Joseph Rainey Center Releases Report on Permitting Stability and Infrastructure Investment

New report examines how uncertainty surrounding federally approved infrastructure projects could affect investment, financing costs and retirement savings.

WASHINGTON, DC, UNITED STATES, September 21, 2026 /EINPresswire.com/ -- The Joseph Rainey Center for Public Policy has released a new report examining how uncertainty surrounding federally approved infrastructure projects could affect private investment, financing costs and retirement savings.

The report, "When Permits Aren't Permanent: How Permitting Instability Reaches the American Retirement Portfolio and the Statutory Reforms That Will Restore Investor Confidence," was authored by Sarah E. Hunt, President and CEO of the Joseph Rainey Center for Public Policy.

The report comes as the United States faces a significant infrastructure investment gap. The American Society of Civil Engineers estimates that the country will need $9.1 trillion in infrastructure investment between 2024 and 2033, compared with approximately $5.4 trillion in projected public and private funding. The resulting gap is estimated at $3.7 trillion.

The report argues that closing that gap will require substantial private capital, including investment associated with public and private pension plans, 401(k) accounts, insurance companies and other institutional investors. According to the report, the ability of investors to commit capital to long-duration infrastructure projects depends in part on whether federal permits, leases, licenses and rights-of-way remain valid after they are issued.

Hunt's report distinguishes between the "front door" and "back door" of the permitting process. Front-end reforms can establish deadlines, streamline reviews and reduce procedural delays. The report argues that these reforms do not fully address the risk that an approved project could later be halted or its authorization withdrawn.

The report examines recent federal actions involving offshore wind projects as an example of the potential investment consequences. It notes that several projects under construction were subject to federal stop-work orders and that subsequent negotiations resulted in the surrender of certain offshore leases and compensation to project developers. The report describes these as negotiated resolutions rather than seizures, while arguing that the uncertainty surrounding

the projects can nevertheless affect how investors evaluate future infrastructure projects.

The report also distinguishes between capital recovery and capital stranding. When an investment is terminated with compensation, investors may be able to recover and redeploy their capital. When a project is halted after substantial construction has occurred, however, invested funds can remain tied to an unfinished asset while financing and other costs continue.

Hunt's report proposes six statutory reforms intended to increase the durability and predictability of federal infrastructure approvals:

• Establish finality for validly issued federal authorizations, subject to defined statutory grounds for revocation.

• Establish when project rights vest after an approval milestone has been reached.

• Create enforceable permitting deadlines and consolidated review procedures.

• Establish a uniform and limited period for legal challenges to federal project approvals.

• Require written findings, certification and time limits when emergency or national-security authorities are used to cancel an approved project.

• Establish an appropriated compensation framework when the government terminates a valid authorization for policy reasons.

The report argues that these reforms should apply across infrastructure technologies rather than favoring particular types of projects. It identifies energy facilities, transmission infrastructure, pipelines, transportation projects, ports and other federally authorized infrastructure as examples of projects that can depend on long-term regulatory certainty.

The report concludes that permitting reform should address not only how projects receive federal approval, but also whether investors can reasonably treat that approval as durable enough to support long-term investment.

The full report, "When Permits Aren't Permanent," is available from the Joseph Rainey Center for Public Policy.

About the Joseph Rainey Center for Public Policy

The Joseph Rainey Center for Public Policy is a nonprofit public policy organization focused on developing practical policy solutions and fostering collaboration across political and ideological lines

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