



Bottleneck to breakthrough: A permitting blueprint to build

DECEMBER 3, 2025

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Study Request

- Provide meaningful input to support the effective redesign of government systems and siting of new energy infrastructure.
- Offer insights regarding factors that affect industry's ability to attract and mobilize capital and deploy new technologies.

DECEMBER 2, 2025



The Secretary of Energy
Washington, DC 20585

June 30, 2025

Mr. Alan Armstrong
Chair
National Petroleum Council
1625 K Street, NW
Washington, DC 20006-1656

Dear Mr. Armstrong:

Many of President Trump's directives, including Executive Order 14156, *Declaring a National Energy Emergency*, Executive Order 14154, *Unleashing American Energy*, and Executive Order 14213, *Establishing the National Energy Dominance Council*, underscore the critical role of domestic energy and natural resources in powering the Nation's economic prosperity and national security. Meeting future energy needs will require ingenuity, innovation, and market-based solutions.

Accordingly, I request that the National Petroleum Council (NPC) undertake a broad *Future Energy Systems* study with subcomponent deliverables designed to recognize and leverage the vast potential of domestic oil and natural gas resources and industry expertise to advance Administration goals for increasing the availability of affordable, reliable, and secure energy for American consumers and our allies. The scope of this study should be developed with key objectives, deliverables, and timelines mutually determined between the NPC and the Department. Please work with Deputy Assistant Secretary Ryan Peay from the Office of Fossil Energy and Carbon Management (FECM) to delineate the preliminary scope and subcomponent deliverables within the next 30 days.

For the initial deliverables within the *Future Energy Systems* study, I am requesting the NPC address two priority topics immediately, with reports delivered to me by December 2025. These topics are crucial to advancing the priorities outlined in President Trump's energy agenda and require prompt and focused attention:

Oil and Natural Gas Infrastructure Permitting. Streamlining and expediting permitting is essential for all parts of the energy value chain and for building infrastructure to meet future energy needs. Re-evaluating and updating the permitting section of the NPC's 2019 Dynamic Delivery study report with practical recommendations based on current legislation and regulations can provide meaningful input to support the effective redesign of government systems and siting of new energy infrastructure. The advice of the NPC on this topic will be particularly helpful in concert with the work of the National Energy Dominance Council. Important also will be insights regarding factors that affect industry's ability to attract and retain private sector investment or rapidly deploy new technologies that increase safety, integrity, or operational efficiency.



Committee Roster

- Diverse representation across the energy value chain.
- Supplemented by leading members of the conservation and tribal community.

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Study Workplan

- Capture today's market and geopolitical dynamics.
- Report on the relevance and status of 2019 recommendations.
- Describe common challenges and complexity within the existing system.
- Present actionable recommendations and inspire new thinking.

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“ We can't create new industries without energy. You can't reshore manufacturing without energy. You can't sustain a brand-new industry like AI without energy. If we want to produce something as vital as AI, we need energy.”

— Nvidia CEO Jensen Huang



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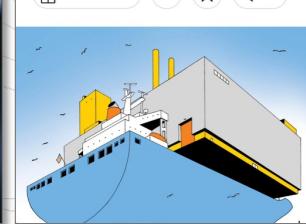
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Recommendation Objectives

- Help inform the current debate.
- Provide actionable suggestions for a fast-moving Administration.
- Advance forward-looking ideas.

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Report Recommendations

DECEMBER 2, 2025

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Coordinating Subcommittee.

DECEMBER 2, 2025

Approach:

- Effectively respond to today's demand and reliability challenges.
- Build on the 2019 report.
- Seek to leverage principles or elements of existing streamlining frameworks.
- Help inform current thinking and discussion around permitting reform.
- Inspire innovative thinking, challenging policymakers to develop a new framework(s) combining efficiency with environmental protection.

Recommendations Structure:

Near-term action: *Recommendations 1-9.*

Longer-term innovation: *Recommendation 10.*



Recommendation 1

Amend NEPA to clarify focus on direct environmental impacts within an agency's statutory authority.

DECEMBER 2, 2025

Rationale:

- NEPA is an important procedural tool that ensures agencies are informed about potential impacts of their actions.
- The NEPA process has evolved considerably, with lengthier and excessively detailed reports becoming commonplace.
- The Supreme Court's *Seven County Infrastructure Coalition* ruling clarified NEPA's role as a procedural statute meant to inform an agency's analysis of direct impacts within its statutory authority.
- Incorporating these principles into the NEPA statute will provide clarity for agencies and improve the process.

Recommendation:

Congress should amend NEPA to ensure agency reviews are focused on direct and reasonably foreseeable impacts within an agency's legal authority.



Recommendation 2

Reform the judicial review process to reduce delay and uncertainty.

