107(g)(3).''.

SEC. 4. PRESERVATION OF ONGOING ADMINISTRATIVE CORRECTIONS.

This Act, and the amendments made by this Act, shall not apply to any agency action with respect to which a Federal agency has, during the period beginning on January 20, 2025, and ending on the date of enactment of this Act—

(1) filed a motion to voluntarily remand; or

(2) otherwise reopened, reconsidered, or initiated corrective action under the statutory authority of the Federal agency, regardless of whether the Federal agency has completed such corrective action as of the date of enactment of this Act.''.

The Acting CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in House Report 119–410. Each such further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

□ 1030

AMENDMENT NO. 1 OFFERED BY MR. CLYDE

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 119–410.

Mr. CLYDE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 26, line 8, insert '', which shall not include aesthetic, recreational, or emotional interests unaccompanied by material physical or property harm'' after ''final agency action''.

The Acting CHAIR. Pursuant to House Resolution 951, the gentleman from Georgia (Mr. CLYDE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. CLYDE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of my amendment to H.R. 4776, the SPEED Act, which will improve the bill's judicial standing provision to limit frivolous lawsuits and ensure that projects are not delayed by radical activist groups without actual material harm to themselves.

This amendment makes a simple but important clarification. It ensures that only material physical or property harm, not purely aesthetic, recreational, or emotional interests, qualifies someone to challenge a Federal agency action under NEPA.

As established by the bill we are considering today, NEPA is a procedural statute. Its purpose is to require Federal agencies to disclose and consider environmental effects before taking major actions, not to confer substantive environmental rights, or to serve as a tool for endless litigation.

The amendment aligns NEPA's judicial review provisions with that core purpose by anchoring standing in concrete, legally cognizant harms, rather than subjective or generalized interests.

By focusing standing on tangible harms, this amendment helps prevent NEPA from being used as a delay tactic in every dispute over administrative decisions, a tactic that too often slows necessary infrastructure and energy projects without materially improving environmental protection.

It ensures that courts remain a venue for adjudicating real disputes, where plaintiffs have demonstrable stakes, while preserving agency and judicial resources for the most serious and legally grounded claims.

At the same time, this amendment does not eliminate judicial review or impede legitimate challenges where there are real impacts. Stakeholders with substantive claims under existing environmental and land management statutes will continue to have full recourse to the courts under those laws.

What this amendment does is reinforce NEPA's role as a procedural check that it was intended to be.

For these reasons, I urge my colleagues to support my amendment to bring greater clarity and balance to NEPA's standing and to promote a more efficient and predictable permitting process, consistent with both environmental disclosure and responsible development.

Mr. Chairman, I reserve the balance of my time.

Mr. HUFFMAN. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR (Mr. EVANS of Colorado). The gentleman from California is recognized for 5 minutes.

Mr. HUFFMAN. Mr. Chairman, this is a perfect example of how, even when team extreme puts together the most dramatic rollback of America's most important bedrock environmental law, it is not enough for some factions within the Republican Conference.

Mr. Chair, I do oppose this amendment because, at its core, it is built on a tired trope—the trope that NEPA litigation is some huge driver of frivolous litigation and an argument that we hear all too often to justify more and more limits on judicial review to make it harder and harder for the public to participate in the review process and to help oil and gas and other polluting projects.

However, the facts do not back up the story that we keep hearing. One recent study from the University of Utah found that only 1 out of every 450 actions subject to NEPA are ever even litigated. That amounts to 0.23 percent. According to a recent Congressional Research Service report: ''Historically, fewer than 1 percent of Federal actions subject to NEPA have been litigated.'' That is important context.

Mr. Chair, the idea behind this amendment, that we need to keep layering on more and more restrictions to shut out the public, to eliminate legal challenges, and to stop frivolous litigation is overblown, especially in the context of an underlying bill which already imposes dramatic new barriers that make it almost impossible to bring a case to court.

Among other hurdles, the underlying bill says that you have to have commented during a comment period, even as the Trump administration is restricting the opportunity to comment.

It also requires that your comment has to be ''unique.'' This is a new term of art. It doesn't exist in current law. We don't even know what it really means, but, presumably, if anyone else has submitted the same comment or has flagged the same problem with a Federal action, you are out because your comment is no longer unique.

