



Bipartisan American Affordability and Jobs Act

The Bipartisan American Affordability and Jobs Act will deliver cheaper energy, good-paying jobs, and responsible growth, while protecting important environmental review and historic preservation processes.

Cheaper Energy

As demand increases, America needs more electricity, and we need it cheaper and faster. This deal will increase supply, expand the grid, and drive costs down for families and businesses.

- **Builds more transmission, faster** by strengthening the Federal Energy Regulatory Commission's (FERC) "backstop" siting authority — giving the federal government more authority to approve major interstate power lines — and allowing transmission applications to be processed simultaneously with state reviews, helping needed projects move through permitting faster.
- **Gets more energy onto the grid by:**
 - Requiring regional and interregional transmission planning that accounts for where new transmission is needed and plans ahead for future electricity demand, helping to get more electricity to the places that need it and putting downward pressure on electricity costs.
 - Requiring grid-enhancing technologies and automated systems to speed up the process of connecting new energy projects to the grid and making better use of the grid we already have, increasing the supply available to consumers.
 - Requiring wholesale electricity markets to allow distributed generation sources and virtual power plants to participate, helping meet growing demand with more available supply.
 - Requiring BLM to complete geothermal drilling permits and authorizations in 60 days and exempting low disturbance exploration and development activities from additional environmental reviews.
- **Forces data centers pay their fair share** by requiring data centers to pay for all of their associated transmission costs, rather than relying on a voluntary structure, preventing costs from being passed on to American families or small businesses.

Good-Paying Jobs

America has enormous energy and infrastructure needs, but we cannot create the jobs that come with building those projects if projects spend decades stuck in the permitting process.

- **Creates jobs across the energy supply chain** by boosting the build out of more transmission, clean energy, supply manufacturing, and other grid infrastructure.

- **Creates greater certainty for projects permitted and financed across administrations** by prohibiting any administration from delaying or blocking permitting of a class of energy projects – meaning no administration can block all solar, wind, or other class of energy project permits without facing legal action and fines.

Responsible Growth

Getting to a “yes” or “no” on permitting faster does not mean eliminating environmental protections, Tribal consultation, or the ability to challenge projects in court. This deal keeps important safeguards in place, while creating clear timelines and rules for permitting projects.

- **Sets clear deadlines for environmental reviews** — including a two-year deadline for Environmental Impact Statement reviews and a one-year deadline for Environmental Assessment reviews, with consequences for agencies that miss those deadlines. That means environmental reviews still happen, but not indefinitely.
- **Establishes a new National Historic Preservation Act (NHPA) consultation process** that runs alongside National Environmental Policy Act (NEPA) reviews with a defined time limit, securing a statutory role for Tribes in determining how projects affect historic and cultural resources and protecting Tribes’ rights to formally consult during the processes — two things the Section 106 reforms attempted to eliminate.
- **Limits the types of impacts that projects are required to mitigate**, creating clearer boundaries around which effects a project must mitigate or minimize.
- **Sets clear limitations on when and how a project may be legally challenged.**
 - Sets a 150-day deadline for legal challenges under the Clean Water Act (CWA), Endangered Species Act (ESA), NEPA, and NHPA.
 - Generally limits who can bring a legal challenge to people or groups that participated in the relevant comment period or Tribal consultation process.
 - Limits when a court can temporarily stop a project from moving forward, while preserving the existing ability to seek that relief under the Administrative Procedures Act.
- **Allows states to handle endangered species consultations when they have the capacity to do so.** States with the demonstrated staffing, expertise, and resource capacity to take over certain wildlife-related consultations are permitted to do so.
- **Clarifies the limits on state water-quality reviews** (under Section 401 of the Clean Water Act) by limiting state certifications to water pollution directly caused by a specific source for gas pipelines and transmission lines and prohibiting use of the process to address unrelated issues.
- **Prevents the federal government from changing the rules after the fact for certain wetlands and waterways** by stopping the Environmental Protection Agency (EPA) from preemptively or retroactively removing areas of land from the federal water-quality certification process.
- **Funds a first-of-its-kind Abandoned Hardrock Mine Fund**, providing a mandatory funding source dedicated to cleaning up abandoned hardrock mines.