



BUILDING U.S. INFRASTRUCTURE THROUGH LIMITED DELAYS & EFFICIENT REVIEWS (BUILDER) ACT (H.R. 2515)

The Building U.S. Infrastructure through Limited Delays & Efficient Reviews (BUILDER) Act aims to create a more efficient project review process, reduce project costs, spur economic development, and create good-paying jobs.

SUMMARY

The BUILDER Act modernizes NEPA to expedite infrastructure projects while still maintaining rigorous environmental scrutiny. The NEPA process has slowed the most impactful and important infrastructure projects, and delays to projects means delays to the environmental and economic benefits that could improve Americans' quality of life. Modernizing NEPA is essential if we are to transition to a clean energy economy, and we can only build new clean energy projects and reduce carbon dioxide emissions as fast as we can permit new projects. The BUILDER Act will reduce bureaucratic red tape and make the permitting process more efficient, which is prudent for the stewardship of taxpayer resources and for scaling clean energy rapidly.

HISTORY:

Often called the “Magna Carta” of environmental laws, the National Environmental Policy Act, also known as “NEPA,” was signed into law by President Nixon in 1970 and was one of the first laws ever written to establish a broad national framework for environmental protection. NEPA’s purpose is to ensure that Federal agencies consider the environmental, social, and economic impacts of proposed projects, and inform and involve the public in the decision making process. Unfortunately, the simple process envisioned in 1970 looks nothing like the process today. Since its inception more than 50 years ago, the NEPA process has become costly and ineffective, slowing down progress and becoming a tool to delay or kill energy projects. It has resulted in a federal permitting process that can take a project as long as 5 to 10 years to complete and cost millions of dollars. Making the permitting process more efficient is essential for two reasons: one, stewardship of taxpayer resources, and two, scaling clean energy rapidly.

SPECIFICS:

The BUILDER Act aims to streamline the permitting process and make project reviews more efficient by:

- Ensuring practical project review timelines while maintaining rigorous environmental scrutiny without delays or excessive costs;
- Clarifying duties of federal, state, tribal and local governments when conducting an environmental review;
- Establishing and clarifying the threshold determinations for preparing environmental documents under NEPA;
- Promoting early coordination with stakeholders and federal agencies;
- Removing vague and outdated provisions;
- Allowing a project sponsor to assist agencies in conducting environmental reviews to speed up the process and resolve issues quicker;
- Requiring agencies to make use of reliable existing data sources;
- Requiring litigants to have participated meaningfully in the NEPA process before filing a lawsuit; and
- Considering only the effects of a proposed action that are reasonably foreseeable.

ORIGINAL SPONSORS: Rep. Garret Graves (R-LA)

COSPONSORS: Rep. Sam Graves (R-MO), Rep. Kevin McCarthy (R-CA), Rep. Steve Scalise (R-LA), Rep. Liz Cheney (R-WY), Glenn Thompson (R-PA), Kay Granger (R-TX), Cathy McMorris-Rogers (R-WA), Bruce Westerman (R-AR), Rep. James Comer (R-KY), Rep. Tom Cole (R-OK), Rep. Blaine Luetkemeyer (R-MO), Rep. Frank Lucas (R-OK)

SUPPORT: Agricultural Retailers Association, American Council of Engineering Companies, American Exploration and Petroleum Council, American Fuel & Petrochemical Manufacturers, American Petroleum Institute, American Public Gas Association, American Road and Transportation Builders Association, American Trucking Associations, Associated Builders and Contractors, Associated General Contractors of America, Association of American Railroads, Association of Oil Pipe Lines, Bipartisan Policy Center Action, United States Chamber of Commerce, Citizens for Responsible Energy Solutions, ClearPath Action, Uranium Producers of America, Consumer Energy Alliance, GPA Midstream Association, Independent Petroleum Association of America, National Asphalt Pavement Association, National Cattlemen's Beef Association, National Ocean Industries Association, National Stone, Sand and Gravel Association, Railway Supply Institute, Western Energy Alliance

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