To add a cherry on top of all of that, even if you get into court, the SPEED Act would bind judges, forcing them to allow even dangerous and illegal projects to proceed, making the judicial review process extremely hollow.

Mr. Chairman, judicial review is a cornerstone of democracy. When the government makes a bad decision or an illegal decision, I would hope we could all agree that there are times, since the government doesn't get everything just right, that citizens need to be able to challenge that action and hold the government accountable to make sure the law is followed.

Access to the courts is a backstop for communities, who are left out of the

NEPA process, to make their concerns heard and to ensure that Federal Government actions properly consider environmental impacts.

Though we have heard a lot of fearmongering about frivolous lawsuits, there are already effective safeguards in place. All plaintiffs have to demonstrate that they have actually been harmed by a project to have standing, and NEPA will be meaningless unless there is a way to enforce it when the government does something harmful or illegal.

That is what this is all about.

Mr. Chairman, I urge a ''no'' on this amendment, and I reserve the balance of my time.

Mr. CLYDE. Mr. Chairman, any frivolous lawsuit is one frivolous lawsuit too many. It is just not appropriate when we have legitimate actions to improve our economy and to make sure that America moves forward.

Chairman WESTERMAN mentioned the 11 years that it took to build the Atlanta airport in my home State. Really, it took 18 months to actually break ground and build the airfield, but 9½ years for permitting. That is just not acceptable.

The Pentagon was built in just a little over a year. That could never happen today simply because of the permitting process.

Mr. Chairman, I reserve the balance of my time.

Mr. HUFFMAN. Mr. Chairman, I think we have found some common ground. I hear that any frivolous lawsuit is one too many, so I just want to remind the gentleman that maybe one of the most prolific frivolous litigators in history is in the White House right now.

I remind the gentleman about the raft of frivolous lawsuits challenging the 2020 election results, resulting, in many cases, not just in losses in court but in the disbarment of some of the Republican luminary lawyers like Rudy Giuliani.

If we pretend to care about frivolous lawsuits, I know consistency is out of fashion these days, but we should really mean it.

Mr. Chairman, I reserve the balance of my time.

Mr. CLYDE. Mr. Chairman, I think the Keystone XL Pipeline is another example of frivolous lawsuits and the years it took. Yet that pipeline still is not functional in its entirety.

Mr. Chairman, I am prepared to close, and I simply want to read what my amendment says:

''Page 26, line 8, insert ', which shall not include aesthetic, recreational, or emotional interests unaccompanied by material physical or property harm' after 'final agency action'.''

Mr. Chairman, that is concrete, and, therefore, I encourage all of my colleagues to vote for my amendment, and I yield back the balance of my time.

Mr. HUFFMAN. Mr. Chairman, we should be against all truly frivolous things—not just frivolous lawsuits but frivolous legislation masquerading as permitting reform, frivolous amendments, frivolous distractions at the end of probably the most unproductive Congress in American history this year at a time when the American people are struggling. That is what is truly frivolous.

Mr. Chairman, I oppose this amendment. I urge a ''no'' vote, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. CLYDE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. HUFFMAN. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

□ 1040

The Acting CHAIR. The Chair understands that amendment Nos. 2, 3, and 4 printed in the House Report 119–410 will not be offered.

AMENDMENT NO. 5 OFFERED BY MR. ROY

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 119–410.

Mr. ROY. Mr. Chair, I rise as the designee of Mr. PERRY, and I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, strike lines 15 through 18, and insert the following:

''(1) may consider only those effects over which the lead agency or cooperating Federal agencies have jurisdiction by law and share a reasonably close causal relationship to, and are proximately caused by, the immediate project or action under consideration; and''.

The Acting CHAIR. Pursuant to House Resolution 951, the gentleman from Texas (Mr. ROY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. ROY. Mr. Chair, this amendment revises the scope of review clause within the bill and strengthens the codification of the Supreme Court's Seven County decision issued earlier this year.

Now, my friend from Pennsylvania (Mr. PERRY) is the author of this amendment, and I am offering it for him because he is in committee business. He was offering this amendment to further improve the bill and limit agencies from taking into consideration factors which are not within their authority to regulate. This is the core issue at the heart of what was going on in the Seven County decision.

