

Federal Permitting Reform in the 119th Congress

Comparing the CERTAIN, FREEDOM, and SPEED Acts

June 2026



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America's ability to meet the cost and energy demands of a global economic leader depends on its ability to build a modern energy-abundant economy, rather than rely on the infrastructure of the last century. The federal permitting process is the chief obstacle to achieving that future. Outdated permitting processes are delaying clean energy and manufacturing projects from being built and connected to the grid. Approvals can stretch a decade or more, and they lack transparency across agencies. Moreover, litigation delays projects by nearly four years on average making it harder and more expensive to build modern energy infrastructure. The cost of this inaction will only compound as electricity load growth forecasts have increased five-fold over the next five years, directly threatening energy affordability, grid reliability, and U.S. economic competitiveness. Meaningful reform enjoys broad, bipartisan support, and the solutions are well within reach. Modernizing the process—like digitizing outdated paper-based systems, strengthening early public engagement, and updating judicial review—can reduce delays, build investor confidence, and deliver better outcomes for communities, developers, and government agencies alike.



Summary

The CERTAIN Act, FREEDOM Act, and SPEED Act are three major permitting reform bills introduced in the 119th Congress. Though each proposal approaches reform differently, all three respond to the same core challenge: major infrastructure and energy projects in the United States often face long, complex, and uncertain federal approval processes.

Projects such as transmission lines, pipelines, energy generation facilities, mines, manufacturing plants, and transportation infrastructure frequently require approvals from multiple federal agencies under several environmental and permitting statutes. These reviews can take many years, increasing costs and delaying construction.

The three proposals would each attempt to accelerate the permitting process by changing how federal reviews are conducted; however, they differ significantly in policy design.

The CERTAIN and FREEDOM Acts focus primarily on improving coordination, predictability, and permit certainty across the broad federal permitting process. The SPEED Act focuses more directly on restructuring National Environmental Policy Act (NEPA) reviews and limiting litigation-related delays.

In practice, the bills represent three distinct models of permitting reform:

- **Create Expedited Reviews to Transform American Infrastructure Now (CERTAIN) Act** ([H.R. 8308](#)): broad interagency coordination and permitting process modernization;
- **Fighting for Reliable Energy and Ending Doubt for Open Markets (FREEDOM) Act** ([H.R. 7329](#)): enforceable permitting timelines and project certainty for energy infrastructure;
- **Standardizing Permitting and Expediting Economic Development (SPEED) Act** ([H.R. 4776](#)): structural reform of NEPA review standards and judicial review.

The Create Expedited Reviews to Transform American Infrastructure Now (CERTAIN) Act

The CERTAIN Act ([H.R. 8308](#)), introduced by Reps. Scott Peters (D-Calif.) and Gabe Evans (R-Colo.) on April 15, 2026, would establish a more coordinated and streamlined framework for federal environmental reviews and permitting decisions. The bill focuses on improving accountability, transparency, and efficiency throughout the entire permitting process.

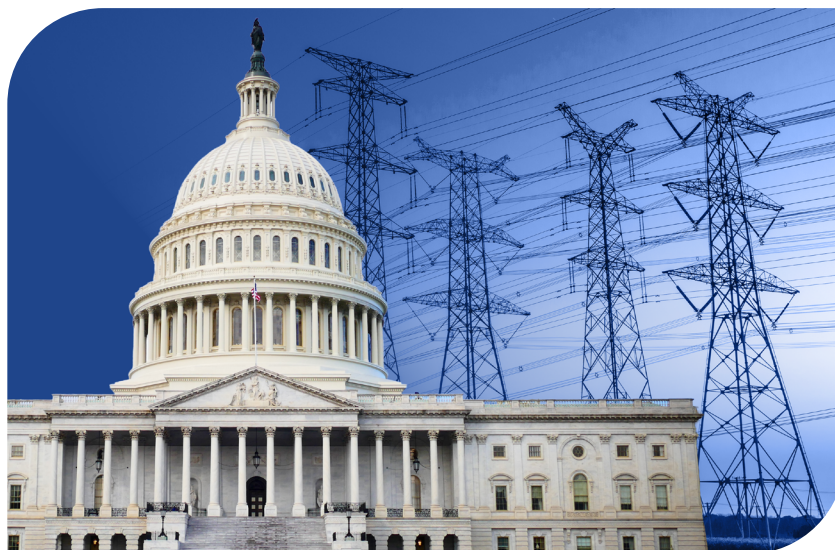
The Fighting for Reliable Energy and Ending Doubt for Open Markets (FREEDOM) Act

The FREEDOM Act ([H.R. 7329](#)), introduced by Reps. Josh Harder (D-Calif.) and Mike Lawler (D-N.Y.) with bipartisan cosponsors on February 3, 2026, would establish enforceable federal permitting timelines and creates mechanisms to ensure agency compliance for certain covered energy and related infrastructure projects.¹ The proposal would create a permitting framework centered on enforceable deadlines, judicial remedies, and protections for projects that have already received most of their required approvals.

The Standardizing Permitting and Expediting Economic Development Act (SPEED) Act

The SPEED Act ([H.R. 4776](#)), introduced by Rep. Bruce Westerman (R-Ark.) and Jared Golden (D-Maine) in July 25, 2025, and passed by the House on December 18, 2025, would make change the NEPA review process and increase certainty for project developers. At its core, the bill clarifies that NEPA is a “purely procedural statute” that does not mandate substantive environmental outcomes. The SPEED Act centers on narrowing the scope of environmental review, limiting litigation-related delays, and reducing duplicative federal analysis.

The proposal builds on several concepts reflected in the Supreme Court’s decision in *Seven County Infrastructure Coalition v. Eagle County* (2025), which emphasized limits on indirect and attenuated environmental effects analysis under NEPA.



C2ES is regularly engaging elected officials and key decision makers on permitting reform.

To learn more about this and other advocacy campaigns, please reach out to C2ES Director of Advocacy, Rose Luttenberger Caruso (LuttenbergerR@C2ES.org).

¹ Covered energy projects include infrastructure for developing, producing, generating, storing, transporting, or distributing energy; carbon dioxide capture, removal, transport, or storage; and mineral mining, extraction, beneficiation, or processing.