



June 9, 2021

The Honorable Peter DeFazio
Chairman
U.S. House Committee on Transportation
& Infrastructure
U.S. House of Representatives
Washington, DC 20515

The Honorable Sam Graves
Ranking Member
U.S. House Committee on Transportation
& Infrastructure
U.S. House of Representatives
Washington, DC 20515

Dear Chairman DeFazio, Ranking Member Graves and Members of the House Committee on Transportation and Infrastructure:

On behalf of Associated Builders and Contractors, a national construction industry trade association with 69 chapters representing more than 21,000 members, I write to express our concerns with the INVEST in America Act. Ahead of the markup, ABC appreciates the opportunity to provide the committee with additional insight into issues facing the construction industry and policies that can further ensure the best use of taxpayer dollars to support our nation's critical infrastructure while citing our support for several amendments that would improve the legislation.

ABC believes that the surface transportation reauthorization is essential and will provide a path forward on the essential infrastructure that is needed to assist in the recovery of the American economy. However, ABC is concerned that the INVEST in America Act as written does not include several essential priorities of the construction industry that would reduce costly and ineffective regulations, increase competition and address the construction industry's skilled worker shortage. These priorities can help bring critical construction projects to market in a more economical and efficient manner.

Further, ABC urges the committee to reconsider the current partisan approach to surface transportation, and instead follow the example of the bipartisan surface transportation bill that was unanimously passed through the Senate Environment and Public Works Committee, the [ABC-supported](#) Surface Transportation Reauthorization Act of 2021.

ABC supports the below list of amendments that seek to improve the INVEST in America Act:

- ABC supports Davis (R-Ill.) [Amendment #025](#), which would codify Executive Order 13807: Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Project, or "One Federal Decision," which would provide critical regulatory reform by streamlining the environmental review and permitting process for major infrastructure projects.
- ABC [supports](#) Rep. Graves (R-La.) [Amendment #101](#), which would enact the Building U.S. Infrastructure Through Limited Delays & Efficient Reviews (BUILDER) Act, creating a more efficient National Environmental Policy Act review process.
- ABC supports Rep. Perry (R-Pa.) [Amendment #132](#), which would strike section 1312 of the bill which sets restrictive apprenticeship standards that would fail to effectively expand apprenticeship opportunities, as it would further restrict small businesses' ability to access federally registered apprenticeship programs while preventing workers from obtaining nationally recognized credentials that are recognized by employers.
- ABC supports Rep. Perry (R-Pa.) [Amendment #141](#) that would repeal the prevailing wage requirements of the bill. While ABC supports increased financing of surface transportation infrastructure projects, we are concerned that these funds would apply federal Davis-Bacon Act requirements - decreasing the value to taxpayers while not applying any restriction to size of the project and without requiring the Department of Labor to improve its ongoing wage determination issues. The flawed and inflationary wage determination process [increases the cost of construction](#) and can have chilling impact on competition, particularly for small and minority-owned businesses.

- ABC supports Rep. Perry (R-Pa.) [Amendment #145](#) that would prohibit the federal government from mandating PLAs on these projects. As highlighted in a [letter from 26 members of the House to the T&I Committee](#), the most cost-effective way to rebuild infrastructure is to promote a fair and open competitive procurement process, free from project labor agreement mandates.
- ABC supports Rep. Perry (R-Pa.) [Amendment #148](#), which would ensure that contractors who are not a signatory to a union neutrality agreement are able to compete on projects funded by the bill.

Finally, ABC would also like to express our continued commitment to building taxpayer-funded projects with the highest standards of safety and quality, and we stand ready for the opportunity to build and maintain America's infrastructure to the benefit of the communities that it will serve.

We thank you for your leadership and look forward to working with you to address the critical infrastructure needs of our nation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kristen Swearingen', written in a cursive style.

Kristen Swearingen
Vice President, Legislative & Political Affairs