



EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
WASHINGTON, D.C. 20503

June 17, 2025.

The Honorable Shelley Moore Capito
Chair
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

The Honorable Sheldon Whitehouse
Ranking Member
Committee on Environment and Public Works
United States Senate
Washington, DC 20510

The Honorable Bruce Westerman
Chair
Committee on Natural Resources
U.S. House of Representatives
Washington, DC 20515

The Honorable Jared Huffman
Ranking Member
Committee on Natural Resources
U.S. House of Representatives
Washington, DC 20515

Dear Chairs and Ranking Members of the Committee on Natural Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate:

Section 321 of the Fiscal Responsibility Act of 2023 amended the National Environmental Policy Act of 1969 (NEPA) by adding Section 107 on Timely and Unified Federal Reviews. 42 U.S.C. § 4336a. Paragraph (g)(1) of Section 107 establishes a 2-year deadline for agencies to complete environmental impact statements (EISs) and a 1-year deadline to complete environmental assessments (EAs). Section 107(g)(2) provides that agencies may extend these deadlines to allow only as much additional time is necessary to complete environmental document, in consultation with the project proponent (if applicable).

Paragraph (h)(1) of Section 107 requires the head of each lead agency to submit an annual report to the Committee on Natural Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate that:

(A) identifies any environmental assessment and environmental impact statement that such lead agency did not complete by the deadline; and

(B) provides an explanation for any failure to meet such deadline.

Congress further specified, in Section 107(h)(2), that the report shall include, as applicable, the office, bureau, division, unit, or other entity within the Federal agency responsible for the environmental document. The report must also include the date on which: the agency notified the project proponent that the application to establish a right-of-way for the proposed action is complete; the agency began the scoping for the proposed action; or the agency issued a notice of intent to prepare the environmental document. Finally, report must include the date when the delayed environmental document is expected to be complete. 42 U.S.C. § 4336a(h)(2).

Under the statute, Federal agencies are responsible for preparing annual reports. To assist the Committees' review of the reports, the Council on Environmental Quality (CEQ) has coordinated responses across the Federal government in order to provide a unified submission. To that end, on April 10, 2025, CEQ issued a memorandum to heads of Federal departments and agencies titled "Reports to Congress on Deadlines under the National Environmental Policy Act." With that memorandum, CEQ provided a template for the Report to Congress for potential agency use and requested agency submissions to CEQ by May 2, 2025, to allow CEQ to provide a unitary response to Congress.

CEQ shared the memorandum and template with representatives of the Departments of Commerce, Defense, Education, Energy, Health and Human Services, Housing and Urban Development, Interior, Homeland Security, Justice, Labor, State, Transportation, Treasury, and Veterans Affairs. CEQ also provided the memorandum and template to 40 independent agencies, including the Environmental Protection Agency, Federal Energy Regulatory Commission, General Services Administration, National Aeronautics and Space Administration, and the Nuclear Regulatory Commission. In the memorandum and in follow-up communications, CEQ advised that departments and agencies need not provide a report to CEQ if they had no missed deadlines.

Based on the agency submissions received in response to the April 10, 2025 Memorandum and updates received during an interagency review process, CEQ has prepared Appendix A, a consolidated report consisting of information from lead agencies voluntarily submitted to CEQ. Appendix A lists each EA or EIS that was not completed by the applicable deadline for lead agencies that submitted information to CEQ, per the requirements in Section 107(h). Where the appendix includes an estimated completion date that was in the past, the agencies have represented that the document was completed by that date. CEQ formatted the information for consistency, but did not alter the content submitted by the departments and agencies.

Count of Missed Deadlines Reported by Lead Agencies, 6/3/2023 – 6/3/2025

Departments reporting missed deadlines	Component agencies reporting missed deadlines	Number of missed EAs	Number of missed EISs	Independent agencies reporting missed deadlines	Number of missed EAs	Number of missed EISs
Agriculture	Forest Service	22	0	Federal Energy Regulatory Commission	1	0
	Natural Resources Conservation Service	6	0	NASA	1	0
	Rural Development	8	1	Northern Border Regional Commission	7	0
Defense	National Security Administration	1	0			
	US Air Force	2	0			
	US Army Corps of Engineers	85	0			
Energy	Fossil Energy and Carbon Management	1	0			
Health and Human Services	Food and Drug Administration	0	1			
	Health Resources and Services Administration	9	0			
Homeland Security	US Coast Guard	1	0			
Housing and Urban Development	Community Planning and Development	2	0			
	Housing: Multifamily FHA	5	0			
	Public Housing	1	0			
Transportation	Federal Aviation Administration	1	0			
All departments subtotal		144	2	All independent agencies subtotal	9	0
All department and agencies total					153	2