

The Clean-Energy and Environmental Case for the Bipartisan American Affordability and Jobs Act

America needs substantial new clean generation, storage and transmission to deliver greater environmental benefits. But those resources provide no environmental benefit until they are permitted, connected and operating.

The Bipartisan American Affordability and Jobs Act presents a major opportunity to modernize how America builds clean energy and transmission.

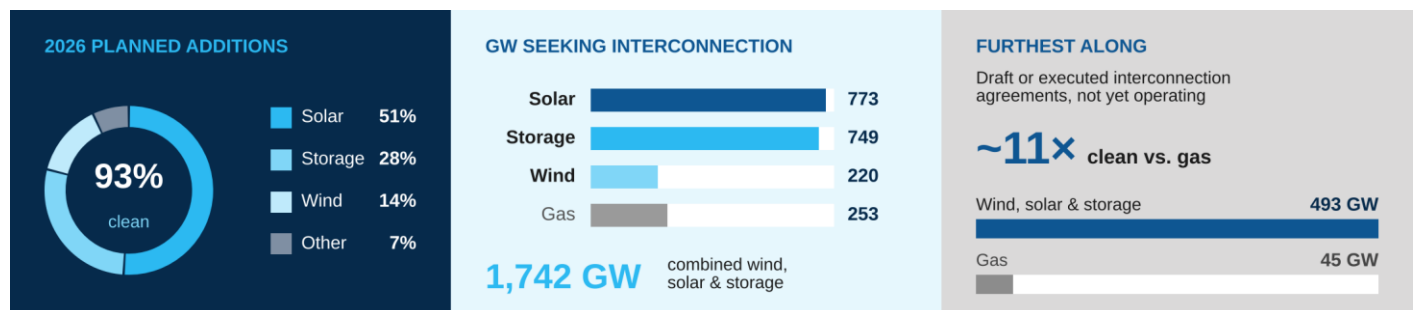
Its reforms to permitting, environmental review, judicial review, transmission and interconnection address major barriers that keep viable projects from reaching operation.¹

By creating a more predictable path to build, the bill can:

- ▶ Unlock hundreds of gigawatts of clean energy and transmission
- ▶ Lower consumer costs
- ▶ Strengthen grid reliability and energy security
- ▶ Support good-paying American jobs and investment
- ▶ Help meet rising electricity demand

This document focuses on another important part of that broader case: the substantial environmental benefits the bill can deliver by accelerating clean-energy and transmission deployment.

Why these reforms matter particularly for clean energy



The development pipeline is overwhelmingly clean. Solar, wind and storage account for 93% of planned 2026 utility-scale additions and roughly 1,742 GW seeking interconnection, compared with 253 GW of gas. Among projects furthest along in the interconnection process, clean resources outnumber gas capacity by roughly 11 to 1.

EXPOSURE TO FEDERAL REVIEW AND LITIGATION

60% / 24%

MAJOR ENERGY NEPA REVIEWS

clean-energy / fossil-fuel share of major energy reviews under NEPA

64% / 38% / 32%

LITIGATION EXPOSURE

solar / wind / fossil-fuel projects after major NEPA review

¹ The package's separate CWA, ESA and NHPA provisions may also benefit individual clean-energy projects, but they are not the focus of this document.

Clean energy is disproportionately exposed to the permitting and litigation risks the bill addresses. Clean-energy projects accounted for 60% of major energy reviews under NEPA, compared with 24% for fossil fuels. In the Stanford data, solar and wind projects completing major NEPA review were litigated at rates of 64% and 38%, respectively, compared with 32% for fossil-fuel projects.

CLEAN-ENERGY CAPACITY AFFECTED

100+ GW CURRENTLY BLOCKED OR DELAYED of clean-energy projects blocked or delayed by permitting and regulatory barriers	50+ GW CLEARER PATHWAY that would immediately benefit from a more predictable permitting environment	~200 GW TRANSMISSION-ENABLED that could be enabled by identified transmission investments
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These figures capture only identifiable projects; they do not capture clean-energy projects deterred by permitting uncertainty or transmission that is never planned or built because of planning and permitting barriers.