Congress should continue to build upon that unanimous decision. Let me be very clear that the Seven County decision was unanimous and further improved NEPA. This bill that the chairman has brought here to the floor takes significant strides in improving NEPA, and improves upon it by limiting what agencies can regulate to what they already can by law. By ensuring that the scope of review is conducted within the sole legal purview of each Federal agency, we can drastically improve the current landscape of drawn-out, ineffective permitting.

Mr. Chair, I reserve the balance of my time.

Mr. HUFFMAN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. HUFFMAN. Mr. Chairman, the majority has suggested that the underlying bill's changes to NEPA on the scope of review simply codify the Supreme Court's Seven County decision, but the SPEED Act actually goes much further than that Court decision. The Court left broad discretion for agencies to determine what impacts are relevant and how far the environmental analysis should go.

The Seven County decision allows agencies to analyze environmental impacts when those impacts are reasonably foreseeable, although the Court did limit what agencies are required to review. The underlying bill and this amendment do something entirely different. They strip agencies of their discretion to consider a broad range of environmental impacts.

This could have far-reaching consequences for communities, the environment, and public health, even when the science is clear and the consequences are very real.

The bill would prevent agencies from examining the harms that communities across the country are living with right now. A perfect example is Louisiana's Cancer Alley, where predominantly Black neighborhoods face some of the highest pollution-related cancer risks in the Nation, and those risks come from cumulative emissions from many facilities that have been built over decades and impacts that are well documented and directly tied to Federal permitting decisions.

Under this bill, agencies would largely be prohibited from considering any cumulative effects, anything that worsens that preexisting problem. That is not streamlining. That is telling Federal agencies to look the other way in the face of obvious, foreseeable harm.

NEPA's strength has always been its requirement that agencies take a hard look at the real-world consequences of their actions. That is how agencies avoid unintended harm. It is how the public stays informed, and it is how Federal decisions remain accountable and transparent.

The language in this bill dismantles that approach, and this amendment takes it even further by continuing to strip away what courts have left in terms of discretion for agencies to consider. This will result in more harm to

many American communities, including some of our most vulnerable communities that are already overburdened with pollution.

Mr. Chair, I oppose the amendment and reserve the balance of my time.

Mr. ROY. Mr. Chair, this amendment would insert that Federal agencies ''may consider only those effects over which the lead agency or cooperating Federal agencies have jurisdiction by law and share a reasonably close causal relationship to, and are proximately caused by, the immediate project or action under consideration.''

There shouldn't be anything objectionable in that commonsense application, that commonsense phrasing. It is a commonsense change that strengthens the bill by narrowing the scope of NEPA to impacts that Federal agencies have the legal authority to regulate.

It is pretty simple. It avoids time-consuming reviews of impacts from paleontology to traffic patterns that agencies cannot even control.

By ensuring that the scope of review is conducted within the sole legal purview of each Federal agency, we can drastically improve the current landscape of drawn-out and ineffective permitting.

Mr. Chair, I reserve the balance of my time.

Mr. HUFFMAN. Mr. Chairman, I think common sense is that if an agency is proposing or is considering a project that would be the tipping point for a community that is already overburdened by pollution, and that would dramatically increase a problem like Cancer Alley in Louisiana, they ought to be able to consider those cumulative impacts. I would call that common sense.

Mr. Chair, I reserve the balance of my time.

Mr. ROY. Mr. Chair, the goal of this amendment is in keeping with the unanimous Supreme Court decision in which the Court jumped in and reversed the D.C. Circuit. The D.C. Circuit had said, well, we are not going to allow this to proceed, despite you having this 3,600-page report, this environmental impact statement, gone through public comments, et cetera.

Everything had been approved, and then the D.C. Circuit Court of Appeals invalidated that approval, finding that the environmental review overlooked a number of various impacts. The Supreme Court came in and said, No, let's reverse that. You have gone through the process, and what we are trying to do is codify that which would enable us to avoid the kinds of delays that have been hampering our ability to have energy projects.

There is a reason everybody's utility bills are up and energy costs are high. It is because we have constrained the ability of our States, communities, and businesses to be able to create and provide the ability for us to have power without getting hamstrung into decades-long disputes and fights going through all the back channels of a maze of bureaucracy. This is a simple, commonsense amendment to try to streamline that.

Mr. Chair, I reserve the balance of my time.

Mr. HUFFMAN. Mr. Chairman, if this amendment is simply about codifying the Supreme Court's decision, why doesn't it say what the Supreme Court said?

