



**FROM:** Kountoupes Denham Carr & Reid

**DATE:** Wednesday, January 28, 2026

**RE:** Senate Environment and Public Works Full Committee Hearing to Examine the Federal Environmental Review and Permitting Processes, Part II

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### **Topline Summary**

- Members of the Senate Environment and Public Works (EPW) Committee convened for a second hearing to examine the federal environmental review and permitting process.
- The committee examined how delays, uncertainty, and politicization in the federal environmental review and permitting process affect energy infrastructure, housing, grid reliability, affordability, and national competitiveness, with repeated questions focused on timelines, interagency coordination, litigation, and certainty for fully permitted projects.
- There was bipartisan agreement that significant reforms are needed to the current permitting system to improve predictability and efficiency. Democrats emphasized the need for clean energy deployment, grid reliability, and executive branch delays, while Republicans focused more heavily on regulatory overreach, litigation reform, impacts on traditional energy projects, and restoring balance between federal and state authority.
- Witnesses consistently stressed that permitting uncertainty deters investment, disrupts workforce training and job stability, raises consumer costs, and undermines energy reliability, while urging reforms that provide durable permit finality, clear timelines, reduced litigation risk, technology-neutral treatment of energy sources, and better coordination across federal and state agencies.

**Senators Attending:** Chairwoman Shelley Moore Capito (R-WV), Ranking Member Sheldon Whitehouse (D-RI), Sen. John Curtis (R-UT), Sen. Lisa Blunt Rochester (D-DE), Sen. Kevin Cramer (R-ND), Sen. Alex Padilla (D-CA), Sen. Jon Husted (R-OH), Sen. Angela Alsobrooks (D-MD), Sen. John Boozman (R-AR), Sen. Ed Markey (D-MA), Sen. Cynthia Lummis (R-WY), Sen. Adam Schiff (D-CA), Sen. Pete Ricketts (R-NE), Sen. Dan Sullivan (R-AK)

### **[Live Hearing Link](#)**

*Hearing called to order by Chairwoman Capito.*

### **Opening Statements**



**Chairman Shelley Moore Capito (R-WV):** Today we will continue our discussion on the need to modernize our federal environmental review and permitting process.

I would like to begin by thanking my colleagues who are here with me, and in particular Ranking Member Whitehouse, for their drive to elevate problems in our current permitting regime and to work constructively together. It's what we need to do.

Over the past year, we have all discussed how the existing structure pits uncertainty and the misapplication and abuse of our laws, against American prosperity. We have had fruitful discussions, yet we are now a year older. This is sometimes the never-ending story on permitting, but we're going to get an end to that story, I hope. And we are still seeking common ground on practical and durable solutions.

If Congress can deliver these critical solutions, we will unleash the investment required to build American infrastructure, unlock the supply of essential commodities and materials, grow our manufacturing, improve affordability by lowering prices, and create economic opportunity across our entire country.

Without Congressional action, we will continue to see the pattern of the last two decades. Each new administration will reverse the policies of the last, eroding trust of American businesses and workers and ensuring we cannot plan or build for either the present or for our future.

This is not just speculation. We have all had communities we represent impacted by projects that were delayed or outright canceled by new administrations. I know West Virginia families have experienced this deep disappointment on multiple occasions.

So, I say to all my colleagues today: I know your pain, all the way around, and I want Congress to address it now. Let's remove the politics from permitting once and for all.

To do that, we need to think creatively, learn from the existing system's failures and craft solutions to align our permitting laws with what the Americans want and need: affordability, predictability and opportunity. And we will do that by protecting the air that we breathe, the water that we drink and the land that we love.

We all know EPW's long tradition of bipartisan legislation on tough issues. This is an important reason that I joined this Committee when I was first elected to the Senate over a decade ago and how I approach my role as Chairman.

I called this hearing with the Ranking Member with the intent to get us back on the path to fruitful compromise through identifying both the urgent need to act on reform and the scope of priorities we must address.

