

STILL MISSING PIECES: ENERGY PERMITTING REFORM

H.R. 4503

ePermit Act

Digitizing enviro reviews

H.R. 6336

FAIR Act

Cost allocation

H.R. 3898

PERMIT Act

Amend Clean Water Act

H.R. 4776

SPEED Act

Overhauling NEPA

H.R. 6398

RED Tape Act

Amend Clean Air Act

SENATE

ENR

- Previously led Senate permitting, advancing bipartisan EPRA in 2024
- Will ENR keep EPRA largely intact, or will they seek to carve their own path to speed up enviro reviews?
- Expect transmission to be key to achieving bipartisan support.

SENATE

EPW

- Negotiations between EPW and HNR ultimately stalled before the conclusion of the 118th Congress.
- While the SPEED Act received 11 Democratic votes in the House on Dec. 18, it faces stiff opposition from Sens. Whitehouse, Heinrich, and Schatz; without them, consensus will be difficult to achieve Senate-side.

HOUSE BILLS: PUTTING THE PIECES TOGETHER

Standardizing Permitting and Expediting Economic Development (SPEED) Act

Key concept: Streamlines infrastructure permitting by reforming NEPA.

- Narrows NEPA reviews to project-level impacts rather than up- or downstream enviro effects
- Expands agencies' abilities to use categorical exclusions and other streamlined review processes
- Imposes new deadlines on agency reviews and limits scope/timing for judicial action

Status: Passed the House on 12/18/25 with a 221-196 vote. 11 Ds and one R voted against party lines.

Fair Allocation of Interstate Rates (FAIR) Act

Key concept: Amends the Federal Power Act to prohibit cost allocation of policy-driven transmission to consumers in states that did not approve or benefit from the underlying policy.

- Requires FERC to issue implementing regulations within six months

Status: Introduced to House E&C on 12/01/25.

Promoting Efficient Review for Modern Infrastructure Today Act (PERMIT) Act

Key Concept: Limits states' authority under Clean Water Act to block infrastructure projects.

- Tightens permit review windows and allows CWA permits to last up to 10 years instead of five
- Reduces EPA's ability to revoke/veto previously approved permits under CWA

Status: Passed the House on 12/11/25 by a 221-205 vote. Six Ds and one R voted against party lines.

ePermit Act

Key Concept: Modernizes environmental reviews and authorizations through the use of interactive, digital, and cloud-based platforms.

Status: Passed the House unanimously on 12/10/25.

Reducing and Eliminating Duplicative Environmental Regulations (RED Tape) Act

Key Concept: Amends the Clean Air Act to eliminate the EPA's requirement to review and comment on federal construction projects that are already subject to environmental review under NEPA.

Status: Passed the House E&C Subcommittee on 12/10/25 by a 12-10 votes along party lines.

2026 SENATE OUTLOOK

While some of the House bills may be sent to the Senate, lawmakers may choose to revise them, incorporate parts into a broader package, or scrap them all together.

It remains to be seen how heavily **Senate ENR** leans on the Energy Permitting Reform Act (EPRA), which failed to advance at the end of last Congress. Chairman Lee (R-UT) has expressed optimism on the prospect of a permitting package on the Senate floor next year.

Senate EPW will also need to contribute to a permitting reform package. Reason for optimism: both Chairwoman Capito and Ranking Member Whitehouse have expressed support for reaching a deal under certain conditions.