AMERICAN SOCIETY OF CIVIL ENGINEERS

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The Honorable Shelley Moore Capito
Chairman
Senate Committee on Environment
& Public Works
410 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Sheldon Whitehouse
Ranking Member
Senate Committee on Environment
& Public Works
410 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Mike Lee
Chairman
Senate Committee on Energy &
Natural Resources
304 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Martin Heinrich
Ranking Member
Senate Committee on Energy &
Natural Resources
304 Dirksen Senate Office Building
Washington, DC 20510

October 16, 2026

Dear Chairwoman Capito and Chairman Lee, and Ranking Members Whitehouse and Heinrich:

On behalf of the American Society of Civil Engineers (ASCE), we would like to applaud you and the efforts of the Senate Environment & Public Works and Energy & Natural Resources Committees on the introduction of S. 5653, the Bipartisan American Affordability and Jobs Act. ASCE supports bipartisan efforts to implement practical reforms to the nation's project permitting process. The current drawn-out regulatory review process can be detrimental to infrastructure investment by delaying projects, creating uncertainties, and increasing overall project costs. As a longtime advocate for a balanced approach to environmental and regulatory reviews, ASCE supports streamlining permitting and approval decisions for infrastructure projects, but not at the expense of a science-based evaluation and determination of impacts on the environment.

ASCE also strongly supports regulations that protect the environment from damage for current and future generations, and environmental reviews play a vital role in indicating whether the benefits of a project outweigh the environmental impacts. However, inefficient reviews and approval processes are harmful to the implementation of infrastructure projects that have the potential to improve safety, create jobs, and generate economic activity. Delays and changes in

project scopes due to regulatory inefficiencies and uncertainties increase costs and adversely affect the economic, societal, and environmental benefits of the project. Therefore, ASCE supports a balanced approach to the review process under the National Environmental Policy Act (NEPA) and other laws and regulations intended to protect the environment and the nation's resources. This approach should be based on quality science and objective determinations of potential project impacts, while also reducing delays in the permitting process for infrastructure projects.

ASCE appreciates that both committees are attempting to address these challenges in S. 5653 in a practical manner, and from a bipartisan perspective. The bill sets clear procedures for assigning lead agencies for energy project reviews, gives agencies 120 days to confirm receipt and completion of permit applications and then decide the level of review required. It sets a 150-day limit on NEPA legal challenges and as well as limits on who can file challenges. The legislation also establishes guidelines for when projects can be halted in court and makes efficiency improvements to the electronic NEPA and electronic permitting system. These are the types of actions which can significantly increase the efficiency of the nation's infrastructure project permitting process.

In 2025, ASCE gave the nation's energy infrastructure a grade of "D+" in our *Report Card for America's Infrastructure.* This was a drop from the 2021 Report Card, which gave energy infrastructure a "C-". In the 2025 Report Card, ASCE found that the rapid development of data centers for Artificial Intelligence (AI) alone will accelerate electricity demand to 35 gigawatts (GW) by 2030, an increase of 18 GW from 2022. This rapid increase in demand, combined with state and potential federal net-zero emissions, means that utilities may- and in many cases will-need to significantly increase existing transmission capacity to connect new sources- such as renewables- to the grid. A drawn-out permitting process for new transmission projects could further compound these challenges, leading to an increasingly strained power grid and increasingly less reliable access to electricity.

ASCE supports the ongoing maintenance, assessment, and modernization of the nation's transmission infrastructure to improve grid reliability, resilience, affordability, and security. This includes streamlining permit approval processes and timelines for transmission projects, increasing electrical capacity, improving hazard mitigation, integration of renewable energy sources, and use of new technologies to improve transmission network efficiency. S. 5653 takes significant steps to try to address these challenges by providing "backstop" siting authority to the Federal Energy Regulatory Commission (FERC), allowing for greater authority to approve major intestate power line projects, and allowing transmission project applications to be processed at the same time as state reviews to further speed up the process. It includes new transmission infrastructure planning requirements to better meet demand, requirements to use grid-enhancing technologies to more rapidly connect new projects to the grid, and requires electricity markets to allow more diversified sources of power generation to increase available supply.

The challenges faced by the growing demand for electricity and inefficiencies in infrastructure project permitting processes require significant actions to address them, and ensure these challenges are compounded for future generations. ASCE supports the intentions of the Senate Environment & Public Works Committee and Energy and Natural Resources Committee to

address these challenges in the Bipartisan American Affordability and Jobs Act, and we thank you for your leadership on these issues. We are happy to serve as a resource as you continue to develop policies to improve the speed and efficiency in which infrastructure projects are allowed to move forward, as well as policies that improve the safety, resiliency, and sustainability of the nation's infrastructure.

Sincerely,



Caroline Sevier
Chief Policy Officer
American Society of Civil Engineers