The Supreme Court said that agencies would be able to have discretion to consider cumulative impacts, traffic patterns, and other things in circumstances where those were very compelling factors. This amendment says, No, you can't consider any of that.

Let's not kid ourselves. This is not codifying the Supreme Court's decision. This is taking it much, much further.

Mr. Chair, I reserve the balance of my time.

Mr. ROY. Mr. Chair, of course, they maintain discretion. Agencies will have full discretion if we adopt this language, the discretion to consider the effects over which that agency or the cooperating Federal agencies have jurisdiction. That is it.

What we are saying is that we shouldn't have courts making stuff up, and we shouldn't have agencies making stuff up. That is all we are trying to say. Let's get everybody in their lanes. Let's get the agencies in their lanes, and then, let's allow the American people to do what they do best.

Mr. Chair, I reserve the balance of my time.

Mr. HUFFMAN. Mr. Chair, I reserve the balance of my time.

Mr. ROY. Mr. Chair, I urge adoption of this amendment, and I yield back the balance of my time.

Mr. HUFFMAN. Mr. Chair, I urge opposition to the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. ROY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. HUFFMAN. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

□ 1050

AMENDMENT NO. 6 OFFERED BY MR. ROY

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in of House Report 119–410.

Mr. ROY. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 23, after line 13, insert the following:

(h) DEFINITION OF SIGNIFICANT EFFECTS.—Section 111 of the National Environmental Policy Act of 1969 (42 U.S.C. 4336e), as amended by this Act, is further amended by adding at the end the following:

''(16) SIGNIFICANT EFFECT ON THE QUALITY OF THE HUMAN ENVIRONMENT.—The term 'significant effect on the quality of the human environment' means a proximate and concrete harm that is directly caused by the proposed agency action and that materially impairs human health or property.''.

(i) IMPLEMENTATION OF DEFINITION OF SIGNIFICANT EFFECTS.—Section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) is amended by striking ''significantly affecting the quality of the human environment, a detailed statement'' and inserting ''with at least one significant effect on the quality of the human environment, an environmental impact statement''.

The Acting CHAIR. Pursuant to House Resolution 951, the gentleman from Texas (Mr. ROY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. ROY. Mr. Chair, my amendment shores up and strengthens the definition of what triggers an environmental impact statement.

I offer this amendment to further improve the bill and prevent agencies from keeping projects in permitting limbo.

Again, the driving force here is to try to free up the American people and free up free enterprise to be able to produce adequate and abundant energy for the American people, to be able to produce and create and develop projects that create and provide jobs and to be able to make sure the American people can prosper without being hamstrung by the bureaucracy of a Federal Government that has been limiting our ability to keep up and produce.

While the base text of the bill makes a great effort to reduce the length of NEPA review by placing caps on all parts of the process, further defining what constitutes a significant effect that triggers an environmental impact statement will make the bill stronger.

Performing an environmental impact statement is the lengthiest and most expensive part of the permitting process. The Government Accountability Office estimates the lengthy EIS process costs between $250,000 and $2 million every time there is a project.

My amendment inserts commonsense language that requires at least one significant effect be triggered before an agency subjects a project to the lengthy EIS process.

Specifically, my amendment defines a significant effect as: having a proximate and concrete harm that is directly caused by the proposed agency action and that materially impairs human health or property.

By adopting this amendment, House Republicans can actually demonstrate their promise to get Washington's bureaucracies out of the way of progress and fulfill, I think, the great intent of this legislation that the chairman has put together and my colleagues on the committee have brought to the floor.

Mr. Chair, I reserve the balance of my time.

Mr. HUFFMAN. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. HUFFMAN. Mr. Chair, I strongly oppose this amendment. It is one more attempt to restrict what the government can consider in an environmental review and turn NEPA into nothing more than a box-checking exercise. You get all of the bureaucracy but none of the benefits under this approach.

The amendment would add a narrow definition of significant effects on the human environment in order to limit which projects get a closer look under NEPA.

It is important to recognize that we already have a high standard for which projects get that closer look. Only proposed actions that are anticipated to have a significant effect on the environment undergo an environmental impact statement, or EIS, which is the most thorough form of NEPA review.

Agencies don't do environmental impact statements willy-nilly. Only about 1 percent of all projects go through this process. These are the types of large-scale, complex projects that can have serious, long-lasting impacts on the environment, things like mines that remove entire mountaintops, things like the construction of a new nuclear power plant, exactly the types of things that should get close scrutiny and that the public deserves to have a chance to weigh in on.

