



American  
Petroleum  
Institute



December 10, 2025

The Honorable Mike Johnson  
Speaker  
United States House of Representatives  
H-232, The Capitol  
Washington, DC 20515

The Honorable Hakeem Jeffries  
Minority Leader  
United States House of Representatives  
H-204, The Capitol  
Washington, DC 20515

Dear Speaker Johnson and Leader Jeffries,

On behalf of the companies who produce, transport and deliver natural gas across the nation, the Natural Gas Council writes in support of H.R. 3898, the Promoting Efficient Review for Modern Infrastructure Today (PERMIT) Act and H.R. 3668, the Improving Interagency Coordination for Pipeline Reviews Act. These proposals would provide expedited permitting and improve regulatory certainty for gas pipeline infrastructure under the National Environmental Policy Act of 1969 (NEPA) and the Clean Water Act (CWA).

Permitting reforms for our energy infrastructure networks are crucial to meeting our reliability, affordability, and climate goals. More than 189 million Americans and nearly six million businesses use natural gas because it is key to meeting these goals. Our nation's natural gas industry is the fundamental underpinning of a growing American economy, employing approximately four million individuals and supporting an additional 1.1 million jobs. Moreover, U.S. electricity demand is projected to rise due to the re-shoring of manufacturing, and an expansion of AI and data centers. Natural gas will continue to play an essential role in meeting that demand by providing dispatchable generation that supports grid stability during peak conditions, enables rapid scaling of power supply as load growth accelerates, and complements intermittent renewable resources.

Operators of natural gas infrastructure must secure a Section 401 CWA permit before construction. Section 401 adopts a "cooperative federalism" approach to regulation by affording each State or Tribe a significant, carefully defined role in regulating discharges into waters of the United States (WOTUS). Natural gas infrastructure projects frequently cross WOTUS and often require a Section 401 certification. When applied pursuant to its original statutory scope, Section 401 works well, but certain States have used the certification process to advance policies not related to water quality and disregarded the one-year time limit on review to burden, delay, or veto critical natural gas infrastructure projects. In so doing, those individual States disrupt the role of various federal and state authorities, undermine the actions of other States and damage cooperative federalism.

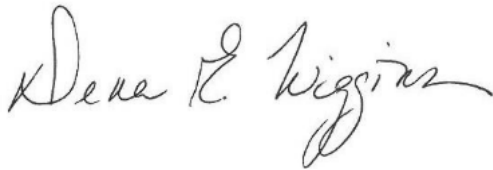
The PERMIT Act would strengthen cooperative federalism by reaffirming Congress' original intent for Section 401 CWA – ensuring that State reviews are focused on discharges into WOTUS, rather than serving as de facto reviews of entire federally permitted projects, including activities occurring beyond a State's borders. This clarification would provide greater certainty for States and project sponsors, allowing State agencies to concentrate their expertise on water quality impacts and compliance with federally approved standards. By properly scoping Section 401 authority, the PERMIT Act would help avoid delays caused by issues unrelated to water quality while preserving States' ability to impose meaningful, targeted conditions

where necessary. At the same time, the PERMIT Act would reinforce the statutory requirement that reviews occur within one year, promoting timely, disciplined decision-making without weakening environmental protections. Together, these reforms ensure that Section 401 functions as an effective, predictable, and environmentally focused tool within the broader federal permitting framework.

Similarly, H.R. 3668 would improve and streamline the environmental reviews of certain natural gas pipeline projects or LNG projects. The bill will provide that the Federal Energy Regulatory Commission will serve as the sole lead agency for the purpose of coordinating the environmental review of projects under the Natural Gas Act for the purposes of NEPA. Thus, agencies involved in the environmental review process must defer to FERC's approved scope for a NEPA review. By placing responsibility with the federal agency best positioned to oversee interstate pipeline infrastructure, the proposal would ensure improved clarity, consistency, and accountability – while maintaining strong environmental protections.

To ensure a reliable, affordable, and sustainable future, the United States needs meaningful and durable statutory permitting reforms for natural gas infrastructure. The Natural Gas Council and the companies we represent encourage Congress to enact the PERMIT Act and the Improving Interagency Coordination for Pipeline Reviews Act to help achieve this central objective.

Sincerely,



Dena Wiggins  
President & CEO  
Natural Gas Supply Association



Mike Sommers  
President & CEO  
American Petroleum Institute



Amy Andryszak  
President & CEO  
Interstate Natural Gas Association of America



Karen Harbert  
President & CEO  
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President & CEO  
Independent Petroleum Association of America

CC: Chairman Sam Graves, Transportation and Infrastructure Committee  
Chairman Brett Guthrie, Energy and Commerce Committee  
Chairman Mike Collins, Water Resources and Environment Subcommittee on Transportation and Infrastructure  
Representative Richard Hudson