



2022 Candidate Questionnaire

The AGC PAC questionnaire is to be completed by the candidate or an authorized campaign staff member. The questionnaire may be used in voter education and Get-Out-the-Vote activities with AGC chapters and member firms. Please return the completed questionnaire to isabella.armstrong@agc.org.

CAMPAIGN INFORMATION

Candidate Name			
Political Party		State/District	
Campaign Name			
Physical Address			
City		Zip	
Campaign Manager		Email	
DC Fundraiser		Email	

CONSTRUCTION EXPERIENCE & INDUSTRY CONNECTION

Experience	<input type="checkbox"/> Worked in the industry	<input type="checkbox"/> Worked in real estate development	<input type="checkbox"/> Current/former public official familiar with construction-related issues
Industry Connection	<input type="checkbox"/> Worked with an AGC chapter	<input type="checkbox"/> Worked with an AGC member company	<input type="checkbox"/> Worked with a different construction association or company

Please explain if you checked any boxes

INFRASTRUCTURE INVESTMENT

ISSUE BACKGROUND

The federal government invests in important transportation, water, flood control, energy, and public buildings infrastructure. Access to reliable and affordable power, clean water systems, and a transportation network--that for much of the 20th century was the envy of the world--has given American businesses a significant competitive advantage in international markets. However, that competitive advantage is being undermined by the federal government's failure to prioritize the maintenance, construction and modernization of critical infrastructure. As a result, our nation's infrastructure has been allowed to age, and deteriorate to the point where its operational effectiveness and security are in question.

AGC POSITION

The federal government must not allow our infrastructure to continue to deteriorate and become even more outdated or unusable. AGC supports increasing and prioritizing direct federal investment in infrastructure. AGC advocates for expanding the use of innovative financing tools such as those provided by federal loan guarantee programs, including the Transportation Infrastructure Finance and Innovation Act (TIFIA) and the Water Infrastructure Finance and Innovation Act (WIFIA), as well as Private Activity Bonds, and Municipal Bonds to incentivize public-private partnerships.

CANDIDATE POSITIONS

Infrastructure investment (check one box):

- I **SUPPORT** prioritizing government funding for the purposes of investment in the maintenance and modernization of public infrastructure. (i.e., transportation, water resources, water infrastructure, public buildings, etc.).
- I **OPPOSE** prioritizing government funding for the purposes of investment in the maintenance and modernization of public infrastructure. (i.e., transportation, water resources, water infrastructure, public buildings, etc.).

Incentivizing public-private partnerships for Infrastructure investment (check one box):

- I **SUPPORT** increasing the use of loan guarantees and tax-exempt debt instruments like private activity bonds and municipal bonds to increase investment in the maintenance and modernization of public infrastructure. (i.e., transportation, water resources, water infrastructure, public buildings, etc.).
- I **OPPOSE** increasing the use of loan guarantees and tax-exempt debt instruments like private activity bonds and municipal bonds to increase investment in the maintenance and modernization of public infrastructure. (i.e., transportation, water resources, water infrastructure, public buildings, etc.).

Comments:

HIGHWAY PROGRAMS

ISSUE BACKGROUND

The Highway Trust Fund (HTF) is the principal mechanism for funding the construction of federal-aid highway and transit systems. User fees, including federal gas and diesel taxes, provide the majority of revenue for the HTF. Currently, these fees consist of 18.4 cents/gallon on gasoline and 24.4 cents/gallon on diesel fuel. These levels have not been increased for over 25 years, so the taxes no longer provide the trust fund with the same buying power.

The Infrastructure Investment and Jobs Act (IIJA) is the most significant infusion of investment in our infrastructure since the enactment of the Interstate Highway System in the mid-1950's. It provides five years of robust funding for the HTF, but fails to address its long-term solvency. For this reason, Congress must find a sustainable funding solution for the HTF before the next reauthorization or states risk severe cuts to their transportation programs. Failure to fix the structural deficiencies that have plagued the HTF will impact every part of the country because every state relies heavily on federal transportation funding as a major portion of their highway and bridge capital improvement budget.

Historically, highway programs have been federally funded and state administered. As each area of our country is diverse and unique, so are the transportation needs of each community. When standardized transportation solutions do not work in a community, too often the contractor gets blamed despite often not being involved in the selection or design of a project. Recently there have been efforts by some in Washington to mandate one-size-fits-all solutions such as limiting construction of new highway capacity.

AGC POSITION

AGC strongly believes that there is a direct federal role in providing for a safe and efficient national transportation network. We support a user pays system – one in which the users of our transportation network pay for the construction and rehabilitation necessary to meet the demands of a growing population. AGC supports an increase of the user fees that fund the system like the federal gas and diesel taxes. In addition, AGC is supportive of the current national pilot on a Vehicle Miles Traveled (VMT) fee, to provide for the long-term solvency of the HTF and ultimately a transition to that system.

