



February 9, 2021

The Honorable Chuck Schumer
Majority Leader
322 Hart Senate Office Building
Washington DC

The Honorable Mitch McConnell
Minority Leader
317 Russell Senate Office Building
Washington, DC

The Honorable Nancy Pelosi
Speaker of the House
1236 Longworth House Office Building
Washington, DC

The Honorable Kevin McCarthy
Minority Leader
2468 Rayburn House Office Building
Washington, DC

Dear Leader Schumer, Leader McConnell, Speaker Pelosi, and Leader McCarthy,

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.

I am writing today in regards to Congress's intent to negotiate another round of COVID-19 relief for individuals and business. NDA would like to reiterate our industry's policy recommendations and priorities as Congress considers new relief legislation in the coming weeks. NDA previously submitted policy recommendations to congressional leadership several times and we are pleased to see that several of our priorities have been enacted since then.

The demolition industry remains an essential industry for both pandemic response and economic recovery. To that end, NDA is calling upon your offices and all of Congress to come together to enact a small set of specific policies, detailed below, that are critical to demolition contractors across the U.S.

Protect employers from unwarranted lawsuits

As the pandemic recovery continues, employers are facing the threat of unnecessary lawsuits related to COVID-19. NDA members take health and safety seriously and do not feel that employers should be held liable when making good-faith efforts to follow applicable public health guidelines.

Congress has the opportunity to provide a safe harbor that will ensure negligent employers can be held accountable while simultaneously protecting those who are working to follow public health guidance. NDA calls on Congress to immediately pass a minimum five-year employer liability protection provision.

Craft an appropriate balance for unemployment insurance

Demolition contractors across the U.S. want to ensure that employees are safe and able to continue receiving income during these difficult times. As the pandemic recovery continues, NDA members support the appropriate balance of federal unemployment assistance and incentives to return to the workplace.

NDA members have seen the effects of an unbalanced unemployment supplemental benefit and, as a result, support reasonable limitations on supplemental unemployment insurance. NDA calls on Congress to ensure that future supplemental unemployment benefits are balanced and do not hinder employers' ability to find and hire qualified workers during this period of economic recovery.

Additional Small Business Relief

Since the CARES Act was signed into law last spring, NDA members around the U.S. have utilized Paycheck Protection Program (PPP) and Economic Injury Disaster Loan (EIDL) program funding to sustain their businesses and retain employees during the pandemic. NDA calls on Congress to continue to fund the PPP, EIDL and other pandemic relief programs to ensure small businesses have access to critical resources in order to help them weather the ongoing effects of the pandemic.

Accelerate Vaccine Manufacturing and Distribution

NDA strongly believes that vaccines are the most effective tool available to defeat the COVID-19 pandemic and return our nation's economy back to full strength as quickly as possible. To that end, NDA calls on Congress to provide adequate vaccination program funding to accelerate vaccine manufacturing and distribution and remove any unnecessary barriers that may be hindering the supply of vaccines to our communities.

Boosting our nation's infrastructure

The recovery from COVID-19 should include needed funding for our nation's infrastructure. As such, the federal government should enact legislation that provides immediate appropriations to programs including the Highway Trust Fund, USACE Military Construction and Civil Works Programs; and the EPA Brownfield Program, among others.

Taking action on these needed programs will help to rebuild America and provide our industry with the certainty needed to maintain and expand its workforce. Below are several priorities NDA supports.

- Increase investments, specifically facility rehabilitation and construction, in schools, hospitals, water/wastewater, electricity, airports and inland waterways, ports and other public facilities;
- Permitting: Expedite environmental reviews by giving the Army Corps of Engineers primary authority to make jurisdictional determinations under the Clean Water Act (CWA) and removing the Environmental Protection Agency's authority to veto a CWA Section 404 permit;
- Continue to streamline the federal permitting process, including the use of concurrent reviews and reasonable time limits for agency decisions;
- Encourage similar permitting reforms at the state and local levels;
- Increase funding for the Airport Improvement Program, which funds improvements at airports across the nation and supports more than 100,000 jobs annually;
- Vocational Training: Support proposals to help alleviate the labor shortage in the construction industry;
- Expand educational programs, such as Pell Grants and alter the Carl D. Perkins Career and Technical Education program to boost and encourage apprenticeships, work-based learning and others;
- Complement and strengthen existing infrastructure tools, such as Private Activity Bonds;
- Return to a bi-annual process for approving the Water Resources Development Act (WRDA), which authorizes important navigation, flood control, recreation, and environmental protection projects. Congress also should fully fund the projects through the Energy & Water Appropriations bill.

Providing schedule adjustments

NDA supports providing project schedule adjustments and financial compensation to contractors for losses incurred when federal, state, or local owners who utilize federal funding delay, terminate, or limit access to projects as a result of any government directive in response to the COVID-19 outbreak.

Improve safety in the workplace

Demolition contractors place a serious emphasis on the health and safety of their employees. To protect demolition workers, NDA suggests:

- Boosting PPE availability for both demolition contractors and the construction industry;
- Regulatory agencies, such as OSHA, should emphasize assistance and consultations to businesses rather than emphasizing enforcement.
- Increase COVID-19 testing, specifically funding and access to tests and empower states and localities to distribute tests according to their specific needs and logistics.

The demolition industry is vital to the U.S. economy and is crucial during this time of economic uncertainty. We hope Congress will take these recommendations into account and act soon in support of our members and all small businesses struggling in light of the COVID-19 pandemic.

Thank you for your consideration of this important matter. Please contact NDA's Director of Government Affairs Kevin McKenney at kmckenney@demolitionassociation.com with any questions.

Sincerely,



Jeff Lambert
CEO