



December 3, 2021

The Honorable Chuck Schumer
Majority Leader
U.S. Senate
322 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Mitch McConnell
Minority Leader
U.S. Senate
317 Russell Senate Office Building
Washington, D.C. 20510

Dear Majority Leader Schumer and Minority Leader McConnell:

The National Demolition Association (NDA) represents nearly 500 U.S. and Canadian companies that offer standard demolition services as well as a full range of demolition-related services and products. NDA educates members on the latest advances in equipment and services, provides educational programs and tools to stay abreast of regulatory and safety matters and keeps regulators informed about issues in our industry. NDA also increases public awareness of the economic and societal benefits of demolition.

NDA writes today to urge the Senate to support the priorities of the demolition industry as you consider possible revisions to the House of Representatives' Build Back Better Act (H.R. 5376). As currently written, the Build Back Better Act contains problematic provisions that would have a negative impact on demolition contractors and the U.S. economy overall. These provisions are particularly concerning given the ongoing economic uncertainty resulting from the COVID-19 pandemic, labor shortages and supply chain disruptions.

To this end, NDA calls on the Senate to amend the legislation to ensure any new policy proposals do not impose burdensome costs on small businesses and hinder job creation. Below you will find several recommendations from NDA to improve the Build Back Better Act and support America's demolition contractors.

Oppose Tax Increases on Demolition Contractors

NDA opposes all tax increases on demolition contractors and urges the Senate to reject any changes to the tax code that would have a negative impact on the demolition industry. Small businesses are the backbone of the economy as they employ nearly half of all American workers and account for two-thirds of the net job creation over the past decade. NDA supports a simplified tax code that does not place an unnecessary burden on job-creating demolition contractors. As the economy continues to recover from the COVID-19 pandemic, now would be the wrong time to raise taxes on America's small businesses.

Oppose Unreasonable Increases to OSHA Fines

The Build Back Better Act currently contains ten-fold increases to civil penalties levied by the

Occupational Safety and Health Administration (OSHA) on the employer community. While workplace safety continues to be a top priority for NDA, these proposed increases are unreasonable and could cripple small businesses and lead to job losses across the country. NDA urges the Senate to remove these increases in the final bill.

Oppose Expansion of the Family Medical Leave Act (FMLA)

NDA believes a fair and considerate leave policy should be between employers and their employees. For this reason, NDA opposes the expansion of the Family Medical Leave Act (FMLA) and other government mandates that eliminate employers' ability to negotiate flexible leave policies with their employees. Government mandates take away employers' and employees' ability to negotiate flexible benefits packages and increase the time, paperwork and cost of complying with labor laws. The Senate should remove the House's FMLA expansion in the final bill.

Prioritize Workforce Development Initiatives

NDA remains concerned about the growing "skills gap" in the nation's workforce and the negative effects it is having on the construction industry. NDA supports the Perkins Act that provides federal support to state and local career technical education (CTE) programs. NDA also supports proposals to expand vocational training, apprenticeships and work-based learning. The Senate should prioritize programs that will help alleviate workforce shortages in the U.S. economy.

Thank you for the opportunity to provide comment and we look forward to working with the Senate as you consider changes to the Build Back Better Act in the coming weeks. Please contact NDA's Director of Government Affairs Kevin McKenney at kmckenney@demolitionassociation.com with any further questions.

Sincerely,



Jeff Lambert
Executive Director
National Demolition Association