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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To improve environmental reviews and authorizations through the use of interactive, digital, and cloud-based platforms, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. JOHNSON of South Dakota introduced the following bill; which was referred to the Committee on _____

A BILL

To improve environmental reviews and authorizations through the use of interactive, digital, and cloud-based platforms, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “ePermit Act”.

5 **SEC. 2. FINDINGS.**

6 The Congress finds that—

7 (1) coordination between Federal, State, and
8 local agencies and project sponsors is critical to en-

1 suring the timely and effective completion of envi-
2 ronmental reviews and authorizations, including
3 through the sharing of relevant information, align-
4 ment of environmental review timelines, and integra-
5 tion of authorizations, while maintaining compliance
6 with applicable statutory and regulatory require-
7 ments;

8 (2) digital strategies for environmental reviews
9 have proven to make the community engagement
10 process more accessible, available, and transparent
11 to all stakeholders, especially the communities in
12 which new projects are built;

13 (3) establishing robust data architectures will
14 ensure data integrity, improve transparency, reduce
15 costs, and enhance the ability of the Federal Govern-
16 ment to serve the public;

17 (4) Federal agency use of modern software that
18 can track the full lifecycle of environmental reviews
19 and authorizations is critical for—

20 (A) effective project management and
21 process improvement;

22 (B) enabling workflow automation, trans-
23 parency, and tracking; and

24 (C) simplifying reporting requirements;

1 (5) modern business process management sys-
2 tems that track Federal agency workflows and
3 produce interoperable event, task, and other mile-
4 stone data that can be shared with other Federal
5 agency systems can reduce costs and improve per-
6 formance for Federal agencies responsible for envi-
7 ronmental reviews and authorizations;

8 (6) case management systems—

9 (A) are essential tools for managing the
10 tasks and activities associated with environ-
11 mental reviews and authorizations; and

12 (B) provide Federal agencies more data
13 and insight into such environmental reviews
14 and authorizations;

15 (7) well-defined business rules can enable proc-
16 ess automation that allows Federal agencies respon-
17 sible for environmental reviews or authorizations to
18 expedite routine tasks and workflows, and improve
19 transparency and accuracy of project timeline esti-
20 mates, which in turn can help project sponsors bet-
21 ter plan for application preparation and project de-
22 livery milestones;

23 (8) taking a standardized, digital-first perspec-
24 tive to environmental reviews and authorizations at
25 Federal agencies responsible for environmental re-

1 views or authorizations will improve document qual-
2 ity, lead to more concise reports, enable the reuse
3 and accessibility of the data underpinning Federal
4 agency analyses and decisions, and enable objective,
5 technology-assisted evaluation of environmental im-
6 pacts, analysis, and documentation, and accelerate
7 future environmental reviews and authorizations;

8 (9) Federal agencies responsible for environ-
9 mental reviews or authorizations, project sponsors,
10 and the public should have access to up-to-date in-
11 formation on accurate timelines and the status of
12 environmental reviews and authorizations; and

13 (10) allowing for seamless information exchange
14 among Federal agencies and between Federal agen-
15 cies and project sponsors will increase predictability
16 and efficiency of environmental review and author-
17 ization schedules for project sponsors.

18 **SEC. 3. ESTABLISHMENT OF DATA STANDARDS.**

19 (a) IN GENERAL.—Not later than 180 days after the
20 date of enactment of this Act, the Chair of the Council
21 on Environmental Quality, in consultation with the Fed-
22 eral Permitting Improvement Steering Council, the Chief
23 Information Officers Council, the Office of Management
24 and Budget, and other relevant stakeholders and Federal
25 agencies, shall develop, publish, and iteratively update

1 data standards for the collection and curation of author-
2 ization data by Federal agencies, which shall be used to—

3 (1) assist with environmental reviews and au-
4 thorizations;

5 (2) organize, define, and standardize various
6 concepts, formats, and protocols that are included in
7 environmental reviews and authorizations; and

8 (3) reduce the need for redundant environ-
9 mental reviews by creating a shared vocabulary and
10 software systems that will support data interoper-
11 ability and automatic data exchange between Fed-
12 eral agencies.

