



SOCIETY FOR AMERICAN ARCHAEOLOGY

Testimony of the Society for American Archaeology

Before the House Natural Resources Committee

**Regarding H.R. 4776, the “Standardizing Permitting and Expediting Economic
Development Act,” or “SPEED Act”**

September 10, 2025

The Society for American Archaeology (SAA) appreciates this opportunity to present testimony on H.R. 4776, the “Standardizing Permitting and Expediting Economic Development Act,” or “SPEED Act.” In our members’ opinion, this legislation is unnecessary at this time. We request that the committee not proceed with the bill and wait to see how the myriad changes already made to the National Environmental Policy Act (NEPA) statute and regulations, as well as recent court decisions on NEPA, change its implementation.

The SAA is an international organization that, since its founding in 1934, has been dedicated to research about and interpretation and protection of the archaeological heritage of the Americas. With more than 6,000 members, the SAA represents professional and avocational archaeologists, archaeology students in colleges and universities, and archaeologists working at tribal agencies, museums, government agencies, and the private sector. The SAA has members throughout the United States, as well as in many nations around the world.

H.R. 4776 would significantly alter NEPA and undermine protection of our natural and historic resources. Proposed changes include but are not limited to (1) clarification of NEPA’s purpose to

ensure that federal agencies consider the environmental impacts of their undertakings without mandating specific outcomes; (2) allowing agencies to determine the level of necessary environmental review, including the use of equivalent reviews from state or tribal entities as fulfilling an agency's NEPA requirements; (3) requiring agencies to only consider impacts that are directly related to the proposed action; (4) limiting those who can seek legal remedy only to claimants who have previously participated in the undertaking's public comment period, and only if they file a claim within 150 days of a final agency action; and (5) specifies that an agency action may not be a covered major federal action requiring a NEPA review simply because federal funds were provided.

We have three principal concerns with the bill. First, NEPA is already undergoing significant changes that are difficult for industry to keep up with. Congress has passed numerous alterations to NEPA in recent years that have reduced permitting time. These laws include FAST-41 (2015), the Inflation Reduction Act (2022), and the Fiscal Responsibility Act (2023). The results of these changes are still being realized by all stakeholders. Project sponsors cannot keep being sent back to their legal departments but instead need to be able to advance their crucial projects with confidence that laws are stable and predictable. Further, the Supreme Court's decision in the *Seven County Infrastructure Coalition v. Eagle County* case earlier this year has already greatly clarified the purpose of the NEPA statute and substantially reduced the scope of the environmental reviews, thus improving permitting times for major projects. Not least, the administration rescinded the Council on Environmental Quality's NEPA implementing regulations, and multiple federal agencies are in the process of rewriting their own NEPA policies. Should H.R. 4776 be passed, yet another layer of reform will be required, and these rule

makings will likely have to start over, resulting in even more uncertainty and delays in project implementation. As a result, this will reduce—not improve—the efficiency of project delivery.

Second, some of the provisions in the bill will weaken the NEPA reviews themselves and silence the voices of communities impacted by federal undertakings. It will not always be possible for localities and tribes affected by such projects to meaningfully participate in consultations that are held under strict timelines. Many tribal governments, for example, are overwhelmed with requests for consultation and suffer from lack of sufficient resources and staff. Yet under this measure, these entities or individuals would be cut off from any legal remedies if they were excluded from consultations during the NEPA process. Even if they were included, the deadline for filing a lawsuit called for in H.R. 4776 might not be achievable. This is not the dynamic envisioned by the authors of NEPA.

Third, the committee needs to be aware of the economic ramifications of this issue. The environmental consulting industry is composed of nearly 57,000 businesses that generate more than \$27 billion per year and employ over 150,000 people. These are the firms and personnel that conduct the vast majority of NEPA reviews (and the National Historic Preservation Act [NHPA] surveys that often take place in tandem with NEPA). They directly support economic development and facilitate infrastructure deployment and other growth in as expeditious a manner as possible, while still preserving our natural and historic resources. The weakening of NEPA (and NHPA) reviews or exempting large numbers of projects from having to conduct such compliance will lead to mass layoffs and economic contraction in this key sector of the economy.

As America approaches its 250th birthday, we must remember that preserving and protecting our history and shared cultural identity is a top priority. NEPA plays a significant part in this endeavor. We can protect our irreplaceable natural and historic assets, create economic growth

and jobs, and ensure that projects are delivered in a timely fashion. These are not either-or propositions. But it cannot happen if NEPA and its regulations are being constantly altered or weakened to the point that compliance becomes a de facto rubber stamp.

In conclusion, the SAA believes that to advance H.R. 4776 is premature. We call on the House Natural Resources Committee to determine the state of permitting through NEPA once the changes imposed by law, court decision, and new regulations have had time to be digested and to take effect.