



LiUNA!
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President Obama
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

October 3, 2016

Dear President Obama,

We write to you today on behalf of the nearly 3.5 million members of our trade unions as well as the 8,000 members currently working on the Dakota Access Pipeline Project, who will be impacted by the outcome of the Administration's reconsideration of federal construction permits issued in July.

The intervention by the Departments of Justice, Interior, and the U.S. Army to indefinitely halt a project that is more than halfway constructed and has received state and federal approval raises serious concerns about the future of infrastructure development in America, and the livelihoods of our members. We urge you to adhere to the well-established regulatory process for permitting private infrastructure projects and approve the easement for the remaining section of the Dakota Access project without delay.

The project is being built with an all-union workforce and workers are earning family-sustaining wages, with family health care and retirement contributions. However, the project delays are already putting members out of work and causing hardships for thousands of families.

Furthermore, the Dakota Access pipeline 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 as well as 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 along the pipeline route as well as through comments submitted to the state and federal dockets.

Opponents dissatisfied with the U.S. Army Corps' decision to approve the project took their case to federal court, and on September 9, 2016, U.S. District Court Judge James Boasberg—an appointee of yours—concluded that not only had the U.S. Army Corps likely met its National Environmental Policy Act and National Historic Preservation Act consultation obligations, it appeared to have exceeded the requirements in most cases. In fact, the U.S. Army Corps of Engineers held 389 meetings with 55 tribes on the Dakota Access project.

Further, the project opponents were unable to produce evidence that sites of cultural and historic significance would suffer irreparable harm from construction of the Dakota Access Pipeline. In his decision, Judge Boasberg detailed the extensive community consultation, mapping process and approval of the project's historic preservation plan. In short, the District Court found that the Standing Rock Sioux Tribe's procedural and substantive claims are unlikely to succeed and the Tribe's request for a preliminary injunction was denied.

In addition, responding to concerns of opponents, the State Historical Society of North Dakota (SHSND) conducted an inspection of alleged disturbances to cultural resources on September 21, 2016. Paul Picha, the SHSND's Chief Archaeologist reported that no human bone or other evidence of burials was found in the construction corridor and that the inspection "revealed no evidence of infractions or violations...with respect to human remains or significant sites."

Given all of this background and Judge Boasberg's thorough decision, we are deeply concerned about the decision of the Departments of Justice, Interior, and the U.S. Army to delay this project. The precedent created by this extraordinary intervention following the conclusion of the regulatory process is chilling for future investment in necessary U.S. infrastructure – from highways and bridges to ports and factories.

Our members make careers out of jobs created by projects like Dakota Access, and our jobs depend on the investments of conscientious employers. If companies like Energy Transfer Partners cannot trust that the regulatory process outlined in federal law will be upheld, who will continue to invest in America? The family-sustaining jobs and benefits that this project provides are in jeopardy.

We strongly encourage you to stand up for American workers, American infrastructure and the federal civil servants who completed the thorough and thoughtful analysis of the Dakota Access project by allowing this important project to proceed without further interruption.

Sincerely,



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