13 (b) INCLUSIONS.—The data standards developed,
14 published, and iteratively updated under subsection (a)
15 shall include the following:

16 (1) A standardized taxonomy that allows Fed-
17 eral agencies to identify and track data types, rela-
18 tionships, and values.

19 (2) Comprehensive categories for data, such
20 as—

21 (A) projects;

22 (B) processes;

23 (C) environmental documents;

24 (D) public comments;

25 (E) geospatial information;

- 1 (F) public engagement events, as applica-
- 2 ble by process or Federal agency;
- 3 (G) case events; and
- 4 (H) milestones to ensure clarity and uni-
- 5 formity.

6 **SEC. 4. DEVELOPMENT OF PROTOTYPE TOOLS.**

7 The Chair of the Council on Environmental Quality,
8 in consultation with the Administrator of General Serv-
9 ices, the Federal Permitting Improvement Steering Coun-
10 cil, the Chief Information Officers Council, the Director
11 of the Office of Management and Budget, and other rel-
12 evant stakeholders and Federal agencies, shall design,
13 test, and build prototype tools for environmental reviews
14 and authorizations that will assist Federal agencies in im-
15 plementing the minimum functional requirements de-
16 scribed in section 5. The Chair of the Council on Environ-
17 mental Quality shall prioritize designing, testing, and
18 building tools under this section that—

- 19 (1) support authorization case management sys-
- 20 tems that manage tasks, milestones, and activities
- 21 associated with environmental reviews and author-
- 22 izations, and provide Federal agencies more data
- 23 and insight into such reviews and authorizations;

1 (2) enable application submission and tracking
2 portals used by project sponsors, enabling greater
3 transparency;

4 (3) facilitate automated applications, environ-
5 mental reviews. and authorizations;

6 (4) allow data exchange between Federal agen-
7 cy systems; and

8 (5) accelerate complex environmental reviews.

9 **SEC. 5. PUBLICATION OF GUIDANCE FOR IMPLEMENTA-**
10 **TION OF DATA STANDARDS AND MINIMUM**
11 **FUNCTIONAL REQUIREMENTS.**

12 (a) PUBLICATION.—Not later than 30 days after the
13 date of enactment of this Act, the Chair of the Council
14 on Environmental Quality shall publish guidance for how
15 each Federal agency responsible for environmental reviews
16 or authorizations implements—

17 (1) the data standards published under section
18 3; and

19 (2) the following minimum functional require-
20 ments:

21 (A) Application data sharing that enables
22 automated transfer of relevant environmental
23 review and authorization data among Federal
24 agencies.

1 (B) Automated project screening to assist
2 frontline staff with reviewing project sponsor
3 provided information for completeness and ac-
4 curacy and determining if a categorical exclu-
5 sion or other general authorization applies to an
6 action. Automated project screening may not be
7 used by the Council on Environmental Quality
8 or a Federal agency to unlawfully restrict any
9 activities on Federal lands.

10 (C) Public availability of screening criteria
11 and related decision models.

12 (D) Automated case management tools
13 which include a repository of relevant data and
14 metadata that enable advanced tracking, report-
15 ing, and optimization to aid workflows.

16 (E) Integrated geographic information sys-
17 tem analysis tools which incorporate geospatial
18 data layers and models for each resource ana-
19 lyzed as part of an environmental review or au-
20 thorization for a given study area.

21 (F) Document management tools that pre-
22 serve metadata associated with geospatial anal-
23 ysis, modeling, and other analytic processes
24 conducted during an environmental review or
25 authorization, to support future reviews and en-

1 able Artificial Intelligence-assisted analysis of
2 past decisions.

3 (G) Automated comment compilation and
4 analysis tools, including services for comment
5 categorization and response that handle the
6 lifecycle of comment submission, analysis, cat-
7 egorization and response with Artificial Intel-
8 ligence support where appropriate.

9 (H) Administrative record management
10 tools that maintain both portable document for-
11 mats and data-rich repositories accessible to
12 both machine and human users.

13 (I) Common or interoperable Federal agen-
14 cy services that integrate shared services,
15 shared applications, and common user experi-
16 ences for Federal agency staff, project sponsors,
17 and the public.