The technology-neutral reforms highlighted here will disproportionately benefit clean energy. With far more wind, solar and storage waiting to be built than fossil generation, removing permitting, transmission and interconnection barriers would disproportionately accelerate clean-energy deployment—without changing the environmental standards any project must satisfy.

The provisions most important for clean-energy deployment²

#	WHAT THE BILL DOES	CLEAN-ENERGY BENEFIT
1	ENFORCEABLE PERMITTING MILESTONES Establish enforceable, start-to-finish deadlines for federal permitting. Current law does not provide a complete, enforceable timeline from the start of federal review through all final authorizations, leaving projects vulnerable to indefinite delay or deprioritization. The bill establishes deadlines covering the full federal permitting process—from environmental review through final decisions on remaining federal authorizations, including projects that do not require an EA or EIS. Missed deadlines are judicially enforceable.	Clean-energy projects receive an enforceable path to a final federal decision, reducing the ability of an administration to stall or deprioritize technologies it disfavors. The deadlines require decisions, not approvals, and do not change the environmental standards projects must satisfy.
2	CERTAINTY FOR LAWFULLY PERMITTED PROJECTS Protect lawful approvals once issued. Once covered authorizations/permits are lawfully issued, agencies generally cannot revoke, suspend, alter or otherwise block construction or full-capacity operation except on specified grounds. The government bears a clear-and-convincing burden, with meaningful judicial remedies available.	Greater certainty lowers financing risk before construction and reduces the chance that years of development and investment will be stranded by a later policy reversal after a project has lawfully completed permitting.

² ACP estimates that identified projects and transmission lines represent more than \$800 billion in new American power infrastructure and could support nearly five million construction, manufacturing, operations and supply-chain jobs. ACP also estimates that each 1 GW of new transmission transfer capacity typically enables about 1.4 GW of clean-energy development.

#	WHAT THE BILL DOES	CLEAN-ENERGY BENEFIT
3	PROTECTION AGAINST TECHNOLOGY-SPECIFIC DISCRIMINATION Address intentional discrimination against a category of energy projects. Specified intentional patterns of delay or denial against a category of energy projects can trigger legal action and substantial remedies.	Clean-energy projects gain protection against intentional patterns of technology-specific delay or denial, while agencies remain free to apply environmental requirements and deny individual projects that fail to satisfy them.
4	TRANSMISSION PLANNING AND SITING Improve planning and siting for the transmission needed to connect new generation. The bill strengthens FERC backstop siting for major interstate lines, allows qualifying federal and state reviews to proceed in parallel, codifies regional and interregional planning, links approved planning to federal siting, and clarifies cost allocation. It also protects ordinary customers from being assigned specified transmission costs driven by large new computational loads.	A stronger interstate grid expands where clean resources can compete and allows renewable generation to displace more fossil generation, increasing emissions and air-quality benefits. ACP estimates that 1 GW of new transmission transfer capacity typically enables about 1.4 GW of clean-energy development; identified transmission investments could enable roughly 200 GW of clean energy, with more as the grid expands.
5	MORE PREDICTABLE INTERCONNECTION Give projects earlier information about where they can connect and what it will cost. Long-term generation-and-transmission planning would identify planned connection points with upfront, fixed interconnection costs and better coordinate transmission planning with generator interconnection. Queue reforms, automation and enforceable grid-data sharing are designed to reduce withdrawals, repeated studies and cascading restudies.	Planning ahead for where generation will connect can reduce repeated studies, unnecessary upgrades, delays and financing uncertainty that keep otherwise viable utility-scale projects from reaching construction. Earlier, more stable cost information can also reduce development costs.
6	MORE CAPACITY FROM EXISTING TRANSMISSION Use existing infrastructure more efficiently. The package promotes advanced conductors, dynamic line ratings, power-flow controls and other grid-enhancing technologies, and streamlines specified upgrades in existing rights-of-way.	Grid-enhancing technologies can increase the electricity existing lines can carry, allowing additional utility-scale clean generation to reach customers sooner while reducing congestion and potentially avoiding or deferring more expensive new construction and associated land disturbance.
7	COORDINATED OFFSHORE TRANSMISSION Plan shared routes to shore and balance competing ocean uses. The bill improves planning and federal authorization for coordinated offshore transmission. Separately, it allows competing ocean uses to be balanced in offshore-energy decisions rather than treated as an automatic barrier.	A planned offshore grid can give offshore wind a clearer, more predictable path to shore, support shared or coordinated infrastructure instead of duplicative project-by-project lines, and allow routing decisions to account for fishing, navigation, defense and other ocean uses while reducing avoidable seabed and coastal impacts.