Turning to the policies for permitting reform, my priorities remain largely the same:



- This legislation must be bipartisan to be successful and durable.
- This legislation must be project neutral.
- This legislation must create predictability, consistency and finality in securing a permit.
- This legislation must bring accountability to every stage of the process.
- This legislation must go beyond NEPA to address issues with our core permitting laws and processes.
- This legislation must include provisions that address judicial review of fully permitted projects.
- Finally, this legislation must be written in collaboration with our colleagues on the Energy and Natural Resources Committee to address issues within their jurisdiction, and we've been working steadily with them.

I have spent the last year listening to the Ranking Member and my Democrat colleagues as well as the priorities of the current Administration in order to understand what legislative policies would meet each of their stated goals and concerns.

I think our goals share more in common than most would admit, and there are many sensible compromises that are in the best interest of the American people to unlock our development, grow our economy, increase supply and decrease prices in our states and communities. This growing consensus demands action now or we are likely to miss this once-in-a-lifetime opportunity.

The House acted last month by passing bipartisan reforms to NEPA and the Clean Water Act. It is now time for the Senate to act, so we invited these witnesses here today for two main reasons.

First, they can share with us the pressing need to act this year on reforms and what we will leave on the table if we are unsuccessful. Second, they can share their invaluable perspectives on the most important reforms to truly unleash America's potential and relieve the economic pressure Americans are facing across the nation.

I look forward to making progress with all of you and hearing your insights.

**Ranking Member Sheldon Whitehouse (D-RI):** Madam Chair, I appreciate your convening today's hearing, a bipartisan hearing on permitting reform. Colleagues have heard me repeatedly state that I want a strong bipartisan permitting reform, AND that there was a trust problem with the administration's behavior that would need to be solved.

Trump's initial executive order declaring an energy emergency but not defining solar or wind as energy, was a bad, and irrational, start.

But we were still willing to work.



Then began the unlawful and irrational blockade of offshore wind, leading to a stop-work order on the Empire Wind project off New York, quickly lifted after the governor expressed “willingness to move forward on critical pipeline capacity.”

This all stank, but I remained willing to work on a permitting bill.

In August, “Stop Work” Trump struck again, against Revolution Wind off Rhode Island — a project over 80 percent complete, with 4 billion invested — based on supposed “national security” concerns. That order was instantly thrown out in court as “arbitrary and capricious,” in part because the Trump administration had been making the opposite arguments, about that same project, in the same courthouse, just weeks earlier.

Our New England grid operator warned back then: “Unpredictable risks and threats to resources ... that have made significant capital investments, secured necessary permits, and are close to completion will stifle future investments, increase costs to consumers, and undermine the power grid’s reliability and the region’s economy now and in the future.” Consumer cost, grid reliability, and economic security were all put arbitrarily and capriciously at risk.

Still, we kept working in permitting negotiations.

On land, the Interior Secretary wrapped solar and wind projects up in red tape with dozens of new layers of political review, including a stop at his own desk — where things stopped. Since then, only one solar project has received approval.

The U.S. Army Corps of Engineers and multiple other federal agencies adopted a made-up and nonsensical “energy density” metric that prioritizes fossil fuel.

Still, we kept working on permitting reform.

The administration’s offshore defeat in court was such a pasting that they did not appeal; that appeals period lapsed in November. Everyone was back to work. We thought the nonsense was over. But no.

Thirty days later, days before Christmas, they dropped a new stop-work order on five offshore wind projects, including Empire and Revolution. The new pretext was national security risks that had supposedly emerged in the previous thirty days. That’s been reviewed now by four federal judges, and the administration went 0 for 4. Not one judge believed them.

All along, the Energy and Interior secretaries were lying non-stop that these projects would raise costs. That is demonstrably false. Grid operators put these projects before fossil fuel in the generation stack because they’re less expensive. Revolution Wind by contract will put 9-cent kilowatt-hours into an 18-cent kilowatt-hour grid. Court filings and affidavits asserted hundreds of millions in consumer cost savings that the administration could not deny in court — but they kept lying in public.



