



January 22, 2025

The Honorable David Rouzer
Chairman
Committee on Transportation and Infrastructure
Subcommittee on Highways and Transit
U.S. House of Representatives
Washington, DC 20515

The Honorable Eleanor Holmes Norton
Ranking Member
Committee on Transportation and Infrastructure
Subcommittee on Highways and Transit
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Rouzer, Ranking Member Holmes Norton and Members of the U.S. House Committee on Transportation and Infrastructure's Subcommittee on Highways and Transit:

On behalf of Associated Builders and Contractors, a national construction industry trade association with 67 chapters representing more than 23,000 member companies, I write to thank you for holding a hearing on "[America Builds: Highways to Move People and Freight](#)." This hearing is vital to examining policies that bolster America's highway system as the committee prepares to reauthorize the Surface Transportation Act.

Background:

ABC members play a significant role in building and rebuilding America's infrastructure. Specifically, between fiscal years 2009-2023, ABC members won 54% of federal contractors worth \$35 million or more, and built award-winning projects safely, on time and on budget. ABC is committed to promoting a fair and competitive bidding process that allows all qualified contractors to compete on a level playing field based on merit, experience, quality and safety to deliver the highest-quality projects at the best cost.

Legislative Considerations:

During the 119th Congress, the Subcommittee on Highways and Transit will play a leading role in the reauthorization of the Surface Transportation Act. The bill's provisions will have a significant impact on taxpayer costs, workforce development and small business participation associated with authorized federal construction projects. For this reason, it is essential the committee consider the following principles within the Surface Transportation Act reauthorization:

- **Fair and Open Competition:** The most cost-effective way to build infrastructure is to promote a fair and open competitive procurement process, free from project labor agreement mandates. This process reduces federal contract costs by up to 20% and ensures that federal infrastructure projects benefit all of America's workers, regardless of labor affiliation. It stands in stark contrast to Biden administration policies, including [Executive Order 14063](#), that have been [widely criticized](#) by the construction industry, taxpayer watchdogs and lawmakers for needlessly inflating construction costs.
- **Workforce Development:** At a time when the construction industry needs to attract more than half a million additional workers on top of the normal pace of hiring to meet the demand for labor, attracting employees remains one of the industry's greatest challenges. To address this challenge, Congress should prioritize an all-of-the-above workforce development strategy that provides opportunities for all workers regardless of labor affiliation.

ABC supports policies that provide workers and employers the freedom to choose the best way to create value and help build and rebuild America. By promoting both industry-driven and government-registered apprenticeship programs, the committee can enhance small businesses participation on federal projects and reduce the deterrence of registered apprenticeship program's costs and paperwork.

ABC and its 67 chapters currently provide more than 450 GRAPs in over 20 construction industry trades such as electrical, plumbing, carpentry, HVAC, welding and more. None of these ABC chapter GRAPs are affiliated with unions. ABC urges the committee to oppose policies that make federal contract awards contingent upon completing exclusionary programs that disregard the skills of existing workers.

- **Davis-Bacon and Related Acts:** The Davis-Bacon Act, as currently administered by the U.S. Department of Labor, unnecessarily hinders economic growth and stifles contractor productivity by mandating wage rates on federal construction projects that fail to reflect true, market-based rates. The main culprit for these frequent discrepancies is the flawed, unscientific wage survey process that the DOL uses to calculate these so-called “prevailing” wages. According to DOL estimates, DBA collectively applies to an estimated \$217 billion in federal and federally assisted construction spending per year—which was about two-thirds of all public works spending in 2021.

ABC supports the true reform and/or repeal of the Davis-Bacon Act to save valuable taxpayer dollars, improve federal wage determinations, eliminate unnecessary and cumbersome bureaucracy for contractors, limit the negative impacts of the DOL’s prevailing wage policy and support benefit rates that accurately reflect the current construction market.

Conclusion:

The passage of a Surface Transportation Act reauthorization that maximizes the value of federal spending is critical to effectively modernizing our nation’s most critical infrastructure. ABC members stand ready to build America’s surface transportation infrastructure to the benefit of the communities that it will serve.

ABC appreciates the opportunity to comment on today’s hearing and looks forward to continuing to work with the committee during the 119th Congress.

Sincerely,



Kristen Swearingen
Vice President, Legislative & Political Affairs