The environmental case for permitting reform

Permitting delays have environmental consequences. When clean generation or transmission is held up, higher-emitting generation operates longer and opportunities to replace it with lower-emitting resources are lost.

The provisions highlighted here preserve environmental review and substantive safeguards while accelerating clean energy, storage and transmission. They change how and when decisions are made—not the environmental standards projects must meet—and give compliant projects a more reliable path to construction.

THESE REFORMS PRESERVE ENVIRONMENTAL SAFEGUARDS

These reforms provide greater predictability and certainty without eliminating required environmental review or substantive safeguards. Projects that do not satisfy applicable law may still be denied.

- ▶ **NEPA and permitting milestones.** Required review remains in place, while the reforms focus analysis, reduce duplication and require agencies to reach decisions within defined timeframes. The deadlines do not dictate the outcome or excuse compliance with applicable environmental requirements.
- ▶ **Permit certainty.** The protections apply to lawfully issued approvals after the permitting process is complete. They do not protect permits issued without satisfying applicable legal requirements.
- ▶ **Technology-specific discrimination.** The cause of action addresses intentional patterns of disparate treatment; it does not prevent agencies from applying environmental requirements to individual projects.
- ▶ **Judicial review.** Agency decisions remain reviewable. The reforms move challenges forward on clearer timelines and generally allow remediable NEPA errors to be corrected without automatically undoing an otherwise lawful approval.

The measurable climate and environmental benefits

PERMITTING TIMELINES

R Street estimates that shortening permitting timelines by 15–25% could reduce annual power-sector CO₂ emissions by **as much as 169 million metric tons** after ten years under one modeled scenario.

TRANSMISSION DEPLOYMENT

2026 C2ES/Greenline modeling found interregional transmission and interconnection reforms could cut power-sector CO₂ emissions **9% (71 million metric tons)** in 2035 across regions representing 54% of U.S. demand. DOE modeling separately estimates **3.42 billion metric tons** of cumulative power-sector GHG reductions through 2050 and **4,500–6,800 avoided premature deaths** from lower SO₂ and NO_x pollution.

ACP PROJECT-LEVEL ESTIMATE

ACP's estimate sums three categories it counts separately: **100+ GW** of blocked or delayed projects, **50+ GW** of projects receiving a clearer pathway and **~200 GW** enabled by identified transmission investments (**350+ GW** in total). Deploying that capacity could avoid **~290 million metric tons** of CO₂ annually—about 6% of U.S. carbon emissions.

COMPARABLE LEGISLATION

Modeling of the 2024 Energy Permitting Reform Act found net emissions reductions across scenarios; RMI's central estimate attributed **6.5 billion metric tons** of avoided CO₂e through 2050 to its transmission provisions.

Sources: U.S. EIA; LBNL, Queued Up (2026); DOE (2024); R Street (2025); Bennon & Wilson (2023); Third Way/RMI/RFF/Princeton (2024); C2ES/Greenline (2026); Senga et al. (2026); Senate ENR (2026); BPC (2026); Fell, Kaffine & Novan (2021); ACP, Unlocking American Energy Potential (Oct. 2026).