This amendment redefines significant effect on the environment to mean only concrete harms that are directly caused by the proposed agency action and materially impair human health or property. That is a drastic narrowing of how we think about the impacts of Federal actions.

To use a public lands example, I will just quote from the Federal Land Policy and Management Act of 1976. It says: The policy of the United States is to manage public lands in a manner that will protect the quality of scientific, scenic, historic, ecological, environmental, air and atmospheric, water resource, and archaeological values.

Now the courts have backed up this spectrum of values for decades. The Supreme Court has held that NEPA should analyze a broad range of harms, including recreational and esthetic enjoyment of the environment.

Who here really thinks that there is no significant effect on the environment of a proposed refinery that would only light up a protected dark sky all night, every night next to a neighborhood? Or is there really no significant effect on the environment if a pipeline would disrupt big game migrations that hunters depend on to feed their families?

Of course, this definition means no amount of climate-changing emissions that could be considered to have had a significant effect on the environment would ever be considered.

The American people deserve the full picture of a proposed action and its significant effects on the environment. This amendment puts the blinders on even more than the underlying bill, which already goes too far in that direction.

Mr. Chair, I urge a ''no'' on the amendment, and I reserve the balance of my time.

Mr. ROY. Mr. Chair, the reason we are here, the reason that we have this legislation on the floor, is that NEPA is egregiously broken. The SPEED Act, which has been brought to the floor by the chairman, places commonsense caps on how long an EIS can take, and this amendment goes further to restrict what triggers this lengthy, onerous process.

Under the current runaway practice, NEPA reviews delay reliable energy projects by 3.9 years. Think about that. Want to know why we have difficulty getting affordable energy? All of these reviews, all of this cumbersome process, has delayed the ability for people to come together and produce energy for themselves, the energy that allows us to be in a heated facility and lit and living and having the benefits of modern life and having hospitals powered and having cars that function and homes that are heated and cooled.

You add this 4-year lengthy addition with an EIS, environmental impact statement, and you make it more difficult.

America must be able to get energy projects up and running and on the grid if we are going to compete on the global stage and continue to be able to live the benefits of modern life. This amendment addresses the most onerous part of the currently bloated NEPA process.

Mr. Chair, I reserve the balance of my time.

Mr. HUFFMAN. Mr. Chair, we have a major disagreement on what ''common sense'' means in this Congress.

To me, and I think really to most Americans, it is just common sense that if you have a project that would destroy hunting access to some vital part of our public lands that generations have depended on, if you have a project that would cause a sacred Tribal site to no longer be enjoyed by folks who have depended on it for millennia, that that should undergo an environmental review. That seems like common sense to most people. But in this strange Congress, I guess common sense just means just do those projects anyway and don't even consider alternatives and don't even consider the impacts. That is why I oppose this amendment, and I reserve the balance of my time.

Mr. ROY. Mr. Chair, I will remind my colleagues that what this amendment does is defines a significant effect as having ''a proximate and concrete harm that is directly caused by the proposed agency action and that materially impairs human health or property,'' fairly common sense.

Mr. Chair, in closing, I am going to take 30 seconds, a point of personal privilege here, to respond to something that the gentleman alluded to earlier in another exchange with another Member talking about so-called frivolous litigation by our current President.

I find it absolutely extraordinary that in the same week that we found out that the FBI literally told higher-ups at the Department of Justice and the White House that there was not probable cause to engage in a raid at Mar-a-Lago on the former President of the United States, that we are somehow going to enter that fray and not acknowledge the extent to which the abuse of power and the abuse of authority by the Biden administration and by his Department of Justice was extraordinary, historic, corrupt, and worthy of note.

□ 1100

If my colleagues want to venture into a debate about lawfare, then we will be happy to talk about the Manhattan DA. We will be able to talk about Fani Willis. We will be happy to talk about Jack Smith. We will be happy to talk about Arctic Frost, not because we are happy that they occurred, but because the American people are offended about the assault on President Trump, on the Members of this body, and on the people of the United States.

Mr. Chair, I urge adoption of my amendment, and I yield back the balance of my time.

