Congressional Research Service
Informing the legislative debate since 1914

IN FOCUS

March 10, 2026

H.R. 4776, Standardizing Permitting and Expediting Economic Development Act (SPEED Act), as Passed by the House

H.R. 4776, the Standardizing Permitting and Expediting Economic Development Act (SPEED Act) as engrossed in the House of Representatives on December 18, 2025, would address several aspects of federal environmental review and permitting, including by amending portions of the National Environmental Policy Act of 1969, as amended (NEPA; 42 U.S.C. §§4321-4347). Several Members of the 119th Congress have introduced bills (e.g., H.R. 4776 and S. 3224) and several House and Senate committees have held hearings related to NEPA's role in the federal permitting framework. The sponsors of H.R. 4776 have identified various objectives in considering the bill, including shortening permitting timelines, reducing the frequency of litigation, meeting energy demands, strengthening the economy, and maintaining environmental protections.

This In Focus discusses selected elements of federal environmental review in the context of federal permitting and summarizes proposed changes to NEPA in H.R. 4776.

Federal Permitting Processes

There is no universal definition of *permitting*. The Federal Permitting Improvement Steering Council ("Permitting Council") has identified dozens of statutes associated with federal permitting *authorizations*. Although specific requirements vary (and apply to other activities beyond projects certified by the Permitting Council), these statutes generally confer authority on federal agencies to issue licenses, permits, approvals, findings, determinations, and other administrative decisions. Some of these may also require interagency consultations (e.g., Section 7 consultation under the Endangered Species Act). Federal permitting processes often involve project sponsors submitting applications, providing supporting information, and coordinating with various officials to obtain the necessary authorizations to proceed. In some cases, a proposed action may require multiple authorizations issued by different agencies under multiple authorities. The permitting requirements and agencies involved depend on factors such as the nature of the project, applicable jurisdictions, and anticipated environmental impacts. Issuance of federal authorizations alone may not be sufficient for a project to proceed, as state or local approvals may also be required.

Environmental Review Under NEPA

NEPA establishes a national policy with respect to environmental quality and a process for integrating environmental considerations into federal decisionmaking (i.e., through environmental review). Except where excluded from NEPA by law, NEPA requires agencies to identify and evaluate the impacts of "major Federal actions significantly affecting the quality of the human environment" prior to finalizing those actions. Under NEPA, federal agency authorizations are often considered *major federal actions*.

The depth of analysis and any required documentation (i.e., *environmental document*) required by NEPA depend in large part on the extent to which anticipated environmental impacts are expected to be "significant." If a major federal action has a "reasonably foreseeable significant effect," NEPA requires the preparation of an *environmental impact statement* (EIS) that analyzes effects of the proposed action and alternatives to that action. An agency generally prepares an *environmental assessment* (EA) when an agency anticipates issuing a finding of no significant impact or "the significance of [the action's] effects is unknown." An agency need not prepare either document if a proposed action is nondiscretionary, not final, or can be excluded from documentation requirements pursuant to a *categorical exclusion*, or if doing so would conflict with the requirements of another provision of law. For an overview of NEPA's requirements, see CRS In Focus IF12560, *National Environmental Policy Act: An Overview*, by Kristen Hite and Heather McPherron (2025).

NEPA and Permitting Decisions

NEPA establishes a procedural framework for environmental reviews, which inform federal decisions. Completion of a NEPA review does not automatically grant or deny project approval; however, it may be a prerequisite for a federal agency to issue an authorization. Although NEPA environmental reviews may influence agency decisions and timelines, separate authorities generally govern the issuance of authorizations.

H.R. 4776

H.R. 4776 would change various elements of the federal environmental review and permitting processes by amending provisions of NEPA. **Table 1** summarizes selected provisions in H.R. 4776 and how they compare to existing NEPA requirements.

Table 1. Summary of Selected Elements of Federal Environmental Reviews and Permitting Processes Under the National Environmental Policy Act (NEPA) and Proposed Changes in H.R. 4776 (as Passed by the House)

