

TESTIMONY—SENATE ENVIRONMENT AND PUBLIC WORKS COMMITTEE

Good Morning Chairman Capito, Ranking Member Whitehouse, and members of the Committee. I would like to thank you for allowing me to testify today. My name is Brent Booker—General President of the Laborers’ International Union of North America (LIUNA). LIUNA was founded over 120 years ago by immigrant construction workers who sought for a better life. To this day, we are a strong, proud, diverse, and a united union representing over 530,000 workers across the United States and Canada.

LIUNA members go to work, every day, building and maintaining our nation’s infrastructure. From our nation’s endless highways, bridges, and tunnels, city skyscrapers and state water treatment centers, to our nation’s vast energy sector—our members’ jobs touch every American’s day-to-day life, one way or another. In fact, it is our nation’s boom in energy production that has provided significant work hours and jobs for our membership as we march towards complete energy independence and global competitiveness, with the determination to be unmatched by any other world nation. Our Union has always promoted and stood by an all-the-above approach to energy production: renewables, oil and natural gas, hydropower, nuclear—you name it. Because we build it all. As union laborers, we take pride in our work. We have a skilled and well-trained workforce that is second to none and we have the success rate to prove it. That is, we get jobs done right, on time—the first time—on budget, and in the safest way possible.

Because we represent our nation's builders, LIUNA is inherently involved in both federal and state permitting. When we know a project will be built by hardworking laborers, we embed ourselves within a project's regulatory process to help ensure it successfully gets approved in a timely manner. The construction sector plays a unique role within the permitting process given the very nature and definition of our work. That is, every construction job is a temporary job. Every day a construction worker goes to a jobsite, they are actively working themselves out of that job. Because once that bridge is built or that tunnel is dug, he or she is now unemployed. Our members must move from jobsite to jobsite, stringing together projects that allow them to create a career within the construction industry. Therefore, predictability of projects is crucial.

We understand this process takes time. Trust me, no one recognizes the scale of some of these projects better than those who are building it. But unpredictability equivalates to unemployment for our members because it is these projects that are a pathway to a middle-class way of life; a pathway that includes family-supporting wages, good healthcare and welfare benefits, and the ability to one day retire with dignity.

It has become more evident that projects both big and small are taking longer and longer to get approved. And while this dilemma spans across all areas of infrastructure, nowhere is this more prevalent than within the energy sector. Particularly within the agency permitting approval process and with judicial litigation challenges. These unnecessary and costly delays wreak havoc on the construction industry. A project could be permitted, fully funded, and ready to go one day. Then on the next day, out of now where, it gets hit with a lawsuit.

What many outside the construction sector fail to realize is that our members are paid hourly. If they cannot go to work, they cannot get paid. So, when a member asks when they will be able to go back on that job, and we are forced to tell them that we don't know; that it could be months or even years... well, you try delivering that message to someone who has a mortgage payment due next week, or has to buy books for their kids starting school next month. Quite frankly, we are sick and tired of frivolous litigation tactics brought on by special interest groups whose only objective is to delay a project—costing developers millions and taking food off the table of our members' families. Sufficient litigation guidelines and limited judicial review timelines must be included in any and all permitting reform packages.

These tactics are also true for various NEPA permit approvals and agency deadlines that, more often than not, get used as political footballs in order to delay projects. Allowing federal or state agencies the ability to withhold a decision on a necessary permit leaves projects in limbo and, once again, kicks our members to the curb who are simply trying to make a living. Wrongfully manipulating the regulatory review process that gives agencies the ability to miss critical deadlines without any ramifications needs to end now. Our members' work within our nation's pipeline sector bear the brunt of these targeted campaigns. Over the last decade the pipeline industry, predominantly within natural gas, has put thousands of laborers to work amounting to tens of millions of work hours. And as we continue to expand into more advanced energy sources, such as hydrogen and carbon capture and utilization, it is clear those members' jobs and valuable skillsets will be vital to a cleaner energy future.

We have seen, first hand, project uncertainty brought on by agency regulatory delays extend across all sectors of energy production. Most recently, we have seen issues within the renewable sector. Specifically, with respect to offshore wind production—a sector that has, since the passing of the Inflation Reduction Act, been a tremendous contributor of jobs for LIUNA members. Between the harbor and port buildouts, to turbine construction, to the installation of the turbines themselves, LIUNA members are building offshore wind projects at a rate like never before. In New London, Connecticut LIUNA members are building Revolution Wind which will deliver 304 MW of clean, affordable offshore wind power to Connecticut and another 400 MW to Rhode Island, powering more than 350,000 New England homes. We are also building the long-awaited Vineyard Wind project in Massachusetts and LIUNA members helped construct Rhode Island's Block Island Wind Farm—the first offshore wind project in our nation's history.

Yet, the new administration's halt on offshore lease sales has upended the wind production market and has led to projects completely withdrawing their construction plans, costing LIUNA members their jobs. The Prysmian Group—a cable company—announced it will be abandoning its plans to build a factory in Somerset, Massachusetts that would have supplied undersea cables to American offshore wind farms. With the simple swipe of the pen, or lack thereof in this case, these decisions impact real communities, real job markets, and most importantly, the lives of the members we proudly represent. Like Carl Ferreira, a 30-year member who has spent his entire career building energy projects across our nation. Or Dennis Santos, a 27-year member who also has worked on countless energy projects, keeping the lights on for countless Americans. This isn't a political game for our members. It's real-life consequences.

Once more, in California, there are two offshore wind projects still in the regulatory process which are set to employ laborers that are also at risk of shutting down. Lastly, Starboard Wind project, a 1,184-megawatt project proposed by Orsted about 30 miles south of Martha's Vineyard, which was expected to power upwards of 600,000 homes, is likely to face significant hurdles as it is still in the survey phase. This especially hits home for me, as I was proud to have helped negotiate and implement the National Offshore Wind Agreement back in 2022 while serving in my previous position of Secretary Treasurer of the North America's Building Trades Unions. This was a historic and monumental agreement that was going to bring thousands of good union jobs to workers across the country. Many of projects that were negotiated under this agreement are now at risk of being terminated.

These are just a few of many examples, highlighting the need for permitting reform that addresses the real issues and stops projects from being used as pawns on a political chess board. Because it is our members that pay the ultimate cost.

There is no question organized labor has a large role to play in helping to define permitting reform policy. The trade union movement is the closest thing our country has to a middle-class lobby with respect to jobs and how this policy can shape employment opportunities within construction. We have come so close, many times, on comprehensive permitting reform that tackles the real issues that our nation faces, and more importantly the issues that are members face. If you take away one thing from my testimony today please let it be this: It is LIUNA members who go to work every day building the America we all use, every day. Whether it's

turning the lights on every morning or commuting to work on a highway, it's likely a laborer had a hand in it.

This isn't about politics. It's about global competitiveness. It's about energy independence and making sure we position ourselves in the best way possible in order to dominate the future of energy production. And most of all, it's about putting our members to work allowing them access to a middle-class way of life and the ability to retire with proper benefits. Because even to this day, that is still the American dream. Thank you again for this opportunity and I look forward to your questions.