When federal judges don't believe executive branch pretexts about national security, repeatedly, and cabinet secretaries demonstrably lie, repeatedly, enough is enough. So Sen. Heinrich and I have paused permitting reform negotiations.

Let me be clear. We find no fault with Senate Republicans. Chair Capito has been an excellent partner, and I am grateful to Whip Barrasso and Leader Thune for how they've responded. This is not Democrat versus Republican. This is legislative versus executive, an executive that won't honor its constitutional duty to faithfully execute the law.

Make no mistake: the Trump administration's lawless, irrational, and unpredictable attacks loom over every industry. None of it is good for business. The nonsense must stop.

I still want to pass bipartisan Senate permitting reform. I know we can expedite the permitting process with sound bipartisan ideas that frontload stakeholder engagement and discipline an executive inter-agency process run amok. We can add jobs and electrons and reduce emissions and waste.

But it makes no sense to pass a bipartisan permitting reform that gets illegally butchered by a lawless executive branch, vindictively, irrationally, and dishonestly. The responsibility for resuscitating permitting reform rests now upon the executive branch, upon credible confidence that the nonsense will stop.

Plenty of powerful interests need electrons, lots of electrons, and want the low-cost electrons that clean energy provides. If that's you, you need to direct your efforts toward ending the lawless nonsense from this administration. If you're fossil fuel, and you want this lawless nonsense stopped because you could be next, you'd better tell them so.

Proceeding with this bipartisan hearing is our demonstration of hope that the nonsense can be stopped, which I dearly hope is not unjustified.

### **Witnesses**

**Mr. Brendan Bechtel**, Chair of the Smart Regulation Committee, Business Roundtable

[\*Testimony\*](#)

**Mr. Brent Booker**, General President, Laborers' International Union of North America (LIUNA)

[\*Testimony\*](#)

**Mr. Dustin Meyer**, Senior Vice President of Policy, Economics and Regulatory Affairs, American Petroleum Institute

[\*Testimony\*](#)

**Ms. Abigail Ross Hopper**, President and CEO, Solar Energy Industries Association

[\*Testimony\*](#)

**Mr. David S. Terry**, President, National Association of State Energy Officials

[\*Testimony\*](#)



## **Q&A**

**Chairwoman Shelley Moore Capito (R-WV)** questioned witnesses about how uncertainty in federal permitting, particularly during presidential transitions, affects infrastructure projects that have already received approvals. Mr. Bechtel stated that unpredictability after permits are issued disrupts long-term investment, workforce planning, and community preparation, noting that companies often commit resources 18 to 36 months in advance and that durable, predictable permitting outcomes are critical. In response to a comparison with other countries, Mr. Bechtel cited Australia and Canada as examples where efficiency and strong environmental protections coexist. Mr. Booker emphasized that permitting uncertainty directly harms workers, explaining that skilled labor requires long-term training and that abrupt project cancellations can upend workers' livelihoods and family stability. Mr. Meyer added that even when projects meet regulatory requirements, continued litigation and a lack of finality deter investment and discourage new proposals. Ms. Hopper highlighted consumer impacts, arguing that delayed or canceled energy projects reduce supply and drive up energy costs. Mr. Terry concluded by noting that from a state perspective, unpredictable federal permitting functions as a hidden tax that increases costs for homeowners, farmers, and small businesses while undermining affordability, competitiveness, and energy security.