18 (b) INCLUSIONS.—The guidance published under this
19 section shall include the following:

20 (1) Guidelines for cloud-based storage, data
21 sharing protocols, and application programming
22 interfaces to enable the Council on Environmental
23 Quality to work with Federal agencies to use author-
24 ization data to aid Federal agencies in modernizing

1 their environmental reviews and authorizations and
2 for iterative development of the authorization portal.

3 (2) Provisions that support scalability and
4 adaptability of the minimum requirements to emerg-
5 ing technologies.

6 **SEC. 6. IMPLEMENTATION OF DATA STANDARDS AND MIN-**
7 **IMUM FUNCTIONAL REQUIREMENTS.**

8 (a) IMPLEMENTATION.—The head of each Federal
9 agency responsible for environmental reviews or authoriza-
10 tions shall—

11 (1) not later than 90 days after the date of en-
12 actment of this Act—

13 (A) compare existing Federal agency sys-
14 tems for environmental reviews and authoriza-
15 tions with the data standards published under
16 section 3 and the minimum functional require-
17 ments described in section 5(a)(2) and report
18 findings from such comparison to the Council
19 on Environmental Quality;

20 (B) assess whether existing Federal agency
21 technological capabilities are consistent with the
22 data standards published under section 3 and
23 the minimum functional requirements described
24 in section 5(a)(2);

1 (C) submit to the Council on Environ-
2 mental Quality a report that estimates the com-
3 pletion dates for implementing the data stand-
4 ards published under section 3 and the min-
5 imum functional requirements described in sec-
6 tion 5(a)(2); and

7 (D) submit to the Council on Environ-
8 mental Quality, in consultation with the Council
9 on Environmental Quality, an implementation
10 plan that—

11 (i) describes how the Federal agency
12 will implement the data standards pub-
13 lished under section 3 and the minimum
14 functional requirements described in sec-
15 tion 5(a)(2); and

16 (ii) describes how, to the extent the
17 Federal agency determines necessary to
18 meet relevant statutory requirements, the
19 Federal agency will adopt or implement
20 the prototype tools tested, designed, and
21 built under section 4; and

22 (2) not later than 180 days after the date of
23 enactment of this Act, begin implementing the data
24 standards published under section 3 and the min-

1 imum functional requirements described in section
2 5(a)(2).

3 (b) REPORT.—Not less frequently than twice each
4 year, the Chief Information Officer of each Federal agen-
5 cy, in consultation with the Chief Environmental Review
6 and Permitting Officer of each Federal agency, shall sub-
7 mit to the Council on Environmental Quality and the Di-
8 rector of the Office of Management and Budget a report
9 on the progress of the Federal agency towards meeting
10 the requirements of subsection (a).

11 **SEC. 7. UNIFIED INTERAGENCY DATA SYSTEM.**

12 (a) IN GENERAL.—

13 (1) UNIFIED INTERAGENCY DATA SYSTEM.—To
14 the maximum extent practicable, the Chair of the
15 Council of Environmental Quality and the head of
16 each Federal agency responsible for environmental
17 reviews or authorizations shall iteratively develop
18 and maintain a unified interagency data system con-
19 sisting of interconnected Federal agency systems
20 and shared services for environmental reviews and
21 authorizations.

22 (2) AUTHORIZATION PORTAL.—

23 (A) IN GENERAL.—The shared services de-
24 veloped and maintained under paragraph (1)

1 shall include a common interactive, digital,
2 cloud-based authorization portal, which shall—

3 (i) be designed in a manner consistent
4 with—

5 (I) the recommendations of the
6 Council on Environmental Quality in-
7 cluded in the study submitted pursu-
8 ant to section 110 of the National En-
9 vironmental Policy Act of 1969 (42
10 U.S.C. 4336d) titled “Council on En-
11 vironmental Quality Report to Con-
12 gress on the Potential for Online and
13 Digital Technologies to Address
14 Delays in Reviews and Improve Public
15 Accessibility and Transparency under
16 42 U.S.C. 4332(2)(C)”;

17 (II) the minimum functional re-
18 quirements described in section
19 5(a)(2);

