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# NATIONAL INFRASTRUCTURE ALLIANCE

October 18, 2016

The Honorable Barack H. Obama  
President of the United States  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, DC 20036

Dear President Obama:

The National Infrastructure Alliance is deeply disturbed by your Administration's extralegal action to prevent construction of Dakota Access Pipe Line (DAPL). We seek your support to rectify the situation by directing the Army Corps of Engineers to immediately issue the easement for the project and allow the highly skilled construction workers who were already building the project to get back on the job and earn a paycheck.

The National Infrastructure Alliance represents four of the nation's leading construction unions – the United Brotherhood of Carpenters and Joiners of America, the International Union of Operating Engineers, the Laborers' International Union of North America, and the International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers – and together we represent over nearly 2 million workers in North America. In short, we build the nation's public and private infrastructure, and we are concerned about the precedent that your Administration's actions have established for our work.

All of the required permits have been obtained by Energy Transfer Partners. No more regulatory hurdles remain for the project. Yet, inexplicably, your Administration sought a voluntary work stoppage immediately after a positive outcome to a legal challenge in District Court, and it reiterated that call after the Court of Appeals upheld the integrity of the process this week – the tribal consultation in particular – and the work of your agency, the Army Corps of Engineers.

We find your Administration's recent action on DAPL deeply unsettling. We are, frankly, stunned that a positive decision in U.S. District Court on September 9 to uphold the work of the Army Corps of Engineers could result in a request for a "voluntary" work stoppage on a project that was nearly 60% complete and where nearly \$2 billion had been invested.

## Building America's Infrastructure

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The intervention by the Departments of Justice, Interior, and the U.S. Army to halt a project for an indefinite period of time, using the leverage that the federal government possesses with regard to its easement on Corps property, is unprecedented and without comparison. We can think of no other similar situation.

The Dakota Access Pipe Line was lawfully permitted and approved earlier this year after more than two years of review by the states of North Dakota, South Dakota, Iowa and Illinois, and the U.S. Army Corps of Engineers. It obtained more than 200 required permits and hundreds of easements for private and public lands. The regulatory review process allowed for project supporters and opponents alike to share their views at numerous public hearings held across the pipeline route as well as through comments submitted to the state and federal docket.

We all understand how thorough, extensive, and prolonged these environmental review processes can be for large projects of national significance – both for public and private infrastructure. Major infrastructure legislation that you have signed, from the highway and transit reauthorizations to water resources legislation, has contained permit streamlining provisions – a clear recognition that delays and uncertainty in the review process for public projects hinders the nation's infrastructure development.

Private projects suffer the same setbacks, hindering growth, development, and jobs. Energy Transfer Partners executed an agreement with the relevant union construction crafts for the work, ensuring the best wages, benefits, and work conditions in the industry for the highly-skilled workforce. They have met their obligations to the public. They have obtained the necessary permits for construction from four states and the federal government. They have obtained all of the right-of-way. They have met their requirements under federal law.

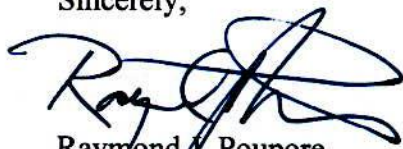
Construction workers – our members – tend to be the victims in these situations and DAPL is no different. Our members lose wages, contributions to their retirement accounts, and their lives can be thrown into chaos – a project that demands large numbers of skilled workers in a rural area oftentimes requires relocation. In the case of DAPL, the workers' safety has been threatened by violent demonstrators, their tools of the trade vandalized and sabotaged by protestors, and the cyber-hacking group Anonymous has even threatened to release their private, personal information to the public unless they immediately left the job site.

This unfortunate situation demands your immediate attention. We strongly encourage you to stand up for American workers and American infrastructure by reversing course on your Administration's extralegal action regarding the Dakota Access Pipe Line, which is sending shock waves through the development community and the membership of our unions. This kind of action can tip the balance on future projects.

The National Infrastructure Alliance respectfully requests that you direct the Army Corps of Engineers to issue the easement for construction under Lake Oahe to the Dakota Access Pipe Line and allow the unionized workforce to complete the job that the law authorized.

Thank you for your consideration of our views.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ray Poupore', with a large, stylized flourish at the end.

Raymond J. Poupore  
Executive Director

cc: The Honorable Loretta E. Lynch, Attorney General  
The Honorable Sally Jewell, Secretary of the Interior  
The Honorable Eric Fanning, Secretary of the Army