



September 7, 2022

The Honorable Chuck Schumer  
Majority Leader  
United States Senate  
Washington, D.C. 20510

The Honorable Mitch McConnell  
Minority Leader  
United States Senate  
Washington, D.C. 20510

Dear Senators:

The American Road & Transportation Builders Association (ARTBA) is encouraged by the Senate's plans to act on permitting reform legislation in the coming weeks. Meaningful improvements to the project delivery process are essential to fulfilling the promises of the Infrastructure Investment and Jobs Act (IIJA), and we encourage you to look beyond energy infrastructure and include highway and public transportation project delivery improvements in your discussions.

The IIJA is a five-year generational investment in the nation's infrastructure network, but the time-consuming environmental reviews currently required could hinder the law's intended benefits. For those projects that require an environmental impact statement, the approval process averages seven years for highway projects, while transit projects average five years, according to data from the White House Council on Environmental Quality (CEQ). Thus, even if a road or transit project was started the day after the IIJA was signed, it may not be completed until after the law expires.

Congress recognized and addressed this dilemma by including bipartisan solutions in the IIJA, including codification of the One Federal Decision (OFD) policy, which sets a two-year goal for completion of the environmental review and approval process. However, CEQ has made little public progress on OFD's implementation, instead the agency remains focused on repealing recent reforms to the National Environmental Policy Act (NEPA) that would reduce unnecessary infrastructure project delays. The lack of progress on implementing OFD removes an important tool to allow for the timely modernization of our nation's infrastructure.

The IIJA's potential for economic growth is too great to mire much-needed transportation system improvements in interminable reviews. As Congress develops permitting reform legislation this fall, we urge you to direct CEQ to abandon their assault on beneficial changes to NEPA and direct their energy towards fully implementing the IIJA's bipartisan permitting reform provisions.

Sincerely

David C. Bauer  
President & CEO