CANDIDATE POSITIONS

- I SUPPORT** addressing the solvency of the HTF through a user fee system which includes:
 - Increasing motor fuel taxes
 - Transitioning to a new user fee, like a VMT fee
 - Combination of increasing motor fuel taxes and transitioning to a new user fee
 - Other (please use comment section to explain)
- I OPPOSE** addressing the solvency of the HTF through a user fee system which includes:
 - Increasing motor fuel taxes
 - Transitioning to a new user fee, like a VMT fee
 - Combination of increasing motor fuel taxes and transitioning to a new user fee

Highway Program Structure (check one box):

- I SUPPORT** providing state and local governments with the flexibility to deploy solutions that reflect their varying needs, including, but not limited to, the construction of new highway capacity.
- I OPPOSE** providing state and local governments with the flexibility to deploy solutions that reflect their varying needs, including, but not limited to, the construction of new highway capacity.

Comments:

LABOR

ISSUE BACKGROUND

The Protecting the Right to Organize (PRO) Act ([H.R. 842/S. 420](#)) makes an unprecedented attempt to fundamentally change dozens of well-established labor laws without regard to their detrimental impact on workers, employers—union and open-shop—and the economy. While the bill purports to help workers, it actually strips away many of their rights and privacies while expanding opportunities to coerce law-abiding employers, thereby hurting the economy and upsetting a delicate balance of rights and restrictions established by the National Labor Relations Board (NLRB), the courts, and Congress.

AGC POSITION

AGC opposes the misleadingly named PRO Act as it includes dozens of drastic changes to established law and practices in the construction industry. Among the most significant of these changes, it would: strip away critical secondary boycott protections that prevent a union from unfairly embroiling a neutral employer in the union's dispute with another employer (the "primary" employer) through threatening, coercive, or restraining conduct; promote slowdowns and intermittent strikes, which can be especially disruptive as sporadic work stoppages are difficult for employers to anticipate and respond to and thus have long been deemed unlawful; impose a form of "backdoor card check" that undermines secret ballot elections when determining union representational status; codify an NLRB rule on changes to representation election—often called the "quickie election" or "ambush election" rule—that denies employers due process and ample time to prepare for an election, while limiting workers' access and time to consider relevant information; broadens the definition of joint employer from those that share direct control over terms and conditions of employment to those with indirect control; enact an overly restrictive independent contractor test that would prevent legitimate independent contractor relationships that are widely used and valued by many individuals and companies in the construction industry; change attorney-client confidentiality to make it harder for employers to secure legal advice on complex labor matters; and mandate interest arbitration. Taken together, many of these changes will be disruptive to both union and nonunion employers.

CANDIDATE POSITION

- I **SUPPORT** the Protecting the Right to Organize (PRO) Act.
- I **OPPOSE** the Protecting the Right to Organize (PRO) Act.

Comments:

HEALTH CARE

ISSUE BACKGROUND

In 2010, AGC opposed the Affordable Care Act (ACA) because it did not create a framework that would reduce healthcare costs. At the time, AGC advocated the law imposed new mandates on insurance companies, employers, and individuals that are likely to increase the cost of providing health care while limiting healthcare options. It also financed the new costs by shifting obligations to the states (increased Medicare coverage), and raising taxes on a small portion of the population (Medicare surtax and tax on unearned income)

AGC POSITION

AGC has long supported the employer-provided health care model while, at the same time, ensuring that it is easy and affordable for employers to provide coverage to their employees. Efforts to cap the income tax exclusion for employer provided health benefits must be opposed, the employer reporting requirements need to be streamlined, and the ACA's definition of "full time" for benefit eligibility at 30 hours per week should be repealed, and the standard 40-hour workweek restored.

CANDIDATE POSITIONS

Preserving the current tax treatment of employer-sponsored coverage (check box):

- I **SUPPORT** the current tax treatment of employer-sponsored coverage
- I **OPPOSE** the current tax treatment of employer-sponsored coverage.

Promoting innovations and diversity of plan designs and offerings for employees (check box):

- I **SUPPORT** innovations and diversity of plan designs and offerings for employees.
- I **OPPOSE** innovations and diversity of plan designs and offerings for employees.

Providing employers with compliance relief from burdensome regulations (check box):

- I **SUPPORT** relief from burdensome regulations.
- I **OPPOSE** relief from burdensome regulations.

Full-time employee definition (check one box):

- I **SUPPORT** raising the full-time employee definition to 40 hours per week.
- I **OPPOSE** raising the full-time employee definition to 40 hours per week.