**Ranking Member Sheldon Whitehouse (D-RI)** framed the discussion around global competition in clean energy, noting that China has rapidly expanded its electric grid and arguing that delays in U.S. permitting risk undermining competitiveness, particularly as significant generation capacity awaits grid connection. He emphasized the need to reform interagency processes, which he described as overly burdened by delay and unresolved agency conflicts, and to prioritize early stakeholder engagement as a way to avoid prolonged disputes. Drawing on offshore wind examples, he contrasted projects that engaged stakeholders early and benefited from effective state permitting with others that faced prolonged opposition and operational setbacks. Ranking Member Whitehouse argued that well executed state regulatory processes should be respected at the federal level and urged industry leaders, including executives and energy intensive sectors such as data centers, to engage more directly with the administration to address permitting barriers. He concluded by stating that while the panel reflected broad agreement on the issues, the central challenge lies within executive branch decision making, including what he characterized as unlawful delays and permit inaction, and expressed his intent to work with the committee and witnesses to resolve these problems.

**Sen. John Curtis (R-UT)** emphasized the value of permitting reform and that the status quo was not working due to an unpredictable, duplicative and vulnerable process impacting reliability, affordability, and the ability to meet growing demands. He said permitting was intended to ensure sound decision-making, public input, and environmental stewardship in a reasonable and transparent manner, but it did not meet those standards. He highlighted the E-Permit Act that would digitalize permitting approvals. Sen. Curtis stated the need for certainty and said no



project should be afraid of being halted at the whim of an administration, noting that they could not expect sustained investment without certainty. He said permitting reform was not about choosing between environmental standards and development but was about recognizing the current process did not serve either side. He asked Mr. Booker about the impact of the swing between administration on training, planning, retention and recruiting, specifically in rural America. Mr. Booker said energy projects should not be political, and they went out in rural communities to bring people in to identify their skillsets and put them through apprenticeships and journeyman training and predictability was essential to that. Sen. Curtis asked Mr. Bechtel how the swings between administrations impact business and investment. Mr. Bechtel said from a competitiveness perspective, capital was mobile and would go wherever uncertainty was lowest, and the current system undermined competitiveness both at home and abroad. Sen. Curtis said that consumers were paying dramatically for this and he wanted to look into giving states more authority.

**Sen. Lisa Blunt Rochester (D-DE)** said this was about national competitiveness, security, jobs and consumers. She noted that serious permitting conversations needed to address the Trump administration's attacks on clean energy and the need for permitting certainty. She spoke about Delaware's reliance on outside energy sources and asked Ms. Hopper why the opportunity to transition to locally produced energy, such as solar or wind, is so important to a state like Delaware. Ms. Hopper said it was important to utilize all the potential tools, such as home solar, corporate solar, to reduce the need for transmission and lower costs. Sen. Blunt Rochester asked Mr. Terry why producing its own energy was crucial to a state regardless of source. Mr. Terry said the ability for a state to use what was local added value. Sen. Blunt Rochester emphasized the importance of permitting certainty, including retroactive protections for permit holders. She asked the witnesses if they agreed that regardless of administration, permitting certainty was necessary for lease holders and those seeking leases. The witness said yes. Sen. Blunt Rochester asked Ms. Hopper why retroactive certainty for fully permitted project so important and what were the consequences of selective reopenings of prior permit approvals. Ms. Hopper said it was catastrophic for investors and consumers, and recommended listening to grid operators about the significance of this impact. Sen. Blunt Rochester noted that Delaware was part of the PJM interconnection and without new clean energy projects, energy rates would increase by as much as 95% by 2032. She asked Mr. Terry what type of energy efficiency efforts should be included in a permitting package to help alleviate the growing demand. Mr. Terry recommended a technology neutral approach, grid optimization, efficiency technology for transmission distribution systems, and use efficiency technologies.

