

## Attachment 1

### **Removing Legal Enforceability of Council on Environmental Quality Regulations Under the National Environmental Policy Act; Reviewing and Revising Those Regulations**

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to streamline Federal agency compliance with the National Environmental Policy Act (NEPA), 42 U.S.C. §§ 4321 et seq., and to aid in the creation of American jobs, reduce delays in vital federal projects, save taxpayer dollars and make government more efficient and effective without harming the environment, it is hereby ordered as follows:

Section 1. Executive Order 11514, as amended by Executive Order 11991, is revised by deleting section 2(g) thereof. Executive Order 11991 is revised by deleting section 2 thereof.

Section 2. Executive Order 11514, as amended by Executive Order 11991, is revised to add the following sentence at the end of section 3(h):

Federal agency implementation of the regulations authorized by this Order, as amended, is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity against the United States, its departments, agencies, entities, officers, employees or agents, or any other person.

Section 3. Executive Order 11514, as amended by Executive Order 11991, is revised to add Section 5 as follows:

Section 5. General Provisions.

(a) Nothing in this Executive Order, as amended, shall be construed to impair or otherwise affect: (i) authority granted by law to an agency, or the head thereof; or (ii) functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This Executive Order, as amended, shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This Executive Order, as amended, and any action by the Council or a Federal agency based on this Executive Order, as amended, including the issuance, amendment or implementation of regulations to Federal agencies under section (3)(h), is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity against the United States, its departments, agencies, entities, officers, employees or agents, or any other person.

Sec. 4. General Provisions.

(a) Nothing in this order shall be construed to impair or otherwise affect: (i) authority granted by law to a department or agency, or the head thereof; or (ii) functions of the Director of the Office of Management and Budget relating to budget, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

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THE WHITE HOUSE,

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