



January 26, 2024

The Honorable Sam Graves
Chair
House Committee on Transportation and Infrastructure
2165 Rayburn House Office Building
Washington, DC 20515

The Honorable Rick Larsen
Ranking Member
House Committee on Transportation and Infrastructure
2165 Rayburn House Office Building
Washington, DC 20515

The Honorable David Rouzer
Chair
Subcommittee on Water Resources and Environment
House Committee on Transportation and Infrastructure
2165 Rayburn House Office Building
Washington, DC 20515

The Honorable Grace Napolitano
Ranking Member
Subcommittee on Water Resources and Environment
House Committee on Transportation and Infrastructure
2165 Rayburn House Office Building
Washington, DC 20515

Dear Chairmen Graves and Rouzer and Ranking Members Larsen and Napolitano:

The American Petroleum Institute (API) writes regarding legislation to be considered during an upcoming legislative hearing on Wednesday, January 31, 2024: *The Nationwide Permitting Improvement Act, Reducing Permitting Uncertainty Act, and Judicial Review Timeline Clarity Act*. As the leading trade association representing the entire value chain of the U.S. oil and natural gas industry, API supports policies that strengthen our nation's energy security and our economy, and that protect our environment.

API and our members are focused on enacting meaningful, bipartisan permitting reform. Too often, projects are delayed or cancelled because of our nation's unpredictable, uncertain permitting process. The delays and denials of permits due to lengthy regulatory reviews and drawn-out judicial proceedings have stifled needed investment and increased costs. Permitting reform not only supports our industry's ability to increase oil and natural gas production safely and effectively but would also help renewable and other infrastructure projects move forward instead of languishing in a regulatory maze.

Members of both parties in Congress, administration officials and President Biden agree that permitting reform is critical to the development of all energy infrastructure. Proposals like these three bills being considered by your committee would provide increased certainty and clarity regarding the Clean Water Act (CWA) permitting process, which our industry greatly needs.

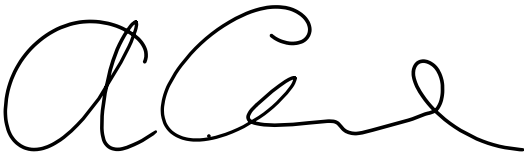
The Nationwide Permitting Improvement Act would codify longstanding practices with regard to the Nationwide Permit process that our industry has relied upon for years, clarifies that the scope of review should be limited to dredge and fill material discharges under Section 404 of the CWA, and extends the reissuance period for general permit holders from five to ten years to reduce the regulatory burden placed on stakeholders. This legislation would benefit all linear infrastructure projects, including the carbon dioxide and hydrogen pipelines that will be critical to meeting our nation's ambitious climate goals.

The Reducing Permitting Uncertainty Act would ensure that the Environmental Protection Agency's veto authority under Section 404(c) may only be used when a dredge and fill permit application is pending through the normal permitting process - it cannot be used before a permit application has been filed or after it has been issued. This would provide much needed certainty in the CWA permitting process.

Finally, *the Judicial Review Timeline Clarity Act* would impose reasonable judicial review timelines for Sec. 404 permits to provide certainty and predictability for project sponsors and prevent the legal system from being weaponized to stall permitted infrastructure projects indefinitely.

API encourages members of the House Committee on Transportation and Infrastructure to advance this critical legislation. On behalf of API's nearly 600 members that produce, process and distribute most of the nation's energy, we appreciate your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Eversole', with a large, stylized initial 'A'.

Amanda E. Eversole