**Sen. Kevin Cramer (R-ND)** criticized the government's misalignment of incentives and noted how this hearing is an opportunity to correct the alignment. He spoke to the Clean Water Act, 401 Permits, and the new Waters of the United States (WOTUS) rule to comply with Sackett, and asked Mr. Meyer how helpful the new rule is. Mr. Meyer responded that while he is supportive of the new rule, it falls short of what is truly needed, which is a legislative fix to the way that Section 401 under the Clean Water Act has been historically weaponized against



interstate natural gas pipelines. Sen. Cramer asked Mr. Bechtel if he would like to add to Mr. Meyer's statement. Mr. Bechtel answered that the reason BRT has been so focused on bipartisan permitting reform legislation is because it is the only durable solution. Sen. Cramer spoke about the importance of linear permitting for infrastructure, especially for transmission lines. He then began talking about the issue of cost allocation for electricity. He emphasized the need to find some common ground between utilities and rate payers. He asked Mr. Terry about his thoughts on the issue of cost allocation. Mr. Terry answered that there needs to be more flexibility provided to the Federal Energy Regulatory Commission (FERC) while respecting state jurisdiction and state roles but noted that there is not a simple solution. He mentioned that NASEO has recommended that economic analyses be conducted to show the overall economic benefit to state consumers.

**Sen. Alex Padilla (D-CA)** mentioned how the Interior Department issued a memo in July 2025, which escalated 68 different project reviews to the secretary level. He highlighted how projects that were once routine agency actions now require secretary approval, turning critical generating and storage into political issues. He asked Mr. Meyer if he thinks there should be a reduction in political involvement in agency permitting project reviews. Mr. Meyer said that permitting reviews should be streamlined. Sen. Padilla asked Mr. Meyer if he thinks it is helpful that the Secretary of the Interior should sign off on routine energy project reviews. Mr. Meyer answered that he understands Sen. Padilla's concern, but noted he is not close enough to the issue to be able to comment. Sen. Padilla asked Mr. Meyer if Secretary sign off on permitting review projects expedites or slows down approvals. Mr. Meyer said he is unable to make an educated comment. Sen. Padilla mentioned how the Department of the Interior's directives are stalling over 100 gigawatts of energy projects that could be connected to the grid and which could help the country meet the growing energy demand. He noted how Ms. Hopper mentioned in her testimony how developers are facing issues in obtaining a clear decision on permitting reviews and asked her what statutory protection she recommends for consideration to resolve this issue. Ms. Hopper said that clarification on where the level of authority lies is important to address through legislation. She also recommended legislative clarification of deadlines and accountability to ensure more predictability and consistency in review timelines. Sen. Padilla spoke to Ms. Hopper's statement on the House passed Speed Act, where she characterized it as insufficient. He asked her to explain her statement in more detail. Ms. Hopper said that prospective discriminatory treatment was not properly addressed in the Speed Act.

**Sen. Jon Husted (R-OH)** began by saying that efficient timelines and new investments are critical for growing the domestic supply chain of things that are essential for U.S. economic and national security. He asked Mr. Bechtel to explain the importance of permitting reforms to resolve the issue of \$2.5 trillion in capital not being utilized. Mr. Bechtel answered that there is \$1.5 trillion in investments are currently waiting in the queue for permits, and it takes on average 4-5 years for every dollar of investment that enters the queue to come out the other side, whether it is a private dollar or public taxpayer dollar. He continued that once that is added up, we are losing somewhere between \$100-140 billion a year in unrealized returns, and the induced GDP impact is about \$2.4 trillion a year. He added that if the permitting process can be fixed, everyone wins. Sen. Husted asked Mr. Bechtel the timeline difference between projects in the United States and projects being completed internationally. Mr. Bechtel said that it varies widely



between countries. He noted how Australia and Canada consistently and predictably issue permits within 2-3 years. He emphasized how permitting delays lead to real costs for consumers and taxpayers. Sen. Husted asked Mr. Booker to reflect on the costs that developers experience due to permitting delays. Mr. Booker said the major cost that developers experience is the loss of jobs due to permitting delays.