Comments:

FEDERAL TAX REFORM

ISSUE BACKGROUND

In 2017, Congress passed the Tax Cuts and Jobs Act, the largest rewrite of the tax code in over 30 years. Going into tax reform, the construction industry faced the highest effective tax rate of any industry in America, at 30.3 percent. Additionally, while some construction firms are organized as "C-corporations" and pay taxes at the corporate rate, the vast majority are organized as pass-through entities, and pay taxes at the individual, or shareholder level. As a result, lowering tax rates for both corporations and pass-through businesses levels the playing field between construction firms and businesses in other industries.

The tax code is also complicated and some provisions in the code, such as the Alternative Minimum Tax (AMT), the use of specialized tax accounting rules for contractors, and the estate tax, force construction companies to devote significant resources to tax compliance rather than building. Finally, a number of provisions in the tax code, such as the tax exemption for municipal bonds and private activity bonds (PABs), are essential tools to promote long-term infrastructure investment.

The Tax Cuts and Jobs Act lowered the corporate tax rate to 21 percent, reduced individual tax rates, and created a new “qualified business income deduction” (199A) that would allow most pass-through businesses to deduct 20 percent of their business income subject to certain restrictions. Additionally, many provisions in the Tax Cuts and Jobs Act, including the new deduction for pass-through businesses, were enacted on a temporary basis and are set to expire in 2025. And while the Tax Cuts and Jobs Act held harmless many infrastructure investment tax provisions, it did not expand those tools (such as allowing additional forms of infrastructure to be eligible for PABs), or fix the underlying funding issues facing the nation’s chronically underfunded infrastructure programs, such as the Highway Trust Fund.

AGC POSITION

AGC believes that tax policy should promote long-term economic growth, simplify, and instill certainty in the tax code, and promote investment in our nation’s critical infrastructure (e.g. tax-exempt bonds; and enhanced capital expenditures). As such, AGC supported passage of the Tax Cuts and Jobs Act. While the legislation was not perfect, it lowered tax rates for pass-through businesses and corporations and addressed a number of long-standing AGC tax priorities, such as increasing the “small contractor exemption” for simplified tax accounting, increasing the estate tax exemption, and reducing the impact of the Alternative Minimum Tax (AMT).

AGC will continue to push to make the temporary provisions of the law permanent. AGC also supports further measures to improve the Tax Cuts and Jobs Act in ways where it ultimately came up short, such as fully repealing the AMT and the estate tax, and expanding the utilization of PABs. Furthermore, AGC will vigorously oppose any legislative effort to roll back business tax relief, such as the lower corporate rate, or the new “pass-through deduction.”

CANDIDATE POSITIONS

Tax reform (check one box):

- I **SUPPORT** the Tax Cuts and Jobs Act and will support legislation to make the temporary tax relief for individuals permanent in subsequent legislation.
- I **OPPOSE** the Tax Cuts and Jobs Act and will support efforts to repeal the legislation’s tax relief.

Alternative Minimum Tax (check one box):

- I **SUPPORT** a total elimination of the Alternative Minimum Tax (AMT) for individuals.
- I **OPPOSE** a total elimination of the Alternative Minimum Tax (AMT) for individuals.

Pass-Through Deduction (check one box):

- I **SUPPORT** the provision of the Tax Cuts and Jobs Act (Section 199A) that allows most pass-through businesses to deduct 20 percent of their business income.
- I **OPPOSE** the provision of the Tax Cuts and Jobs Act (Section 199A) that allows most pass-through businesses to deduct 20 percent of their business income.

Independent contractors (check one box):

- I **SUPPORT** preserving legitimate independent contractor relationships and oppose unnecessary administrative burdens and recordkeeping requirements for employers.
- I **OPPOSE** the status of independent contractors by companies and believe the Department of Labor should issue regulations that classify them as part-time employees.

Comments:

IMMIGRATION

ISSUE BACKGROUND

The current immigration system is broken. It provides little opportunity for legal immigration, has created a permanent underclass of illegal workers, fails to utilize the latest technology to verify work status, and has created a patchwork of ordinances that creates uncertainty for employers trying to comply with competing federal, state, or local ordinances. Currently, there is no legal option for low-skilled guest workers operating in in-demand occupations to meet projected future workforce needs.

AGC POSITION

AGC supports immigration that strengthens national security, creates a fair and efficient employment verification system, creates a program for temporary guest workers to meet future workforce needs in the less-skilled sectors, and finds a reasonable and rational way of dealing with the current undocumented population in the United States. The association also supports a new guest worker visa program with visas valid long enough to ensure that the employer's training investment is not lost and employer needs are met and renewable. Employers should be able to sponsor employees for permanent residency during the term of the guest worker visa and the cap should be flexible and based on the needs of the marketplace, not arbitrary restrictions on the construction industry. Finally, guest workers should enjoy the same labor and employment law protections as other employees.

