

PERMITTING REFORM POLICY SOLUTIONS



Americans work hard every day to build a better life. They're not asking for handouts, they're asking the government to step aside and let them succeed. Eliminating burdensome energy regulations for businesses and entrepreneurs can unlock the full potential of the American economy. Individuals will feel empowered to build, innovate, and pursue their own American Dream knowing the government will not be a roadblock to success. Put simply, prosperity is possible with permitting reform.

WHY PERMITTING REFORM IS ESSENTIAL TO THE ECONOMY

1. REFORM WILL EMPOWER INDIVIDUALS AND COMMUNITIES

- The federal permitting process is a bureaucratic maze. It is overly complex and fragmented across several agencies, each with its own timelines, standards, and review procedures. This increases the time and money needed to build new energy-generating facilities, affecting developers and communities in need of affordable energy.
- Reform allows Americans to pursue energy and infrastructure projects without unnecessary government interference.

2. REFORM WOULD REDUCE ENERGY COSTS

- Regulatory delays increase the cost of energy production and distribution, ultimately costing businesses and consumers more.
- Families and businesses bear the burden through higher utility bills and fuel prices. These are dollars they cannot invest or spend elsewhere.
- Reforming permitting unlocks affordable domestic energy sources and helps the U.S. be less reliant on foreign energy.

3. REFORM HELPS CREATE JOBS AND DRIVE ECONOMIC GROWTH

- A strong economy needs access to abundant, reliable, affordable energy in order to thrive.
- Permitting reform plays a critical role in accelerating timelines for infrastructure and energy projects that are powerful engines of job creation across the country.
- Employment opportunities in construction, engineering, and operations will strengthen local economies and revitalize underserved regions.

4. REFORM RESTORES CONGRESSIONAL OVERSIGHT

- Congress must continue to reassert its authority and ensure permitting laws serve their intended purpose. Unprincipled actors have co-opted the permitting process, often through lawfare, to weaponize procedural laws like the National Environmental Policy Act (NEPA) and the Clean Water Act (CWA) to block any projects that they ideologically oppose.
- Reform ensures accountability and prevents regulatory overreach.
- It restores the principle that the government should facilitate — not obstruct — progress.

AREAS OF REFORM

1. ENSURE CONSISTENT TIMELINES AND DUE DATES FOR REVIEWS

- Amend NEPA to create consistent review timelines to ensure procedural responsiveness during the review process.
- Federal agencies and bureaucrats often take years to respond to permit applications, wasting time and driving up costs.
- Place reasonable judicial limitations on NEPA reviews and enforce responsible timelines.

2. CREATE CLARITY THROUGH IMPROVED LEGAL DEFINITIONS

- Clarify the NEPA trigger by defining “major federal action.” This reform stops unnecessary reviews, which needlessly extend agency review times, and keeps NEPA actions compliant with current legal precedent.
- Clarify the definition of “Waters of the United States” (WOTUS) and define action for ephemeral features under the CWA.
- Reform provides clear, legally grounded definitions to reduce uncertainty and compliance costs so businesses can plan and invest.

3. PREVENT FEDERAL GOVERNMENT OVERREACH AND ABUSE

- Prevent the abuse of Section 401 of the CWA to deny essential infrastructure projects and amend the section to focus agency attention on priority projects.
- Give key agencies clarifying authority under Section 404 of the CWA to ensure proper use of “veto” authority for critical energy projects domestically.

EXISTING LEGISLATIVE OPPORTUNITIES

H.R. 4776 – SPEED ACT

Standardizing Permitting and Expediting Economic Development

- Streamlines the permitting process by establishing enforceable timelines under NEPA, clarifying what constitutes a major federal action to avoid unnecessary reviews, and placing reasonable limits on judicial intervention to ensure environmental assessments remain focused on procedural integrity rather than political obstruction.

H.R. 3898 – PERMIT ACT

Promoting Efficient Review for Modern Infrastructure Today

- Strengthens permitting efficiency by preventing misuse of the CWA to block essential infrastructure, clarifying key definitions like WOTUS and ephemeral features, protecting emergency response operations, and ensuring agencies exercise their veto authority responsibly and transparently.