**Sen. Angela Alsobrooks (D-MD)** spoke about how energy projects provide good jobs in Maryland and meet the rapidly growing electricity demand. She criticized the uncertainty around permitting process timelines at the local, state, and federal level, and emphasized the need for bipartisan legislation to fix that uncertainty. She asked Mr. Booker what happens to union workers and their families when projects are cancelled that are fully permitted and ready to build. Mr. Booker answered that workers are sent home without a paycheck until a federal judge allows the project to continue. Sen. Alsobrooks brought attention to the apprenticeship pipelines, workforce training, and the ability to bring the next generation of workers into the building trades being impacted by cancelled projects and asked Mr. Booker to speak to that. Mr. Booker answered that workforce training and apprenticeships involve work while learning. He continued that when there are no jobs available, people cannot graduate to the next level of apprenticeship, earn more wages, and obtain the skillset needed to enter the workforce. Sen. Alsobrooks asked Mr. Terry about the seriousness of the reliability risk when projects to meet energy demands are stalled or cancelled after years of planning and permitting. Mr. Terry said that the reliability risk is incredibly serious as the energy system is interdependent. Sen. Alsobrooks asked Ms. Hopper about the consequences for the U.S. energy systems, consumers, and workforce, if federal agencies continue to delay, reopen, or cancel projects that were already approved. Ms. Hopper said that prices will go up, impacting the cost of living for everyone.

**Sen. John Boozman (R-AR)** spoke about the impact of Winter Storm Fern and the preparations by local utilities in collaboration with the Department of Energy and Environmental Protection Agency (EPA) prior to the storm. He asked the witnesses for recommendations on how the EPA could enable more flexibility for backup generators to operate during grid emergencies and how comprehensive permitting reform would allow for utilities to better prepare for the next emergency. Mr. Terry said that cooperation between EPA, governor's offices and state energy departments to ensure that emergency backup generation comes on when it is needed and is properly prepared as well. Sen. Boozman spoke about Arkansas' leadership in common sense permitting reform and asked Mr. Terry how proposals like the SPEED Act could provide regulatory certainty that projects were viable investments in Arkansas and how federal reforms could compliment state level efforts to streamline approvals to meet energy demands. Mr. Terry said the kinds of actions at the state level allowed investment, but further federal reforms were needed, and while the SPEED Act was a good step forward, there was a need for certainty around timing and project neutrality. Sen. Boozman discussed investments in AI and cloud infrastructure in Arkansas because of their all-of-the-above energy supply, which included solar. He asked Ms. Hopper what steps they should take to ensure permitting reform remained technology neutral to encourage diverse investments. Ms. Hopper said data center investment often included energy considerations, including solar and storage, adding that for technology neutrality they needed clear, standardized timelines, and clarity about final decisions.



**Sen. Ed Markey (D-MA)** spoke about the uncertainty in the permitting process because of actions from the Trump administration and the loss of jobs and investment, especially in offshore wind power projects. He criticized the reversal of offshore wind permits by the administration that had been fully approved, saying it risked grid reliability, increased prices, and destroyed jobs. He said they could not reform permitting until the administration began following the laws currently on the books and if they did not do it on their own accord, legislative text and vocal republican opposition was needed. Sen. Markey asked the witnesses if the Trump administration should stop its targeted attacks on wind and solar. Mr. Bechtel said there needed to be predictability and permits needed to stand when issued. Mr. Meyer said they were an all-of-the-above organization. Mr. Booker, Ms. Hooper, and Mr. Terry said yes. Sen. Markey added that senators had not received a briefing on what the national security issue was. He said permitting reform with project uncertainty was meaningless and warned about the possibility of a future democratic administration using the same tactics with fossil fuel projects. He asked Mr. Meyer if he was aware of policy makers and environmental organizations were planning how the restrictive permitting framework could apply to oil, gas, and pipeline projects in future administrations. Mr. Meyer said they were aware. Sen. Markey asked Mr. Meyer if it was fair to say the oil and gas industry would not want any administration regardless of party to require the Interior Secretary's personal signature for every stage of a project review. Mr. Meyer said they were supportive of the permit certainty provisions and had had their own difficult experiences across different agencies with from different administrations, which was why they were an all-of-the-above organization, and all of their reforms would benefit energy resources equally. Sen. Markey said the issue was they were in an oil-above-all era, not an all-of-the-above era.