DECEMBER 2, 2025

Rationale:

- Judicial review has become a defining feature of energy infrastructure development.
- The perceived threat of litigation has incentivized agencies to supplement administrative records to prepare for potential legal action, not necessarily to improve environmental outcomes.
- Litigation and the threat of litigation have contributed to prolonged permitting timelines and delayed project implementation.
- Targeted reforms to the judicial review process will help address litigation-related delay.

Recommendation:

Congress should accelerate the legal process, limit vacatur as a legal remedy, and refine standing requirements for litigants.



Recommendation 3

Focus Clean Water Act Section 401 reviews on water quality impacts only. Strengthen the law's one-year certification deadline.

DECEMBER 2, 2025

Rationale:

- Clean Water Act Section 401 reviews have, on occasion, contributed to delayed implementation of federally authorized infrastructure projects.
- The delegation of federal authority under the Clean Water Act serves an important purpose, but some states have incorporated issues beyond water quality into 401 reviews.
- Statutory clarification is needed to ensure reviews remain focused on water quality and adhere to the law's one-year certification deadline.
- Targeted reform would reduce delay and improve certainty.

Recommendation:

The Administration and Congress should limit the scope of state water quality certification review to factors directly related to water quality and strengthen the law's one-year deadline for review.



Recommendations 4 and 5

**Expand use of
programmatic reviews
and categorical
exclusions.**

**Extend Nationwide
Permit renewal periods
to 10 years.**

DECEMBER 2, 2025

Rationale:

- The federal government utilizes programmatic permits to streamline review of activities with predictable impacts.
- Agencies can categorically exclude actions with minimal impact from undergoing case-specific NEPA reviews.
- The USACE's nationwide permitting program is a critical streamlining tool for construction, repair, and maintenance of energy infrastructure.
- Leveraging programmatic permitting, categorical exclusions under NEPA, and expanding nationwide permit renewal periods will help reduce authorization timelines for infrastructure projects.

Recommendation:

The Administration should expand the use of general permits and categorical exclusions for oil and gas infrastructure activities.

Congress should extend the renewal period for USACE nationwide permits from 5 to 10 years.



Recommendations 6 and 7

Expand FERC's blanket certification program.

Adhere to FERC authorization schedules for natural gas infrastructure.

DECEMBER 2, 2025

Rationale:

- The expansion of natural gas infrastructure is needed to meet rising energy demand and promote affordability and reliability.
- FERC's blanket certificate program allows for accelerated review of certain actions but should be expanded to increase the program's coverage and effectiveness.
- Greater adherence to FERC authorization schedules for proposed pipelines and related facilities will accelerate delivery of the infrastructure needed to address demand and improve reliability.

Recommendation:

The Administration should raise cost caps and expand eligibility for FERC's blanket certificate program.

The Administration should ensure agencies abide by permit authorization schedules developed by FERC.



Recommendation 8

Streamline authorizations by eliminating redundant procedural and permitting requirements.

DECEMBER 2, 2025

Rationale:

- Some agency permitting processes contain elements that are common to NEPA reviews.
- The USACE, for example, conducts a public interest review in parallel to NEPA when considering the issuance of an individual permit under the Clean Water Act.
- Identifying and eliminating redundancies between core permitting activities and NEPA implementing procedures would streamline reviews for certain infrastructure activities.

Recommendation:

The Administration should identify and eliminate duplicative permitting processes and NEPA procedural requirements and promote greater consistency across federal, state, and local jurisdictions.



Recommendation 9

Streamline processes to promote development of electric power infrastructure.

DECEMBER 2, 2025

Rationale:

- The U.S. energy system is an interdependent network where fuels, infrastructure, and operations are closely linked.
- To adequately meet energy demand, policymakers should pursue permitting improvements to promote the development of electric as well as pipeline infrastructure.
- A coordinated approach to permitting and interconnection processes for electric infrastructure would compliment reforms designed to improve natural gas infrastructure permitting and help meet historic demand for electricity.

Recommendation:

Congress and the Administration should streamline processes to promote development of electric power infrastructure to support the interconnected nature of U.S. energy systems and accelerate economic competitiveness and security.



Recommendation 10

Explore and develop a new approval process for interstate energy infrastructure.

DECEMBER 2, 2025

Rationale:

- Today's permitting framework has embedded environmental values into the design and siting and infrastructure systems.
- Greater reliance on clear environmental standards and monitoring would result in greater permitting efficiency while maintaining environmental protection.
- The inclusion of environmental reports as the functional equivalent of NEPA, conditional approvals, environmental monitoring, and a unified agency authorization would accelerate deployment of needed infrastructure.

Recommendation:

Congress should explore and adopt a new approach to infrastructure permitting that maximizes reliance on standardized approaches in lieu of case-specific reviews.