



April 9, 2024

The Honorable Brian Kemp
Governor of Georgia
206 Washington Street
Suite 203, State Capital
Atlanta, Georgia 30334

Re: Veto SB 368, Which Discriminates Against Major Georgia Employers

Dear Governor Kemp:

On behalf of the organizations listed below in the construction materials industry, we strongly urge you to veto Senate Bill 368. This bill would inappropriately mischaracterize over 2,500 hardworking Georgians employed in the construction materials industry at international companies, as foreign agents. SB 368 requires prohibitively onerous reporting for foreign-based companies to do business in Georgia.

Aggregates, concrete, cement and asphalt are critical to the supply chain, and they are used to sustain our modern way of life and build our nation's communities and infrastructure. Our products are used in all residential, commercial and industrial building construction, and in most public works projects, including roads, highways, bridges, dams and airports. Under your leadership, the state has benefited from creating a competitive environment for foreign direct investment to increase the infrastructure needs of your state. Without our member companies, none of that would be possible.

Although we applaud the legislation's goal of curbing undue foreign influence in the U.S. political process, we believe SB 368 is overly broad. If enacted, this bill would require American employees of any foreign-owned company to register as foreign agents if they wanted to exercise their constitutional right to advocate for their industry in front of state policymakers in Georgia.

SB 368 is a significant departure from federal standards without excluding U.S. subsidiaries of international companies and will produce a multitude of unintended consequences. Beyond longstanding commercial safeguards, it is also worth noting that this hastily conceived provision ignores several other practical federal exemptions, including those for diplomatic officers, military officers from allied nations, religious leaders, scholars, scientists and humanitarian activists.

Thank you for considering our position on this critical issue. As Georgia continues to build and invest in the state's future, we want to continue being a partner in those efforts. By vetoing SB 368, our member companies will be able to work with you to advocate for more dollars going to highways, bridges, dams and airports. Thank you for your consideration, and please let me know if we can be of further assistance.

Sincerely,

National Asphalt Pavement Association

National Stone, Sand & Gravel Association

National Ready Mixed Concrete Association

Portland Cement Association