20 (ii) serve as a centralized platform for
21 tracking and displaying real-time data on
22 environmental reviews and authorizations
23 made available through application pro-
24 gramming interfaces or other reporting
25 mechanisms from Federal agency systems

1 that are compliant with the data standards
2 and data architecture described in this Act;

3 (iii) include a mechanism for the dis-
4 semination of relevant information (such
5 as a notice of intent for public comment,
6 public meetings, project statuses, or a no-
7 tice of intent to begin an environmental re-
8 view) to local communities, as applicable;

9 (iv) allow a project sponsor to submit
10 all necessary documentation for environ-
11 mental reviews and authorizations in one
12 unified and secure portal;

13 (v) support interactive, digital, and
14 cloud-based tools enabling applicants to
15 edit documents and collaborate with rel-
16 evant Federal agencies in real time;

17 (vi) support visual features, including
18 video, animation, geographic information
19 system displays, interactive maps, and
20 three-dimensional renderings;

21 (vii) provide for the exchange of infor-
22 mation to and from Federal agency data
23 systems via an application programming
24 interface or another reporting mechanisms;

1 (viii) allow for the submission of
2 geospatial data associated with project lo-
3 cation, footprint, and impact;

4 (ix) support automatic documentation
5 of submission and process timelines; and

6 (x) allow the following metrics to be
7 tracked over time—

8 (I) estimates of achieved effi-
9 ciencies, such as reductions in the
10 time between receipt of applications
11 and final authorization decisions;

12 (II) comparisons of authorization
13 timelines before and after the imple-
14 mentation of this Act;

15 (III) usage of the authorization
16 portal and other statistics from the
17 Digital Analytics Program;

18 (IV) metrics on the number of
19 public comments received, responses
20 provided, and community meetings
21 held;

22 (V) the number of projects sub-
23 ject to litigation based on authoriza-
24 tion deficiencies or inefficiencies;

1 (VI) a list of Federal agencies
2 that are not yet fully compliant with
3 the data standards published under
4 section 3 and the minimum functional
5 requirements described in section
6 5(a)(2), along with their progress to-
7 ward compliance; and

8 (VII) examples or repositories of
9 Federal agency-developed digital
10 workflows enabled by the implementa-
11 tion of this Act, including visualiza-
12 tions of data sharing, authorizations
13 and decision logic, and environmental
14 reviews.

15 (B) ADMINISTRATIVE SUPPORT.—The Ad-
16 ministrator of General Services shall host the
17 authorization portal as a shared service for
18 Congress, Federal agencies, and the public.

19 (C) ACCESSABILITY.—The authorization
20 portal shall be accessible to Congress, Federal
21 agencies, and the public, with appropriate safe-
22 guards to protect sensitive or classified informa-
23 tion and information restricted by user type as
24 appropriate.

1 (D) PUBLIC ACCESSIBILITY.—To the ex-
2 tent practicable and consistent with other law,
3 the authorization portal shall provide public ac-
4 cess to non-sensitive data, including authoriza-
5 tion timelines, location, project type, environ-
6 mental reviews, and mitigation measures.

7 (E) CONGRESSIONAL ACCESS AND OVER-
8 SIGHT.—

9 (i) IN GENERAL.—The authorization
10 portal shall provide Congress with direct
11 access to aggregated performance data and
12 other analytics to enable real-time over-
13 sight of Federal agencies.

14 (ii) TECHNICAL ASSISTANCE.—The
15 Council on Environmental Quality shall
16 provide to Congress technical assistance
17 upon request to ensure effective use of the
18 authorization portal for oversight purposes.

19 (3) CYBERSECURITY AND COMPLIANCE CONSID-
20 ERATIONS.—The authorization portal shall be de-
21 signed to promote interoperability, reduce redun-
22 dancy, and ensure compliance and coordination with
23 other laws, including—

24 (A) section 552a of title 5, United States
25 Code, (commonly referred to as the Privacy Act

1 of 1974) and subchapter II of chapter 35 of
2 title 44, United States Code;

3 (B) the Federal Risk and Authorization
4 Management Program established under section
5 3608 of title 44, United States Code; and

6 (C) the Cybersecurity and Infrastructure
7 Security Agency of the Department of Home-
8 land Security, for a case in which the project is
9 in coordination with a Federal agency with
10 stringent security requirements.

