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Yesterday, the President announced more details regarding the new national infrastructure initiative that he referenced during his State of the Union address. The details suggest the Administration is taking a new approach to infrastructure—coupling traditional infrastructure concepts with modern approaches to funding and permitting. This new approach will have significant impacts on the energy industry, manufacturing, utilities, highways, railways, tech, and telecom.

As policymakers and the infrastructure community embark on a process to turn these principles into a robust infrastructure package, the Policy Resolution Group at Bracewell recommends that you look for these five issues to drive the process.

### **The Role of Infrastructure Permitting** *by Kevin Ewing and Christine Wyman*

The environmental review and permitting process for energy infrastructure is often unpredictable and challenging. The White House has suggested expansive reforms to the permitting process intended to improve it through increased coordination of federal agencies, defined timelines, and revisions to the process by which states participate in the permitting review. These reforms, and in particular the role of states in the permitting process, are likely to generate significant discussions on states' rights and cooperative federalism.

goal is to leverage roughly \$200 billion in direct federal outlays into \$1.5 trillion in total infrastructure spending. Doing so will require creativity in identifying revenue sources and developing innovative financing tools that will entice state and local governments to invest alongside private industry. Achieving this ambitious target will require a mix of new loan instruments, federal grant money through the annual Congressional appropriations process, and an expansion of existing tools such as private activity bonds.

### **The Role of Public Private Partnerships (P3s)**

by **Angela Styles**

The ability of private entities to engage with government to rebuild our nation's infrastructure may be the linchpin of this proposal. The most obvious way for private companies to participate in projects that serve the broader civil interest is through public-private partnerships. But despite the rising prominence of P3s among the states and across the globe, the U.S. government's ability to employ these tools is hampered by significant statutory and regulatory barriers. In order to harness the skills—and the funds—of the private sector on a trillion-dollar scale, the authority of the federal government to engage in P3s will have to be expanded and the process streamlined.

### **The Role of Innovation**

by **Stoney Burke and Liam Donovan**

In addition to conventional infrastructure like roads, bridges, and utilities, the Administration's plan carves out a place for "transformative" projects that seek to make significant investments in emerging technologies. The idea is for government to work with private industry to facilitate the next "moon shot" and encourage development of transformative infrastructure projects. From a national 5G network to the next generation of smart grid technologies, policymakers will be looking for innovative infrastructure projects to keep pace with the growing digital economy.

### **The Role of Life Cycle Analysis**

by **Scott Segal**

Whether due to natural disasters or simple wear-and-tear, our nation's infrastructure incurs billions of dollars of damage and degradation every year. The use of life cycle analysis techniques allows planners to better calibrate the long-term economic and environmental impacts of choices made at the front end of a project involving design, materials, and a host of other factors—significantly affecting long-term infrastructure investment decisions.

## **WANT TO LEARN MORE? SAVE THE DATE!**

To hear more about the core issues involved in the infrastructure debate from policymakers and industry representatives involved in crafting these policies, **join us on Capitol Hill on March 1 from 8:30 am – Noon** for an infrastructure briefing on policy and practice. For more information, contact [Zev.Moses@bracewell.com](mailto:Zev.Moses@bracewell.com).

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