Mr. HUFFMAN. Mr. Chairman, I thought we were debating a bill that proposes a permitting reform. Of course, we have lots of disagreements about how it impacts our bedrock environmental laws, but I guess we never want to miss an opportunity to go into the fever swamp of conspiracism that is the Kash Patel FBI these days.

I will bring it back to the subject at hand.

This is a bad amendment.

Mr. Chair, I urge my colleagues to oppose it, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. ROY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. HUFFMAN. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

Mr. WESTERMAN. Mr. Speaker, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. STAUBER) having assumed the chair, Mr. EVANS of Colorado, Acting Chair of the Committee of the Whole House on

the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 4776) to amend the National Environmental Policy Act of 1969 to clarify ambiguous provisions and facilitate a more efficient, effective, and timely environmental review process, had come to no resolution thereon.

MINING REGULATORY CLARITY ACT

Mr. WESTERMAN. Mr. Speaker, pursuant to House Resolution 951, I call up the bill (H.R. 1366) to provide for the location of multiple hardrock mining mill sites, to establish the Abandoned Hardrock Mine Fund, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 951, the amendment in the nature of a substitute recommended by the Committee on Natural Resources, printed in the bill, is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 1366

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Mining Regulatory Clarity Act''.

SEC. 2. HARDROCK MINING MILL SITES.

(a) MULTIPLE MILL SITES.—Section 2337 of the Revised Statutes of the United States (30 U.S.C. 42) is amended by adding at the end the following:

''(c) ADDITIONAL MILL SITES.—

''(1) DEFINITIONS.—In this subsection:

''(A) MILL SITE.—The term 'mill site' means a location of public land that is reasonably necessary for waste rock or tailings disposal or other operations reasonably incident to mineral development on, or production from land included in a plan of operations.

''(B) OPERATIONS; OPERATOR.—The terms 'operations' and 'operator' have the meanings given those terms in section 3809.5 of title 43, Code of Federal Regulations (as in effect on the date of enactment of this subsection).

''(C) PLAN OF OPERATIONS.—The term 'plan of operations' means a plan of operations that an operator must submit and the Secretary of the Interior or the Secretary of Agriculture, as applicable, must approve before an operator may begin operations, in accordance with, as applicable—

''(i) subpart 3809 of title 43, Code of Federal Regulations (or successor regulations establishing application and approval requirements); and

''(ii) part 228 of title 36, Code of Federal Regulations (or successor regulations establishing application and approval requirements).

''(D) PUBLIC LAND.—The term 'public land' means land owned by the United States that is open to location under sections 2319 through 2344 of the Revised Statutes of the United States (30 U.S.C. 22 et seq.), including—

''(i) land that is mineral-in-character (as defined in section 3830.5 of title 43, Code of Federal Regulations (as in effect on the date of enactment of this subsection));

''(ii) nonmineral land (as defined in section 3830.5 of title 43, Code of Federal Regulations (as in effect on the date of enactment of this subsection)); and

''(iii) land where the mineral character has not been determined.

''(2) IN GENERAL.—Notwithstanding subsections (a) and (b), where public land is needed by the proprietor of a lode or placer claim for operations in connection with any lode or placer claim within the proposed plan of operations, the proprietor may—

''(A) locate and include within the plan of operations as many mill site claims under this subsection as are reasonably necessary for its operations; and

''(B) use or occupy public land in accordance with an approved plan of operations.

''(3) MILL SITES CONVEY NO MINERAL RIGHTS.—A mill site under this subsection does not convey mineral rights to the locator.

''(4) SIZE OF MILL SITES.—A location of a single mill site under this subsection shall not exceed 5 acres.

''(5) MILL SITE AND LODE OR PLACER CLAIMS ON SAME TRACTS OF PUBLIC LAND.—A mill site may be located under this subsection on a tract of public land on which the claimant or operator maintains a previously located lode or placer claim.

''(6) EFFECT ON MINING CLAIMS.—The location of a mill site under this subsection shall not affect the validity of any lode or placer claim, or any rights associated with such a claim.

''(7) PATENTING.—A mill site under this section shall not be eligible for patenting.

