



Skanska USA Inc.

350 Fifth Avenue
32nd floor
New York, NY 10118
Phone 917.438.4514
Fax 855.758.3150
Web www.usa.skanska.com

May 12, 2014

The Honorable Howard Shelanski
Administrator
Office of Information and Regulatory Affairs
U.S. Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

RE: Federal Participation in the Development and Use of Voluntary Consensus Standards and in Conformity Assessment Activities

Dear Administrator Shelanski:

As a major American business that does billions of dollars of construction and infrastructure work with both the private and public sectors, I write you today to comment on the Office of Management and Budget (OMB) proposed changes to the Circular A-119, "Federal Participation in the Development and Use of Voluntary Consensus Standards and in Conformity Assessment Activities." OMB should not change its definition of consensus in such a way that would preclude the use of leadership standards in use by the federal government to achieve its goals, particularly those favored by the private sector such as the LEED green building rating system.

Some will urge OMB to change the definition of consensus in Circular A-119 to "being accredited by the American National Standards Institute." Let's be clear: this change would preclude the use of leadership building design and construction standards like LEED – which is a well-vetted, voluntary consensus standard– and would undermine the enormous progress that the federal government is making in updating its building stock. Circular A-119 is OMB's established approach to judge, on a case-by-case basis, if and how parts of a consensus standard are suitable for use. Currently, A-119 provides the flexibility that federal agencies need in order to best meet their goals in areas like energy and environmental sustainability and the safeguarding of human health.

The American National Standards Institute's consensus process is not unique in its ability to deliver high-quality voluntary standards that uphold technical rigor, match market needs, and satisfy expectations from industry, users and the public interest through active involvement and engagement. In our experience, non-ANSI standards like LEED are better positioned to avoid a lowest common denominator outcome created by ANSI's consensus-based process. While developed using one definition of consensus, the ANSI designation does not guarantee that a standard has been optimized for use on federal facilities, especially if in the pursuit of leadership on such metrics like energy and environmental sustainability.



LEED provides public buildings with an excellent framework to achieve the energy and resource efficiency goals to which the federal government has committed, while also saving taxpayer dollars in the operation and maintenance of these buildings. Additionally, LEED is good for business: 88 of Fortune 100 firms agree and apply LEED to their real estate portfolios. The federal government should not set rules that would preclude federal projects from taking advantage of important private sector momentum and expertise in delivering healthier, more efficient, greener real estate.

Last year, Skanska left the U.S. Chamber of Commerce over its support of pending legislation that would have required that standards in use by the federal government be ANSI-accredited. This fight, while seemingly over very technical building standards, is significant because LEED certifications are the gold standard of excellence for high-performance green buildings, federal government buildings included.

In 2013, Skanska generated \$6.7 billion of revenue in the U.S. We employ more than 9,600 people in the United States, and we pride ourselves on being green building experts with more than 400 LEED-credentialed employees and 176 LEED certified and/or registered projects in our portfolio. Developed by the market and for the market, LEED supports market forces that are creating jobs and optimizing products, services and buildings in order to better serve Americans and American communities.

We urge OMB not to preclude the use of leadership and market-embraced voluntary consensus standards, such as LEED by requiring the use of ANSI procedures.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mike McNally". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Mike McNally
Chief Executive Officer
Skanska USA, Inc.