Selected Element	Federal Environmental Reviews Under NEPA	Selected Provisions in H.R. 4776, as Passed by the House
Definition of *Major Federal Action*	§4336e(10) defines *major federal action* and identifies several exclusions, including "loans, loan guarantees, or other forms of financial assistance where a federal agency does not exercise sufficient control and responsibility over the subsequent use of such financial assistance or the effect of the action."	§2(f)(4)(a)(i) would exclude federal financial assistance from consideration as a major federal action where the federal agency does not exercise "complete"—as opposed to "sufficient"—"control and responsibility over the effects of the action" and would remove "subsequent use of such financial assistance." §2(f)(4)(B) would specify that the provision of federal funds alone does not constitute a major federal action.
Scope of Review	The Supreme Court in *Seven County Infrastructure Coalition* held that agencies have discretion to determine the appropriate scope of effects for NEPA reviews. The Court acknowledged a "gray area" in defining agency actions and clarified that courts should defer to agencies to determine the scope for analyzing "indirect effects" removed in time (e.g., future projects) or place (e.g., in a different region).	§2(b)(4) would limit the scope of effects analyzed in a NEPA review to "those effects that share a reasonably close causal relationship to, and are proximately caused by, the immediate project or action under consideration," and not those "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."
Agency Discretion to Modify or Revoke Environmental Documents or Project Authorizations (i.e., *project certainty*)	NEPA's statutory text is silent on agency authority to modify or revoke environmental documents or project authorizations. Typically, an agency action to modify or revoke an authorization or analysis is subject to judicial review, often filed in federal district court. The Administrative Procedure Act (APA; 5 U.S.C. §§701-706) generally provides for a federal agency action to be set aside if the agency action is arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with the law. A change to a previous decision is generally held to the same standard.	§2(b)(4) would limit a federal agency from taking any action to "rescind, withdraw, amend, alter, or otherwise render ineffective" an environmental document prepared under NEPA unless ordered by a court or agreed to by the applicant. It would also prohibit agency interference with an authorization except under certain conditions, such as if requested by the authorized entity or "ordered by a court," if an authorized entity violated an authorization's terms or applicable law, if the authorization was obtained via fraud, or if interfering with an authorization is necessary to avoid new specified harms. A judicial challenge to an action under this provision would be reviewed in a federal court of appeals.
Role of Federal Cooperating Agencies	§4336a(a)(3) specifies that a lead agency—the agency that, among other things, supervises the preparation of an environmental document—may designate any federal, state, tribal, or local agency with "jurisdiction by law or special expertise" as a cooperating agency. Cooperating agencies may submit comments on an environmental document.	§2(c)(1)(B)(ii) would limit comments from federal cooperating agencies to "matters relating to the proposed agency action with respect to which such federal cooperating agency has jurisdiction by law."
Deadlines	§4336a(g)(1) and §4336f specify deadlines for completing the environmental document associated with an environmental review. Statutes affecting specific permitting processes may have additional deadlines. Additionally, §4336a(g)(3) allows a project sponsor to request a court to enforce statutory time limits for agency preparation of an EIS or EA.	§2(c)(4) would add deadlines for other aspects of federal environmental review and permitting processes, such as convening cooperating agencies, issuing final agency actions, certifying completeness of an application, and requiring lead agencies to develop schedules for completion of other authorizations. It would also amend conditions under which project sponsors could request a court to enforce a deadline.
Judicial Review	Most agency NEPA decisions and many permitting decisions are reviewed under the APA, which generally establishes how courts review agency actions. The APA defaults to a six-year statute of limitations, and courts typically consider remand with vacatur to be the "ordinary" remedy under the APA.	§3 would add a new section to NEPA limiting judicial review of certain agency actions, such as by imposing a 150-day statute of limitations for filing a claim, adding requirements affecting who may file a claim, limiting the available remedy to remand as opposed to injunctive relief or vacatur, and directing courts to rule within specific time frames.

Sources: National Environmental Policy Act (NEPA), as codified in 42 U.S.C. §§4321-4336f; H.R. 4776 (119th Congress), Standardizing Permitting and Expediting Economic Development (SPEED) Act, as engrossed in the House of Representatives on December 18, 2025; Seven County Infrastructure Coalition v. Eagle County, 145 S. Ct. 1497 (2025). See also CRS Report R48717, *Judicial Review and the National Environmental Policy Act (NEPA)*, by Kristen Hite (2025).

Notes: The selected provisions are not an exhaustive list of all amendments in H.R. 4776 or all statutes that may affect permitting decisions. *EIS* refers to an environmental impact statement; *EA* to an environmental assessment.

Heather McPherron, Analyst in Environmental Policy
Kristen Hite, Legislative Attorney

Disclaimer

This document was prepared by the Congressional Research Service (CRS). CRS serves as nonpartisan shared staff to congressional committees and Members of Congress. It operates solely at the behest of and under the direction of Congress. Information in a CRS Report should not be relied upon for purposes other than public understanding of information that has been provided by CRS to Members of Congress in connection with CRS's institutional role. CRS Reports, as a work of the United States Government, are not subject to copyright protection in the United States. Any CRS Report may be reproduced and distributed in its entirety without permission from CRS. However, as a CRS Report may include copyrighted images or material from a third party, you may need to obtain the permission of the copyright holder if you wish to copy or otherwise use copyrighted material.