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The Honorable Bruce Westerman
Chairman, House Committee on Natural Resources
United States House of Representatives
Washington, D.C. 20515

The Honorable Jared Huffman
Ranking Member, House Committee on Natural
Resources
United States House of Representatives
Washington, D.C. 20515

Dear Chairman Westerman and Ranking Member Huffman,

As Executive Director of SAFE's Center for Grid Security, I commend the House Committee on Natural Resources for holding this vital hearing on permitting reform and the urgent need to modernize National Environmental Policy Act (NEPA) reviews. Fragmented and misaligned permitting processes now threaten national security—stalling the infrastructure that powers the defense industrial base, supports military readiness, and secures America's energy supply amid growing geopolitical threats. Transmission lines, generation resources, and energy storage systems serve not only economic purposes, but strategic ones. Swift congressional action to streamline and modernize permitting unlocks the resilient energy systems our nation must build to defend and sustain itself.

Current complex permitting processes for bringing generation assets online and extensive time horizons for expanding transmission places the United States at risk of losing its position as a world leader in defense-critical technologies, including artificial intelligence (AI). These delays increase costs, create uncertainty, and threaten our ability to deliver the power needed to maintain operational readiness and a global strategic advantage. Current timelines for energy permitting in the United States are significantly longer than those of our peers:

Permitting and Environmental Review Delays

- Transmission projects face an average permitting timeline of 6.5 years, with some exceeding 10 years due to litigation and regulatory reviews.ⁱ
- NEPA-related litigation adds 3.9 years on average to energy projects for both fossil fuel and clean energy, despite agencies winning 71% of cases.ⁱⁱ
- Environmental impact statements (EIS) face a median delay of 4.2 years from publication to court resolution, with only 39% of cases resolved in under 3 years and 16% taking over 6 years.ⁱⁱⁱ

Judicial Review and Appeals

- Serial litigation extends timelines by 4.2 years on average, as opponents file successive lawsuits even after initial approvals.^{iv}
- Transmission line challenges often involve 2-6 years of litigation, particularly when opposing interstate cost-sharing or environmental impacts.^v

Comparative International Timelines

- The United States lags its peers: Canada and Australia permit similar projects in 2-3 years because of more limited litigation and fewer bureaucratic hurdles.^{vi}

Congressional Permitting Action Can Protect National Security

When one region of the country is compromised due to severe weather or attack, a more interconnected grid allows installations to draw power from unaffected areas, mitigating risk. By streamlining the permitting process for new energy infrastructure, reforms ensure that critical projects are built faster, reducing the likelihood of prolonged blackouts that could disrupt defense readiness.

Permitting reform would facilitate the integration of a broader range of domestic energy resources, ensuring that military installations have access to stable and diverse energy supplies. For installations, such improvements in reliability can mean the difference between sustained operations and catastrophic failures. More specifically, reforms aimed at improving grid reliability for national defense should include:

An approach free of resource exclusions to expedite the development of domestic energy: Reforms to simplify permitting by reducing delays and eliminating duplicative paperwork for all energy infrastructure are the most essential first steps in improving grid reliability. Utilizing all the energy resources our country has to offer would allow us to take full advantage of our domestic supply, reducing risk and increasing grid security.

Mandating collaborative interregional planning: The current lack of interregional transmission planning is a significant barrier to building a more resilient and efficient grid. Neighboring transmission planning regions should be required to draft joint interregional transmission plans to optimize grid reliability and affordability.

Reducing the burden of unproductive lawsuits: Delays in the courts threaten the economic viability of deeply needed projects. While permitting reform wouldn't eliminate frivolous lawsuits, it would help reduce the risk of excessive project delays while still giving impacted communities time to address legitimate concerns.

Thank you for leading on permitting reform and elevating this urgent national security priority. Without swift and decisive action, the United States risks ceding energy and technological leadership to its adversaries. Pragmatic policy can counter that risk and permitting reform can protect our national defense from grid failures, strengthen military installations, and reinforce America's strategic readiness. I welcome the opportunity to discuss how permitting reform advances national security and look forward to working together to bolster our nation's energy and defense posture.

Sincerely,

Danielle Russo

Executive Director

Center for Grid Security, SAFE

¹ Blake Deeley, "U.S. Permitting Delays Hold Back Economy, Cost Jobs," American Clean Power, April 2024.

² Nikki Chiappa et al., "Understanding NEPA Litigation: A Systemic Review of Recent NEPA-Related Appellate Court Cases," Breakthrough Institute, July 11, 2024, at 12.

³ *Ibid.*, at 5.

⁴ CRES Forum, "The Energy Permitting Reform Act of 2024 (S.4753): A Step Towards Fixing Our Broken Permitting System," August 13, 2024, *Webpage*.

⁵ Jonathan Moch and Henry Lee, "The Challenges of Decarbonizing the U.S. Electric Grid by 2035," Belfer Center, January 2022, at 5, 12.

⁶ CRES Forum, "The Energy Permitting Reform Act of 2024 (S.4753): A Step Towards Fixing Our Broken Permitting System," August 13, 2024, *Webpage*.