

March 20, 2020

The Honorable Chad F. Wolf  
Acting Secretary of Homeland Security  
Washington, DC 20528

Dear Acting Secretary Wolf:

On behalf of the more than 140,000 members of the National Association of Home Builders (NAHB), I write to urge you to consider policy proposals to support the housing sector of the economy during the COVID-19 pandemic. NAHB's members stand with President Trump and his confidence that America will emerge from the COVID-19 pandemic better than ever. As we look past the immediate crisis and prepare for a recovery, it is critical that we make every effort keep the home building sector working so it can lead the nation out of economic hardship. To help stabilize the housing sector in the near term, I ask you to designate residential home construction workers as "Essential Critical Infrastructure Workers."

Each year, NAHB's members construct about 80% of the new homes built in the United States, both single-family and multifamily. Housing is currently 14.6% of Gross Domestic Product and a major engine of the economy. Keeping the men and women of the industry building homes and apartments must be a priority. If construction is disrupted, it creates a domino effect leading to dire negative economic repercussions for an already-burdened economy.

As cities and states issue declarations and public health orders as a result of the crisis, it is essential that communities have access to our professionals to build and maintain essential services, including building, plumbing, electrical, HVAC systems, waste/wastewater treatment plants and power generations. Home construction should be designated as "essential" because it is necessary to maintain safety, sanitation and economic security.

I encourage you to consider four main factors:

- Recognize that construction of housing is essential and should be allowed to continue under a remain-in-place order;
- Government functions related to the building and development process, such as inspections, permitting and plan review services can be modified to protect the public health, but fundamentally should continue and serve the construction of housing (e.g., allow qualified private third-party inspections in case of government shutdown);
- Supply stores necessary to serve the construction, repair and maintenance of housing should be allowed to operate; and
- Those working in building trades must be allowed to continue to maintain the essential operation of residences and other operating businesses.

Our industry continues to adhere to public health guidelines set forth by the Occupational Safety and Health Administration (OSHA) and the Centers for Disease Control and Prevention. According to OSHA, "Lower exposure risk (caution) jobs are those that do not require contact with people known to be, or suspected of being, infected with SARS-CoV-2 nor frequent close contact with (i.e., within 6 feet of) the

general public. Workers in this category have minimal occupational contact with the public and other coworkers.” (Guidance on Preparing Workplaces for COVID-19, p.20.)

A large majority, if not all land development and residential construction job tasks fall within OSHA’s Lower Exposure Risk jobs. Obviously, working on a new unfinished home site occurs primarily outdoors and does not involve going onto a location occupied by residents or a public location, and there is minimal (if any) physical or transactional contact with customers compared to other customer/client relationships.

Homebuilding (including remodeling and repair) is highly regulated and therefore cannot take place without support from the locality where it occurs. Builders require governmental approvals and permits to begin a project and they are needed through project completion. Therefore, governmental inspections occur along the entire process from the land development to final certificate of occupancy.

As part of the Essential Infrastructure, residential construction requires that government building and zoning departments continue to operate. Furthermore, for the safety and wellbeing of current and future occupants, governments must allow inspections to occur in a timely manner.

The inspection process may benefit from modifications. For example, if possible, inspectors may work “off hours” to minimize any contact with the construction team. Or they can make other arrangements with the owner or general contractor to safeguard their health by ensuring nobody will be on site during an inspection. Furthermore, certain localities use third-party engineers to sign off on inspections. It may be necessary for home builders to request this option if local governments are closing their building department during the pandemic.

I request that you consider residential home construction workers as “Essential Critical Infrastructure Workers” in DHS guidance. It is critical that residential construction workers continue to perform the work necessary to the operations and maintenance of “Essential Infrastructure.” I appreciate your leadership and the work of your staff and those who are spending every waking hour keeping us safe.

Sincerely,



Gerald M. Howard  
Chief Executive Officer  
National Association of Home Builders

Cc: Christopher Krebs, Director of the Cybersecurity and Infrastructure Security Agency