

North America's Building Trades Unions

Statement of Brent Booker
Secretary-Treasurer, North America's Building Trades Unions

Before the
Permanent Subcommittee on Investigations
Committee on Homeland Security and Government Affairs
United States Senate

Hearing on
Cutting Through Red Tape: Oversight of Federal Infrastructure Permitting and the
Federal Permitting Improvement Steering Council

September 7, 2017

Good morning. Chairman Portman, Ranking Member Carper and distinguished members of this subcommittee:

My name is Brent Booker, Secretary-Treasurer of North America's Building Trades Unions (NABTU), and on behalf of the nearly three million construction workers in North America that I am proud to represent, I would like to thank you for allowing me to testify before this subcommittee on an issue that directly impacts building and construction trades men and women across America: permitting reform.

America's labor leaders and businesses agree: the permitting process for major U.S. infrastructure projects must be modernized to make it more efficient, more accountable and more transparent. These projects employ hundreds of thousands of building trades members, and the sooner projects can break ground, the sooner our members can get to work applying their crafts and providing for their families.

Chairman Portman, your work and leadership along with Senator McCaskill on the Federal Permitting Improvement Act demonstrated a steadfast commitment to cutting red tape in order to get much needed infrastructure projects moving forward. NABTU, and in fact the entire building trades community, is extremely grateful that these efforts resulted in Title 41 of the FAST Act (FAST-41), which will greatly streamline the federal permitting process, leading to more job opportunities for construction workers across the country.

We are pleased that permitting reform is an issue on which there is a bipartisan recognition that steps must be taken to address the inequities in the process. In fact, in [*Road Map to Renewal: Invest in Our Future, Build on Our Strengths, Play to Win*](#), it was President Obama's Jobs Council found that an unnecessarily complex federal permitting process is a major barrier to capital investment and job creation. They also found that other countries expedite the approval of large projects better than the United States.

The general problem with the permitting process is this: project owners, whether it is the public or private sector, oftentimes find the federal permitting process to be overly burdensome, slow and inconsistent. Gaining approval for a new bridge or factory typically involves negotiating a complex maze of review by multiple federal agencies with overlapping jurisdictions and no real deadlines. Often, no single federal entity is responsible for managing the process. Even after a project has cleared extensive review and a permit is granted, lawsuits and judicial intervention can stymie effective approval for years – or, worse, halt a half-completed construction project in its tracks. By some estimates, a six-year delay in starting construction on public works, including the effects of unnecessary pollution and prolonged inefficiencies, costs the nation over \$3.7 trillionⁱ.

The reforms instituted in FAST-41 are designed to take steps to rectify this problem. We believe the creation of the Federal Permitting Improvement Council is a long-overdue step in the right direction. We believe the new procedures set forth in FAST-41 to standardize interagency coordination and consultation will ultimately lead us toward the better coordination among agencies and deadline setting that has been lacking in the permitting process and frustrating

construction owners, contractors, and workers for years. As an organization that relies upon standards, we welcome this.

Furthermore, by tightening litigation timeframes surrounding permitting decisions, major infrastructure projects will no longer be subject to the seemingly never-ending cycle of lawsuits project opponents advocate.

On this point I want to be very clear: North America's Building Trades Unions support responsible regulations that protect the environment, public health and worker safety. We believe they are critical to responsible infrastructure development that lasts for decades and allows for future generations to use these invaluable assets. What we are opposed to is the constant stream of endless lawsuits that project opponents rely upon because they cannot defeat a project on the merits of the project itself. When projects are tied up in the courts, our members are not working, they are not putting food on the table, and they are not providing for their families.

The enhanced transparency resulting from the Federal Infrastructure Permitting Dashboard is also a welcome development in the construction industry. We believe displaying project timelines and providing important and detailed information on each project on such a public forum will bring about increased accountability to government agencies involved in the permitting process and will allow for the general public to access information that will inform their understanding and appreciation of the impact of these projects on their communities

One such project currently listed on the Dashboard that will employ building trades members is the Atlantic Coast Pipeline, a vitally important infrastructure project that will ensure the economic vitality, environmental health and energy security of the Mid-Atlantic region.

The Federal Energy Regulatory Commission (FERC) is the lead federal agency responsible for overseeing the environmental review and approval process for this project. In coordination with more than a dozen other local, state and federal agencies, FERC will conduct a thorough and exhaustive review to evaluate all potential environmental, cultural, socioeconomic and other impacts of the project. Throughout this lengthy process, FERC and other agencies will carefully analyze all potential impacts to the land, air and water quality, wildlife and other resources to ensure the project has adopted all necessary measures to protect the environment, landowners and public safety.

The environmental review process provides numerous opportunities for the public to provide meaningful input to the agencies, including more than two dozen public meetings and multiple public comment periods. Over the last two years, the FERC has received more than 35,000 public comments from landowners, residents, businesses and organizations in communities across the region.

Given NABTU's direct benefit in advancing the Atlantic Coast Pipeline, hundreds of our affiliate union members have provided first-hand accounts of their views on the economic impacts of this project. Pipeline construction alone will create 17,000 new jobs and \$2.7 billion in economic

activity across the region. From construction subcontractors and equipment suppliers to hotels and restaurants, construction will provide a major boost to local businesses in every community.

The Atlantic Coast Pipeline will be an energy provider, job creator and economic game changer for the region. This underground natural gas transmission pipeline will transport domestically-produced, clean-burning natural gas from West Virginia to communities in Virginia and North Carolina that lack the infrastructure needed to generate cleaner electricity, heat homes and power new industries. Along the way, the pipeline will help the region lower emissions, improve air quality, grow local economies and create thousands of new jobs in manufacturing and other industries. Projects such as this one are exactly the type of major infrastructure permitting reform moves forward.

North America's Building Trades Unions were so strongly in support of the FAST-41 reforms because they lead us toward a path of standardization and finality in decision making. If a project is approved, we will compete for the work. If a project is denied, we will move on to the next project and look for other opportunities for our members to apply their crafts. With that, I once again thank the committee for this opportunity, and look forward to your questions.

ⁱ*Two Years Not Ten Years: Redesigning Infrastructure Approvals*. Common Good. Web. Accessed 12/7/15. (http://commongood.3cdn.net/c613b4cfda258a5fcb_e8m6b5t3x.pdf)