

August 4, 2025

On behalf of the undersigned organizations, we appreciate the opportunity to provide comments on the Department of the Army's interim final rule,¹ "Environmental Analysis of Army Actions (AR 200-2)," that rescinds the Army's existing regulations and replaces it with the Department of Defense's (DoD) procedures implementing the National Environmental Policy Act (NEPA) and the Fiscal Responsibility Act (FRA) of 2023.² We represent a diverse set of industries, including agriculture, energy, construction, manufacturing, and more, all of which rely on an efficient federal permitting system to meet critical needs.

We support the administration's comprehensive effort to modernize the permitting process. The rescission of the Army's existing regulations, replacement with DoD's NEPA procedures, and other actions represent important steps forward in addressing long-standing challenges that have hindered infrastructure development and responsible use of federal natural resources, delivering tangible benefits to communities and local economies. Modernizing outdated agency NEPA procedures while maintaining environmental protections of underlying action statutes and implementing reforms will reduce delays and uncertainties. With this action, the administration is paving the way for timely agency project and lease approvals that support local job creation, economic revitalization, and community growth.

These actions not only enhance the ability to build but also foster economic opportunities by supporting energy affordability and reliability, driving innovations in manufacturing and agriculture, positioning the United States to lead in the global race for AI leadership, and other benefits. The administration's commitment to these reforms is a vital contribution to unlocking the potential of public and private investments, both strengthening energy and national security while supporting environmental progress. The reforms will help foster innovation and ensure that America's communities thrive in a competitive global economy.

We support NEPA's goals to better inform federal decision-making and the public's understanding of significant environmental impacts. However, the current NEPA process has become overly complex, slow, burdensome, and subject to lengthy and contested litigation, often delaying critical projects without yielding corresponding benefits. The FRA amendments to NEPA represent the first steps toward developing a coherent and concise environmental review process, and we urge federal agencies to build on this progress by focusing on several key principles when implementing NEPA updates: predictability, efficiency, and transparency.

¹ 90 Fed. Reg. 29450 (July 3, 2025).

² Fiscal Responsibility Act, Public Law 118-5, signed on June 3, 2023.

Predictability is essential for project developers and financiers who need consistent analysis and certainty regarding the scope and timeline of project reviews. Agency NEPA procedures should align with the statute's text and avoid imposing unnecessary substantive requirements.

Efficiency can be improved through better interagency coordination and designating a lead federal agency, adequate staffing, and the use of templates for NEPA procedures. Agencies should also expand the use of categorical exclusions, programmatic reviews, and tiering to reduce unnecessary red tape and streamline the review process.

Transparency is critical for both private sector development and public participation. CEQ should encourage the use of dashboards or other tools to provide visibility into the status and timelines of NEPA reviews.

We urge federal agencies to adhere to the FRA's statutory deadlines and page limits for environmental reviews as well as the clarifications on the scope of NEPA review provided by the Supreme Court's recent *Seven County Infrastructure Coalition* decision.³ Agencies should avoid unnecessary delays in initiating reviews and take full advantage of provisions allowing project sponsors to prepare environmental assessments or impact statements under agency supervision.

Federal agencies should also adopt narrowly tailored purpose and need statements that reflect applicants' goals and the agency's statutory authority, ensuring that alternatives analyses are practical and feasible. Agencies should focus on assessing only the reasonably foreseeable environmental effects of proposed actions, as defined by the FRA and clarified by the Supreme Court, to prevent unnecessary litigation and delays.

Further recommendations from the coalition can be found in our comments on the Council on Environmental Quality's March 2025 interim final rule, "Removal of National Environmental Policy Act Implementing Regulations."⁴ Additionally, while we support these interim final rules, statutory permitting reform is necessary. We encourage federal agencies to collaborate with Congress to make permitting reforms more durable, ensuring greater certainty for infrastructure and other types of investments.

We appreciate the opportunity to provide public comments on this agency action and the agency's efforts to streamline the NEPA process. We stand ready to

³ *Seven County Infrastructure Coalition v. Eagle County, Colorado*, 605 U.S. ___, 145 S. Ct. 1497 (2025).

⁴ Chamber Coalition Welcomes Efforts to Streamlining Permitting Process, March 2025, <https://www.uschamber.com/energy/chamber-coalition-comments-to-ceq-on-removal-of-nepa>.

help achieve a more efficient, predictable, and transparent permitting system. Please do not hesitate to reach out to Chad Whiteman, cwhiteman@uschamber.com, if you have any questions or would like additional information.

Sincerely,

U.S. Chamber of Commerce
American Association of Port Authorities
American Chemistry Council
American Exploration & Mining Association
American Exploration & Production Council
American Farm Bureau Federation
American Fuel & Petrochemical Manufacturers
American Forest Resource Council
American Gas Association
American Petroleum Institute
American Public Gas Association
American Road & Transportation Builders Association
American Trucking Associations
Associated Builders and Contractors
Associated General Contractors
Association of American Railroads
Center for LNG
Citizens for Responsible Energy Solutions
Distribution Contractors Association
Energy Equipment & Infrastructure Alliance
The Fertilizer Institute
Fuel Cell and Hydrogen Energy Association
GPA Midstream Association
The Hardwood Federation
Independent Petroleum Association of America
Interstate Natural Gas Association of America
Liquid Energy Pipeline Association
National Association of Manufacturers
National Association of REALTORS
National Cattlemen's Beef Association
National Electrical Contractors Association
National Lime Association
National Mining Association
National Ocean Industries Association
National Ready Mixed Concrete Association
National Stone, Sand & Gravel Association

National Utility Contractors Association
Natural Gas Supply Association
Plastics Pipes Institute
Public Lands Council
Western Energy Alliance