

119TH CONGRESS
1ST SESSION

H. R. 573

AN ACT

To require the Council on Environmental Quality to publish an annual report on environmental reviews and causes of action based on alleged non-compliance with the National Environmental Policy Act of 1969, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Studying NEPA’s Im-
3 pact on Projects Act”.

4 **SEC. 2. ANNUAL REPORT ON NEPA’S IMPACT ON PROJECTS.**

5 Section 201 of the National Environmental Policy
6 Act of 1969 (42 U.S.C. 4341) is amended to read as fol-
7 lows:

8 **“SEC. 201. ANNUAL REPORTS ON NEPA’S IMPACT ON**
9 **PROJECTS.**

10 “(a) SUBMISSIONS BY LEAD AGENCIES.—Not later
11 than July 1, 2026, and annually thereafter, the head of
12 each lead agency shall submit to the Council on Environ-
13 mental Quality a report on—

14 “(1) each civil action alleging an agency action
15 in violation of this Act that was active during the
16 period beginning June 1 of the preceding year and
17 ending June 1 of the current year, which shall iden-
18 tify—

19 “(A) with respect to each such civil ac-
20 tion—

21 “(i) the defendant lead agency, where
22 applicable, and each plaintiff; and

23 “(ii) the court in which the civil action
24 was brought and any court to which a deci-
25 sion on the civil action was appealed;

1 “(B) the number of such civil actions,
2 disaggregated by the defendant agency, with a
3 single entry denoting the lead agency, where ap-
4 plicable, for cases involving multiple Federal
5 agency defendants;

6 “(C) the alleged basis for each such civil
7 action, disaggregated by covered sectors; and

8 “(D) the status and outcome, if applicable,
9 of each civil action alleging an agency action in
10 violation of this Act that was active during the
11 period beginning June 1 of the preceding year
12 and ending June 1 of the current year, includ-
13 ing whether—

14 “(i) the civil action resulted in a deci-
15 sion to hold unlawful and set aside the
16 agency action within the meaning of sec-
17 tion 706(2) of title 5, United States Code;

18 “(ii) the civil action resulted in a deci-
19 sion allowing the Federal agency to pro-
20 ceed with the major Federal action;

21 “(iii) the civil action resulted in an
22 order remanding the matter to the agency
23 for reconsideration without vacating the
24 analysis;

1 “(iv) any claim under the civil action
2 was resolved by a settlement agreement or
3 consent decree between any plaintiff and
4 the defendant lead agency;

5 “(v) the civil action is still active; and

6 “(vi) any of the plaintiffs received an
7 award, including an award of costs pursu-
8 ant to section 2412 of title 28, United
9 States Code, except that if such informa-
10 tion is received after the lead agency sub-
11 mits the applicable report to the Council
12 on Environmental Quality, the lead agency
13 shall include such information in the sub-
14 sequent report;

15 “(2) the length of environmental impact state-
16 ments made publicly available pursuant to section
17 102(2)(C) during the period of 5 years that ends on
18 June 1 of the current year, which shall include—

19 “(A) the average and median page count of
20 all such environmental impact statements (not
21 including the page count of any citations or ap-
22 pendices), including such page counts
23 disaggregated by quartiles;

1 “(B) the average and median page count
2 of any citations and appendices included in
3 such environmental impact statements;

4 “(C) the number of such environmental
5 impact statements, disaggregated by lead agen-
6 cy and subagency as applicable;

7 “(D) a description of trends in average
8 and median page count of such environmental
9 impact statements and any citations and appen-
10 dices included in such environmental impact
11 statements compared to prior reports published
12 by the Council on Environmental Quality; and

13 “(E) for each report submitted under this
14 section through 2028, a disaggregation of the
15 data from before and after the date of the en-
16 actment of the Fiscal Responsibility Act of
17 2023;

18 “(3) an estimate of the cost to prepare the envi-
19 ronmental impact statements described in paragraph
20 (2), including—

21 “(A) the full-time equivalent personnel
22 hour costs, contractor costs, and other direct
23 costs of the lead agency that prepared the envi-
24 ronmental impact statement; and

1 “(B) if practicable, and noted where not
2 practicable, the costs incurred by cooperating
3 agencies, participating agencies, any project
4 sponsor that prepared an environmental impact
5 statement under the supervision of the lead
6 agency, and contractors; and

7 “(4) the timelines to complete environmental
8 impact statements pursuant to section 102(2)(C)
9 during the period of 10 years that ends on June 1
10 of the current year, which shall include—

11 “(A) with respect to each major Federal
12 action commenced during such period of 10
13 years, the date on which (as applicable)—

14 “(i) the project sponsor submitted an
15 application for any permit or other author-
16 ization for the project;

17 “(ii) the lead agency began the
18 scoping;

19 “(iii) the notice of intent to prepare
20 the environmental impact statement was
21 made publicly available;

22 “(iv) the environmental impact state-
23 ment was made publicly available;

24 “(v) the record of decision was made
25 publicly available; and

1 “(vi) the lead agency provided to the
2 project sponsor notice to proceed on the
3 project;

4 “(B) the average and median completion
5 timelines during such period of 10 years for
6 each document described in subparagraph (A);

7 “(C) a description of trends in completion
8 timelines during such period of 10 years for
9 such documents compared to prior reports pub-
10 lished by the Council on Environmental Quality;
11 and

12 “(D) for each report submitted under this
13 section through 2033, a disaggregation of the
14 data from before and after the date of the en-
15 actment of the Fiscal Responsibility Act of
16 2023.

17 “(b) PUBLICATION AND SUBMISSION OF REPORTS BY
18 THE COUNCIL ON ENVIRONMENTAL QUALITY.—

19 “(1) IN GENERAL.—The Council on Environ-
20 mental Quality shall annually—

21 “(A) publish the reports received under
22 subsection (a) on the website of the Council on
23 Environmental Quality; and

24 “(B) submit such reports to the Committee
25 on Natural Resources of the House of Rep-

1 representatives and the Committee on Environ-
2 ment and Public Works of the Senate.

3 “(2) INCLUSION IN OTHER REPORTS.—The
4 Council on Environmental Quality may carry out
5 paragraph (1)(B) by including the reports received
6 under subsection (a) in the report submitted under
7 section 107(h).

8 “(3) PUBLIC AVAILABILITY OF DATA.—The
9 Council on Environmental Quality shall publish with
10 each report published under paragraph (1)(A) the
11 underlying data used to prepare each such report
12 and include any citations or other information nec-
13 essary for the public to locate records related to the
14 court proceedings for any civil action described in
15 subsection (a)(1).

16 “(c) FORMAT.—To the extent practicable, the infor-
17 mation included in each report submitted to the Council
18 on Environmental Quality under subsection (a) shall be
19 disaggregated by covered sector.

20 “(d) COVERED SECTOR DEFINED.—In this section,
21 the term ‘covered sector’ means any of the following sec-
22 tors:

23 “(1) Aviation and space.

24 “(2) Broadband.

25 “(3) Carbon capture and sequestration.

- 1 “(4) Conventional energy production.
- 2 “(5) Electricity transmission.
- 3 “(6) Forestry.
- 4 “(7) Information technology infrastructure.
- 5 “(8) Manufacturing.
- 6 “(9) Mining.
- 7 “(10) Pipelines.
- 8 “(11) Ports and waterways.
- 9 “(12) Renewable energy production.
- 10 “(13) Surface transportation.
- 11 “(14) Water resources.
- 12 “(15) Any other sector as determined by the
- 13 Council on Environmental Quality or lead agency.”.

Passed the House of Representatives December 9,
2025.

Attest:

Clerk.

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