

December 3, 2025

THE SURGE

BY THE COMPETITIVE ENTERPRISE INSTITUTE

In this edition of *The Surge*:

- What should federal permitting reform include?
- Should states pay the costs for other states' renewable energy mandates?
- New offshore drilling plan would unleash American energy
- Trade in wildlife can sometimes help species, not hurt them
- and much more!

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1) What Permitting Reform Should and Shouldn't Include

Permitting reform is getting a lot of attention in Congress. That's a good thing. But permitting reform needs to be done right. Too often, permitting reform is heavily focused on the National Environmental Policy Act (NEPA), but such an approach ignores many other laws that need to be addressed, arguably far more than NEPA. For example, laws such as the Clean Air Act and Clean Water Act contribute to delays and costs that also must be addressed. One concern regarding any potential permitting reform package is a likely effort to incorporate transmission reform. This could very well sabotage permitting reform efforts if done incorrectly. Transmission reform shouldn't be a way to connect unreliable electricity sources to the grid at the expense of consumers or the reliability and resilience of the grid.

- [What Permitting Reform Should and Shouldn't Include](#) (Daren Bakst & Paige Lambermont, Open Market)

2) Interior's Proposed Offshore Drilling Plan Will Help Unleash American Energy

[On November 20](#), Interior Secretary Doug Burgum issued a [Secretary Order](#) that would replace the Biden administration's 2024–2029 National Outer Continental Shelf Oil and Gas Leasing Program with a new five-year offshore drilling plan that would greatly expand the number of lease sales. This new proposed 2026-2031 National Outer Continental Shelf Oil and Gas Leasing Program could include as many as 34 lease sales covering approximately 1.27 billion acres. The [proposal](#) was published in the Federal Register on Monday, November 24, and comments are due by January 23, 2026.

- [New Interior Department Plan to Increase Offshore Lease Sales will Help Lower Prices, Increase Supply](#) (CEI Experts, News Release)
- [Interior Secretary Announces New Pro-Energy Plan for Offshore Oil and Gas](#) (Paige Lambermont, Open Market)

3) Virtual Briefing on Federal Appliance Regulation

Please join us for CEI's virtual briefing on December 16 that will discuss federal efficiency standards and how they can be reformed. The event, "***Free the Appliances!***" features keynote remarks from Rep. Rick Allen (GA-12) and Rep. Gary Palmer (AL-6). Ben Lieberman, who has a forthcoming report on this issue, will also present and be joined by CFACT's Donna Jackson on the panel. CEI President Kent Lassman will moderate the event.

When: 2:00 pm – 3:00 pm EST, Tuesday, December 16, 2025

[Register here](#)

4) FAIR Act Would Help Ensure States Adopting Flawed Energy Policy Don't Pass on Costs to Other States

As explained in a [press release](#), “Congresswoman Julie Fedorchak (R-ND) [introduced H.R. 6336](#), the Fair Allocation of Interstate Rates (FAIR) Act, to prevent households from being forced to subsidize transmission projects built to satisfy another state’s green energy goals. The bill establishes a clear principle: states must bear the costs of the policies they choose, and consumers in other states should not be stuck with the bill.”

CEI supports this bill, and has [stated](#):

The FAIR Act is an important step towards ensuring that ratepayers in one state aren’t paying for the bad policy of neighboring states. When the costs of complying with renewable portfolio standards and other mandates can be socialized to other states, it allows states adopting those policies to avoid the true costs of their decisions. If states want to adopt such policies, then that’s their call. But they shouldn’t expect other states to help foot the bill.

- Congresswoman Fedorchak’s press release with supporting statements: [Fedorchak introduces FAIR Act to stop states from being forced to pay for other states’ green energy mandates](#)

5) EPA Considering Changes to the Regional Haze Program

Has the Environmental Protection Agency’s Regional Haze Program outlived its usefulness, or did it never have much usefulness in the first place? Either way, CEI submitted a [comment](#) to an Advance Notice of Proposed Rulemaking requesting ideas for reforming this 1977 program originally designed to address air pollution potentially affecting visibility in National Parks and other scenic vistas. We note, among other things, that these emissions have declined so dramatically that it is unclear whether any further measures are needed, and that EPA should defer to state decision making on the matter.

- [How EPA's Regional Haze Overreach Undermines State Authority and Ignores Emissions Progress](#) (Ben Lieberman)

6) How Trade Can Help Wildlife

The Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES) is about to finish up their 20th meeting of the Conference of Parties. According to the UN's website, the aim of CITES is "to ensure that international trade in specimens of wild animals and plants does not threaten the survival of the species." Despite what many people might think, a legal trade of wildlife and wildlife products can be an important tool for recovering struggling populations. This is because trade allows people to benefit economically from wildlife and in turn, this gives them a reason to keep populations thriving.

- [Trade Can Aid Wildlife Recovery, Latest Global Confab Should Admit](#) (Jacob Tomasulo, Open Market)

7) Getting to the Truth on Climate Science

The Environmental Protection Agency (EPA) is expected in coming months to finalize its proposed rule to repeal the 2009 Greenhouse Gases Endangerment Finding. That Finding supplied the foundational statutory and scientific rationales for the climate policy regulatory agendas of the Obama and Biden administrations. Although legal arguments occupy most of the repeal proposal, the EPA will likely need to respond to the Obama-era EPA's interpretations of climate science. The first two posts below show that the Endangerment Finding relied on overheated models, inflated emission scenarios, and lame adaptation assumptions—a triply biased methodology designed to exaggerate the physical effects of climate change and the harmfulness of such effects. The third post turns the tables on Politico reporters who try to discredit a Department of Energy climate science report cited by the EPA as part of its justification for repealing the Endangerment Finding.

- [The Endangerment Finding's Disqualifying Systemic Biases, Part 1](#) (Marlo Lewis, Open Market)
- [The Endangerment Finding's Disqualifying Systemic Biases, Part 2](#) (Marlo Lewis, Open Market)
- [Politico's Failed Critique of DOE's Climate Science Report – Who's Misleading on Hurricanes?](#) (Marlo Lewis, Open Market)

FEATURING OUR FRIENDS

[Even Trump's EPA can't get it quite right on this silly wetlands law](#),
Damien Schiff, Pacific Legal Foundation.

[US Hurricanes 2025 in Review](#), Roger Pielke Jr., American Enterprise
Institute.

[Climate censorship and integrity at COP30 and beyond](#), Paul Driessen,
CFACT.

[Thankful For President Trump's Climate Report Card](#), Steve Milloy, Daily
Caller.

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