''(8) SAVINGS PROVISIONS.—Nothing in this subsection—

''(A) diminishes any right (including a right of entry, use, or occupancy) of a claimant;

''(B) creates or increases any right (including a right of exploration, entry, use, or occupancy) of a claimant on land that is not open to location under the general mining laws;

''(C) modifies any provision of law or any prior administrative action withdrawing land from location or entry;

''(D) limits the right of the Federal Government to regulate mining and mining-related activities (including requiring claim validity examinations to establish the discovery of a valuable mineral deposit) in areas withdrawn from mining, including under—

''(i) the general mining laws;

''(ii) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);

''(iii) the Wilderness Act (16 U.S.C. 1131 et seq.);

''(iv) sections 100731 through 100737 of title 54, United States Code;

''(v) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

''(vi) division A of subtitle III of title 54, United States Code (commonly referred to as the 'National Historic Preservation Act'); or

''(vii) section 4 of the Act of July 23, 1955 (commonly known as the 'Surface Resources Act of 1955') (69 Stat. 368, chapter 375; 30 U.S.C. 612);

''(E) restores any right (including a right of entry, use, or occupancy, or right to conduct operations) of a claimant that—

''(i) existed prior to the date on which the land was closed to, or withdrawn from, location under the general mining laws; and

''(ii) that has been extinguished by such closure or withdrawal; or

''(F) modifies section 404 of division E of the Consolidated Appropriations Act, 2024 (Public Law 118–42).''.

(b) ABANDONED HARDROCK MINE FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury of the United States a separate account, to be known as the ''Abandoned Hardrock Mine Fund'' (referred to in this subsection as the ''Fund'').

(2) SOURCE OF DEPOSITS.—Any amounts collected by the Secretary of the Interior pursuant to the claim maintenance fee under section 10101(a)(1) of the Omnibus Budget Reconciliation Act of 1993 (30 U.S.C. 28f(a)(1)) on mill sites located under subsection (c) of section 2337 of the Revised Statutes of the United States (30 U.S.C. 42) shall be deposited into the Fund.

(3) USE.—The Secretary of the Interior may make expenditures from amounts available in the Fund, without further appropriations, only to carry out section 40704 of the Infrastructure Investment and Jobs Act (30 U.S.C. 1245).

(4) ALLOCATION OF FUNDS.—Amounts made available under paragraph (3)—

(A) shall be allocated in accordance with section 40704(e)(1) of the Infrastructure Investment and Jobs Act (30 U.S.C. 1245(e)(1)); and

(B) may be transferred in accordance with section 40704(e)(2) of that Act (30 U.S.C. 1245(e)(2)).

(c) CLERICAL AMENDMENTS.—Section 10101 of the Omnibus Budget Reconciliation Act of 1993 (30 U.S.C. 28f) is amended—

(1) by striking ''the Mining Law of 1872 (30 U.S.C. 28–28e)'' each place it appears and inserting ''sections 2319 through 2344 of the Revised Statutes of the United States (30 U.S.C. 22 et seq.)'';

(2) in subsection (a)—

(A) in paragraph (1)—

(i) in the second sentence, by striking ''Such claim maintenance fee'' and inserting the following:

''(B) FEE.—The claim maintenance fee under subparagraph (A)''; and

(ii) in the first sentence, by striking ''The holder of'' and inserting the following:

''(A) IN GENERAL.—The holder of''; and

(B) in paragraph (2)—

(i) in the second sentence, by striking ''Such claim maintenance fee'' and inserting the following:

''(B) FEE.—The claim maintenance fee under subparagraph (A)''; and

(ii) in the first sentence, by striking ''The holder of'' and inserting the following:

''(A) IN GENERAL.—The holder of''; and

(3) in subsection (b)—

(A) in the second sentence, by striking ''The location fee'' and inserting the following:

''(2) FEE.—The location fee''; and

(B) in the first sentence, by striking ''The claim main tenance fee'' and inserting the following:

''(1) IN GENERAL.—The claim maintenance fee''.

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 1 hour equally divided and controlled by the Chair and ranking minority member of the Committee on Natural Resources or their respective designees.

The gentleman from Arkansas (Mr. WESTERMAN), and the gentleman from California (Mr. HUFFMAN) each will control 30 minutes.

The Chair recognizes the gentleman from Arkansas.

GENERAL LEAVE

Mr. WESTERMAN. Mr. Speaker, I ask unanimous consent that all Members be given 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 1366.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. WESTERMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 1366, to restore clarity and stability to mining operations and support reclamation of abandoned hardrock mine land.

First, I thank my colleague from Nevada, Representative AMODEI, for his work on this bipartisan legislation.