

The REPAIR Act of 2025

(Bill Cassidy-LA, Mike Crapo-ID, James E. Risch-ID)

The **Revising and Enhancing Project Authorizations Impacted by Review (REPAIR)** Act would ensure a thorough and efficient judicial review process while establishing clear guidelines for addressing court decisions. Bureaucratic and legal red tape are holding up energy and infrastructure projects across the country. Without addressing permitting and regulatory hurdles, new investment will face lawsuits that can ultimately kill projects in the United States. The REPAIR Act is a commonsense solution to judicial reform that will help a diverse set of projects.

If enacted, the REPAIR Act would:

Require lawsuits to be filed on the underlying statute instead of the National Environmental Policy Act (NEPA).

Rather than allowing claimants to file suit under NEPA, the bill would require the suit to be tied to specific authorizing legislation, including the Clean Air Act, the Natural Gas Act, the Federal Power Act, the Endangered Species Act, and the Outer Continental Shelf Lands Act.

Ensure individuals filing suit against an approved authorization or permit do so within 120 days and are directly harmed by the project.

The bill defines direct and tangible harm as “harm with a causal connection to a project that causes physical illness or bodily injury or uncompensated economic loss” and requires only those that can demonstrate direct and tangible harm to bring a suit.

Establish that any claim should be filed in the federal district court in which the project is located or in which the largest financial investment for the project is made.

The venue language also ensures the random assignment of cases to prevent venue shopping.

Create a database maintained by the Federal Permitting Improvement Steering Council to track claims that have not been adjudicated within 90 days of filing.

Additions to the public dashboard would identify the claim, authorizing legislation, plaintiff, defendant, date of filing for the claim, the court, and the judge assigned to the case.

Ensure that any remand or vacatur issued by the court can be addressed in a timely manner, including for final remediation plans.

The bill would also remove the ability to file a new suit based on that final remediation plan.

Endorsing organizations: U.S. Chamber of Commerce, American Petroleum Institute, the National Mining Association, Citizens for Responsible Energy Solutions, and ClearPath.