



Testimony of:

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U.S. House Committee on Small Business Hearing:

“From Nothing to Something: The Story of the American Dream”

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Chairman Williams, Ranking Member Velazquez and members of the U.S. House Committee on Small Business:

Thank you for the invitation to testify this morning and for the opportunity to discuss American entrepreneurship and how I started and grew my business. I would also like to thank all of the committee members for the hard work you do on behalf of small business owners like me.

My name is Roy Heim, and I am president of Heim Construction Co., headquartered in Orwigsburg, Pennsylvania, the small rural town in eastern Pennsylvania where I was born and raised.

I am an elected school board member and an appointed vocational tech board member for the Blue Mountain School District in Schuylkill County, Pennsylvania. I am also a member of several associations, including Associated Builders and Contractors, Associated General Contractors and Associated Pennsylvania Constructors.

I attended K-12 at and graduated from Blue Mountain High School in Schuylkill. During high school, I was also a carpentry student for four years at the Schuylkill Technology Center, a vocational technical school that I am still involved with through the vocational technical board. I spent most of my senior year of high school in a co-op program where I gained knowledge on the many aspects of careers in the construction industry.

After high school, I took a job working on infrastructure projects in Pennsylvania for a few years before I was given the opportunity to move to Homer, Alaska, to work on the Bradley Lake Hydroelectric Project. The project, which is still an active energy producer, involved boring a 3.5-mile power tunnel with a diameter of 24 feet and constructing a brand-new, 610-foot-long, 125-foot-high concrete-faced and rock-filled gravity dam—all at the bottom of a glacier. I spent approximately two years on that project gaining invaluable experience.

Upon returning home, I worked for a concrete contractor for approximately six months before leaving to start my own business as a small general contractor. In 1991, Heim Construction started with two employees and has been growing ever since.

Today, Heim Construction Co. Inc. is a construction management, design-build, general construction and concrete services company that does millions of dollars of public and private work, including many state, federal and federally assisted funded projects. We have been in business for over 30 years and currently employ approximately 95 people.

Over the many years that we have been in business, the number of federal and state regulatory requirements affecting the construction industry has grown significantly. We have spent an enormous amount of time and money to stay compliant, employing eight full-time employees who work countless hours to ensure we remain in compliance with the ever-changing regulations. Many of these laws and regulations, while well-intended, make it much more difficult, if not impossible, for small businesses to comply, compete and survive—let alone profit.

Another issue threatening small businesses like mine is tying state and federal construction funding to special interests. For example, when the federal government issues executive orders, like President Biden's EO 14063, or passes regulations mandating or prioritizing project labor agreements, it can tie federal funds to the use of union-only labor, discriminating against the more than 88% of workers who have chosen not to join a union. This eliminates fair and open competition among contractors and is harmful to the construction industry, its workers and, ultimately, taxpayers, who pay more because of the limited resources and competition. That 88% is the heart of the small business community in the construction industry that you are here to protect and help thrive.

I have a relationship with unions. I hire them and they hire me on jobs across the state. But there is no reason to mandate union-only labor when we can fairly compete against each other.

An additional issue facing small businesses like mine is the Build America, Buy America Act. While we fully support the intentions behind the legislation to keep jobs and manufacturing in our country, the recent modifications, amendments, legal decisions and executive branch actions surrounding it have left even federal officials confused as to how to get projects completed and ensure compliance.

The laws fail to consider the limitations of the supply chain's ability to source all of the components needed to construct federal construction projects in the United States. During the COVID-19 pandemic, all of us have felt how fragile the supply chain is. Contractors' ability to fully comply with this legislation will require transitioning from a global supply chain to a United States-based one that is not fully capable of handling the demand. Congress and the Biden administration need to act immediately to add flexibility in the form of exemptions so that products or components not yet 100% available in the United States can still be incorporated into federally funded projects to reduce cost and

schedule overruns.

While these are just some of the implications of each regulatory obstacle, I have attached a [nonexhaustive list of federal and state regulatory requirements](#) that impact construction industry job creators.

As you read it, picture yourself as a small business owner or someone helping an aspiring entrepreneur. Ask yourself if government has created too big of a hill to climb. It is my hope that this committee can help cut regulations that threaten the American dream for entrepreneurs like myself, who want to work hard in pursuit of starting and maintaining a small business to provide for our families and support our communities.

Please be our advocate to reduce these regulations and give small businesses back the ability to remain the backbone of the American economy.

Thank you again for the opportunity to serve as a witness for this hearing and I look forward to answering any questions you may have.