



June 22, 2021

U.S. Senate  
Washington, DC 20510

Dear U.S. Senators:

On behalf of Associated Builders and Contractors, a national construction industry trade association with 69 chapters representing more than 21,000 members, I write today in strong opposition to S. 1/S. 2093, the For the People Act of 2021. This bill represents an attack on free speech and would cripple the business structure of non-profit associations like ABC. **ABC strongly urges you to oppose this legislation and will consider the procedural motion to move forward with the bill as a “KEY VOTE” for our scorecard on the 117th Congress.**

The For the People Act is a misguided attempt to reform our elections and campaign finance law. In practice, the bill would discourage Americans from exercising their First Amendment right to free speech, politicize the agencies tasked with protecting our elections and expose hardworking taxpayers to harassment, intimidation and retribution even when they do not participate in campaign and political activities.

ABC members are committed to delivering work safely, ethically, and profitably for the betterment of their communities, and know that federal policies and laws can often impact these critical priorities. If enacted, this bill would be particularly harmful to member-driven associations like ABC, that are formed, in part, to ensure their members’ voices are heard through educating and informing our nation’s elected officials on the effect their actions can have on the livelihoods of the people they serve.

One of the most harmful results of the bill would be to dismantle the grassroots efforts of nonprofits and groups like ABC. Americans who decide to engage in the political process and hold their elected officials accountable for their voting records and policy positions should be encouraged. The right to petition our government is one of our most sacred constitutional rights, and no American should have to second-guess whether to express themselves or speak out on critical issues impacting their lives and jobs.

The For the People Act would also expand disclosure requirements, even for purposes that are not related to political speech. If personal information of association members were to be made publicly available, our member companies could face harassment or targeting from individuals or groups that do not agree with ABC’s mission. For ABC members that choose to support our political efforts, there are already strict disclosure requirements under federal election law to ensure accountability and transparency.

Making the same requirements of an entire association membership would be a violation of their privacy rights and discourage many companies from continuing their association memberships. At ABC, many of our contractors also join the association for other than political reasons, including our safety and workforce programs and networking opportunities with other local members. Our members are also all too familiar with violence and intimidation tactics in the workplace and enacting this legislation could lead to more of these dangerous tactics, even for companies that joined ABC for nonpolitical reasons.

Finally, contained in the bill is a provision that would redefine “coordinated” speech with political candidates as anything that supports or opposes a candidate, refers to a candidate or can be deemed to promote a candidate. Any coordinated speech would be banned if groups like ABC produced the material. Many of our members join ABC because they would like to follow the votes of their elected officials but are rightfully busy with the day-to-day responsibility of maintaining their businesses and the jobs of millions of hardworking taxpayers. Preventing associations like ABC from publicizing where candidates and lawmakers stand on critical issues, would discourage participation in the political process and limit the ability of associations to provide important information to their members.

ABC is committed to ensuring free and fair elections in the United States but must stand in strong opposition to this ill-advised legislation for the damage it would do to the freedoms of many Americans and the integrity of our nation’s elections. **ABC urges you to vote NO on the motion to proceed to S. 2093 and will consider the vote a “KEY VOTE” for our scorecard on the 117<sup>th</sup> Congress.**

Sincerely,

A handwritten signature in black ink, appearing to read 'Kristen Swearingen', written in a cursive style.

Kristen Swearingen  
Vice President, Legislative & Political Affairs