



**September 23, 2019**

The Honorable Richard Shelby  
Chairman  
Committee on Appropriations  
U.S. Senate  
Washington, D.C. 20510

The Honorable Patrick Leahy  
Vice Chairman  
Committee on Appropriations  
U.S. Senate  
Washington, D.C. 20510

Dear Chairman Shelby and Vice Chairman Leahy:

The National Demolition Association (NDA) represents over 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.

On behalf of NDA members, I am writing today to bring to the Committee's attention an issue which could threaten the competitiveness of the demolition industry and the safety of our citizens. Specifically, NDA wishes to express concerns regarding the use of Community Development Block Grant (CDBG) Program funding by state and local governments to acquire demolition equipment for the purposes of establishing in-house demolition programs. The most recent example comes from Paterson, New Jersey where city officials secured over \$700,000 in CDBG funding from the Department of Housing and Urban Development (HUD) to lease construction equipment to demolish fire-damaged properties.<sup>1</sup>

Purchasing demolition equipment with CDBG funds is currently listed as an ineligible activity under 24 CFR § 570.207. However, cities like Paterson are getting around this prohibition by exploiting a provision in the law that allows CDBG recipients to lease construction equipment and then utilize it for demolition purposes. This practice violates the intent of long-established HUD procurement principles which call for CDBG recipients to pursue a competitive, open, and local procurement process when utilizing federal funds.<sup>2</sup>

Further, NDA believes Congress should consider the public safety implications that come with operating demolition equipment and tearing down hazardous structures. Demolition is a sophisticated craft performed by highly skilled professionals who ensure projects are safely completed with minimal risks to workers, the public, and the environment. Private demolition contractors spend countless hours and financial resources to train their employees to meet the highest safety standards when on the job. City employees who will be performing these demolition projects, such as those in Paterson, do not possess the same level of experience, expertise or training as private contractors.

For all of the reasons specified above, NDA requests that the Senate Committee on Appropriations include language in the upcoming FY 2020 appropriations bill which will require CDBG recipients to pursue a fair, open, and competitive bidding process for demolition projects when utilizing federal funds.

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<sup>1</sup> Malinconico, J. (June 11, 2019). *Paterson looks to prevent fires by demolishing vacant buildings*, Retrieved from northjersey.com

<sup>2</sup> 24 CFR 85.36

Thank you for the opportunity to provide comment on this issue. Please contact Kevin McKenney at [kmckenney@demolitionassociation.com](mailto:kmckenney@demolitionassociation.com) or 202-367-2480 with questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Lambert". The signature is fluid and cursive, with a large initial "J" and "L".

Jeff Lambert  
Chief Executive Officer