11 (b) DEADLINES.—

12 (1) SHARED SERVICES PILOT.—Not later than
13 one year after the date of enactment of this Act, the
14 Council on Environmental Quality shall oversee pi-
15 loting of shared services for environmental reviews
16 and authorizations, including the authorization por-
17 tal under subsection (a)(2).

18 (2) UNIFIED SYSTEM DEVELOPMENT AND IM-
19 PLEMENTATION.—To the maximum extent prac-
20 ticable, not later than December 1, 2027, the Chair
21 of the Council on Environmental Quality shall de-
22 velop and implement the unified interagency data
23 system required under subsection (a)(1).

24 (c) REPORT.—Not less frequently than annually, the
25 Chair of the Council on Environmental Quality, in con-

1 sultation with the Federal Permitting Improvement Steer-
2 ing Council, the Chief Information Officers Council, and
3 other relevant stakeholders and Federal agencies, shall
4 submit to the Committee on Natural Resources of the
5 House of Representatives and the Committee on Energy
6 and Natural Resources of the Senate a report on the
7 Council on Environmental Quality's progress on devel-
8 oping a unified interagency data system under subsection
9 (a).

10 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
11 authorized to be appropriated to carry out this section
12 \$1,000,000 for each of fiscal years 2026 through 2032,
13 to remain available until expended.

14 **SEC. 8. AUTHORITY TO ENTER INTO CONTRACTS.**

15 The Council on Environmental Quality may enter
16 into contracts and other arrangements for analyses, serv-
17 ices, and products with Federal agencies, private organiza-
18 tions, and businesses, and make such payments as deter-
19 mined necessary by the Council on Environmental Quality
20 to carry out the provisions of this Act.

21 **SEC. 9. CLARIFYING RULEMAKING AUTHORITY.**

22 Nothing in this Act shall be construed to authorize
23 the Council on Environmental Quality or a Federal agency
24 to impose additional regulatory processes or requirements
25 beyond those expressly stipulated under the National En-

1 vironmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)
2 or any other law.

3 **SEC. 10. DEFINITIONS.**

4 In this Act:

5 (1) **AUTHORIZATION.**—The term “authoriza-
6 tion” means any license, permit, approval, finding,
7 determination, or other administrative decision
8 issued by an agency and any interagency consulta-
9 tion that is required or authorized under Federal
10 law in order to site, construct, reconstruct, or com-
11 mence operations of a project administered by a
12 Federal agency.

13 (2) **AUTHORIZATION DATA.**—The term “author-
14 ization data” means—

15 (A) any data relevant for a Federal agency
16 to—

17 (i) determine the effect on the envi-
18 ronment of an action for which an author-
19 ization is required by the Federal agency;
20 and

21 (ii) determine whether to issue such
22 authorization; and

23 (B) any community input or public com-
24 ment on such determinations.

1 (3) DATA ARCHITECTURE.—The term “data ar-
2 chitecture” means the design and organization of
3 data systems, including frameworks for data storage,
4 processing, and exchange.

5 (4) DATA STANDARDS.—The term “data stand-
6 ards” means agreed-upon specifications for data for-
7 mats, structures, and definitions to ensure consist-
8 ency and interoperability.

9 (5) ENVIRONMENTAL REVIEW.—The term “en-
10 vironmental review” means any Federal agency pro-
11 cedures or processes for—

12 (A) applying a categorical exclusion; or

13 (B) preparing an environmental assess-
14 ment, an environmental impact statement, or
15 another document required under the National
16 Environmental Policy Act of 1969 (42 U.S.C.
17 4321 et seq.).

18 (6) FEDERAL AGENCY.—The term “Federal
19 agency” has the meaning given the term “agency”
20 in section 551 of title 5, United States Code.

21 (7) FEDERAL PERMITTING IMPROVEMENT
22 STEERING COUNCIL.—The term “Federal Permitting
23 Improvement Steering Council” has the meaning
24 given the term “Council” in section 41001 of the
25 FAST Act (42 U.S.C. 4370m).