**Sen. Cynthia Lummis (R-WY)** asked the panel if there should be a difference in permitting processes between a small-scale project and an industrial scale project, especially regarding surface disturbance. Mr. Booker said that developers should be able to decide on the form of energy production they want to construct, rather than having politicians decide. He said this solution would create more predictability in the permitting process and allow for the creation of new jobs.

**Sen. Adam Schiff (D-CA)** expressed his concern about the cancellation of numerous energy projects in California. He highlighted the cancellation of Arches, which was expected to support over 220,000 jobs. He spoke to new data centers and an increase in energy and electricity demand, which will not be met with the continuous cancellation of energy projects. He asked the witnesses to talk about their thoughts on how to get energy projects online more quickly and to speak to their thoughts on whole sectors of energy being excluded. Ms. Hopper said that speed and predictability are critical and noted that the data centers demanding more electricity would agree. She highlighted how solar and storage are the fastest to build due to the efficiency of their permitting processes and the supply chain. She recommended that the United States continues building solar and storage and should not exclude them. Sen. Schiff asked Ms. Hopper to respond to the argument that solar is not reliable. Ms. Hopper answered that storage is a critical component in ensuring the reliability and affordable prices of solar. Mr. Meyer added that demand is growing rapidly, and all energy resources will be needed. He noted that 43% of U.S. electricity generation comes from natural gas and emphasized the need to grow that capacity on both the generation and infrastructure side. Mr. Bechtel added that the McKinsey report studying



the potential benefits of permit reform makes the compelling point that improved permitting would significantly reduce the amount of greenhouse gas emissions. He said that the report also emphasizes that the United States should not be discriminating against energy sources. Sen. Schiff asked Mr. Bechtel to expand on the McKinsey report's findings. Mr. Bechtel said that permit delays bring environmental costs with deferring projects that reduce pollution and use inputs more efficiently to bring electrons onto the grid. Mr. Booker added that data centers are critical, but that it takes power to construct them. He emphasized the need for various stakeholders to come together to figure out how to build the data centers and create power for them without raising rates.

**Sen. Pete Ricketts (R-NE)** mentioned his implementation of Lean Six Sigma as part of the government's overall energy strategy and spoke to how it helped shorten the permitting process. He highlighted how every industry benefits from predictable and efficient regulations. He continued that certainty of project development is essential to ensure that projects begin and are completed with the permits that are issued. He then said that to provide certainty for energy projects, there needs to be lawsuit reform, enforcement of timelines, and interagency collaboration. He emphasized how these changes would improve timelines, save taxpayer dollars, and maintain environmental standards.

**Sen. Dan Sullivan (R-AK)** noted how his state endured 70 Executive Orders and Executive Actions from President Biden which were singularly focused on shutting down oil, gas, and other energy facilities in Alaska, ultimately taking away numerous jobs. He emphasized the need for permitting reform in the law and asked Mr. Booker if that would create more jobs. Mr. Booker answered that permitting reforms would create more jobs. Sen. Sullivan then asked Mr. Bechtel and Mr. Booker about the most important areas to ensure certainty in timelines. Mr. Booker said that certainty around 401 Water Quality Certification would be helpful, since there is currently \$2.5 trillion of capital ready to be invested hanging in the balance. Mr. Bechtel answered that redundancy needs to be minimized, deadlines need to be set (such as a 90-day deadline after an EIS or EIA has been issued for answers), the process needs to be modernized (update the playbook to meet 21<sup>st</sup> century infrastructure, use programmatic reviews the way they were intended, and use the current categorical exclusions more exclusively), and there needs to be certainty surrounding litigation. Sen. Sullivan quoted James Callahan, who said that the National Environmental Policy Act (NEPA) has evolved into an edifice capable of destroying multiple projects and jobs in virtually every sector of the economy. Sen. Sullivan highlighted that this hearing is a great bipartisan opportunity to fix NEPA.

***The hearing was adjourned.***