There are an estimated 130,000 construction workers with Temporary Protected Status (TPS) and Deferred Action for Childhood Arrivals (DACA) work authorizations and all of whose status has been put in jeopardy with changing administrative policies and court decisions. TPS and DACA status holders have played a valued role in our economy and industry for decades. AGC urges Congress to extend the work authorization for these individuals by passing a permanent legislative solution to enable Dreamers and TPS holders currently working in the United states to continue doing so.

CANDIDATE POSITIONS

Immigration reform (check one box):

- I **SUPPORT** immigration reform that strengthens national security, creates a fair and efficient employment verification system, and finds a reasonable and rational way of dealing with the current undocumented population in the United States.
- I **OPPOSE** immigration reform that strengthens national security, creates a fair and efficient employment verification system, and finds a reasonable and rational way of dealing with the current undocumented population in the United States.

Low-skilled guest worker program (check one box):

- I **SUPPORT** a low-skilled guest worker program for the construction industry.
- I **OPPOSE** a low-skilled guest worker program for the construction industry.

TPS and DACA Status

- I **SUPPORT** a permanent status for DREAMers and TPS holders to remain in the United States.
- I **OPPOSE** a permanent status for DREAMers and TPS holders to remain in the United States.

Comments:

MULTI-EMPLOYER PENSION PLANS

ISSUE BACKGROUND

Multiemployer pension plans differ vastly from single-employer and public-employee defined benefit plans. They are jointly administered by the employers who pay into the funds and the union employees who are covered by the funds. It is time to modernize multi-employer plans. The composite plan model for multiemployer plans will modernize multi-employer plans by creating a hybrid between a defined benefit and defined contribution or 401(k) plan. It more equally distributes some of the risks associated with retirement plans so an employer does not have to face the potential of having to shoulder the burden of every employee in a multiemployer plan. A composite plan limits potential withdrawal liability for employers while providing a lifetime of income for participants. The relief provided in the America Rescue Plan Act of 2021 only provided relief to struggling plans, it offered no long-term solutions to the multiemployer pension system.

AGC POSITION

AGC supports the new composite plan design because it is essential to the shared goal of protecting both those who earn benefits and those employers that contribute retirement benefits to those plans.

CANDIDATE POSITION

Composite plans (check one box):

- I **SUPPORT** the adoption of Composite Plans.
- I **OPPOSE** the adoption of Composite Plans.

Comments:

PROJECT LABOR AGREEMENTS (PLAs)

ISSUE BACKGROUND

A project labor agreement (PLA) is a pre-hire collective bargaining agreement between a general construction company with one or more labor organizations that establishes the terms and conditions of employment for a specific construction project. On February 6, 2009, President Obama issued [Executive Order 13502](#), which is still in place today, encouraging government agencies to mandate PLAs for large-scale federal construction projects where

the total cost to the government is \$25 million or more. Government mandates and preferences for PLAs can restrain competition, drive up costs, cause delays, lead to jobsite disputes, and disrupt local collective bargaining.

Government-mandated PLAs can have the effect of limiting the number of competitors on a project. This is because government mandates for PLAs typically require contractors to make fundamental, often costly changes in the way they do business. For example, a PLA may require a contractor to recognize the local unions as the representatives of their employees on that job; use the union hiring hall to obtain workers; reintroduce inefficient work rules that have been abandoned over the course of collective bargaining; and pay into union benefit and multi-employer pension plans that nonunion employees will never be able to access, forcing non-signatory employers to pay twice for retirement and health care benefits.

In cases where use of a PLA would benefit a particular project, the construction contractors otherwise qualified to perform the work would be the first to recognize that fact and to adopt a PLA voluntarily. They would also be the most qualified to negotiate the terms of such an agreement.

To ensure no preference is given, the Fair and Open Competition Act ([H.R. 1284](#) / [S. 403](#)) was introduced this Congress. This legislation seeks to preserve open competition and federal government neutrality by prohibiting the government from requiring or prohibiting PLAs on federal and federally funded construction projects.

AGC POSITION

AGC strongly believes that the choice of whether to adopt a collective bargaining agreement should be left to the contractor-employers and their employees, and that such a choice should not be imposed as a condition to competing for, or performing on, a publicly funded project. AGC neither supports nor opposes contractors' voluntary use of PLAs on government projects, but strongly opposes any government mandate for contractors' use of PLAs.

AGC is committed to free and open competition for publicly funded work, and believes that the lawful labor relations policies and practices of private construction contractors should not be a factor in a government agency's selection process.

CANDIDATE POSITIONS

Government-Mandated Project Labor Agreements (check one box):

- I **SUPPORT** government-mandated PLAs.
- I **OPPOSE** government-mandated PLAs.

Government neutrality (check one box):

- I **SUPPORT** legislation like the Fair and Open Competition Act.
- I **OPPOSE** legislation like the Fair and Open Competition Act.

Comments:

Signature of candidate or authorized campaign representative

Date