

August 4, 2025

On behalf of the undersigned organizations, we appreciate the opportunity to provide comments on the Department of Energy's (DOE),<sup>1</sup> "Revision of National Environmental Policy Act Implementing Procedures," that revises DOE's existing regulations and also replaces them with procedures separate from the Code of Federal Regulations that implement the National Environmental Policy Act (NEPA) and the Fiscal Responsibility Act (FRA) of 2023.<sup>2</sup> 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 updates to DOE's existing regulations, issuance of separate NEPA procedures, and other administration 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 Modernizing outdated agency NEPA procedures while maintaining environmental protections of underlying action statutes and implementing reforms will reduce delays and uncertainties.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.

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<sup>1</sup> 90 Fed. Reg. 29676 (July 3, 2025).

<sup>2</sup> 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.<sup>3</sup> 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."<sup>4</sup> 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

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<sup>3</sup> *Seven County Infrastructure Coalition v. Eagle County, Colorado*, 605 U.S. \_\_\_, 145 S. Ct. 1497 (2025).

<sup>4</sup> 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](mailto: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