



July 28, 2021

U.S. House of Representatives  
Washington, DC 20515

Dear Representative:

On behalf of Associated Builders and Contractors, a national trade association with 69 chapters representing more than 21,000 members, I am writing to express our opposition to H.R. 4502, the FY 2022 appropriations minibuss. ABC is particularly concerned with provisions and report language that would be harmful to the success of the construction industry in America. **ABC strongly urges you to oppose H.R. 4502 and may consider this a “KEY VOTE” for our scorecard on the 117th Congress.**

A statement included in the military construction report language from the committee encourages controversial, ABC-opposed project labor agreements on certain U.S. Department of the Navy construction projects, which would exclude many qualified contractors from bidding on these federal projects. Currently, Page 13 of the House Appropriations Committee report on H.R. 4502 promotes the use of project labor agreements and encourages the Department of the Navy “to utilize PLAs for military construction projects on the Navy’s four public shipyards as part of the Shipyard Infrastructure Optimization Plan.”

ABC believes that, although this language is not a direct government PLA requirement on applicable projects, this recommendation is a step in the wrong direction in procurement policy that would have serious negative effects on the construction industry’s ability to effectively compete for contracts to build future projects.

PLAs, when mandated by the government, effectively prevent 87.3% of the U.S. construction workforce that chooses not to join a labor union from fairly competing for contracts to build taxpayer-funded projects on a level playing field. Further, government-mandated PLAs discourage the vast majority of small, women-, minority- and veteran- owned businesses from competing on projects. Not only do contracts subject to government-mandated PLAs deny critical construction jobs to local workers, but they also drive up the cost of critical infrastructure projects by 12% to 20%. Simply put, hardworking taxpayers cannot afford government-mandated PLAs, which force them to pay more and receive less.

ABC also remains concerned with the appropriations process continuing to include limiting language for apprenticeship funding that supports only U.S. Department of Labor-registered apprenticeship programs to the detriment of market-driven apprenticeship programs offered by ABC and our member companies. While many in the construction industry rely on registered apprenticeship programs as a pathway to a successful career, registered programs represent just a small segment of programs that the construction industry utilizes to invest in its workers and address labor needs. In fact, registered programs only yielded approximately 40,000 completers in 2020 for construction, according to [U.S. DOL and state government data](#).

These shortfalls prove that the registered system cannot meet construction's workforce development needs alone, as the industry is currently facing a [430,000-worker shortage](#) with the current demand, which would only be exacerbated by any infrastructure investment. We ask that Congress instead work to fund and authorize an all-of-the-above approach to workforce development that can help solve the labor shortage issues that the country faces.

The bill's provision allowing for federal funds to develop systems and procedures to conduct union representation elections electronically, changing current law through the appropriations process, would severely impact the ability to ensure free and fair union elections. While we understand the need to ensure the safety and health of workers, using the COVID-19 pandemic to implement wide-reaching changes to established labor law would set a dangerous precedent. Further, holding these elections electronically could expose workers' personal information and allow for coercion and intimidation tactics. It is also concerning that the House Rules Committee prohibited floor votes from the full House on amendments to strip this dangerous provision from the final bill.

Finally, ABC is concerned with the bill's funding for the nation's federal agencies to further enact burdensome, costly and unnecessary regulations that will affect the ability of our members to recover from the pandemic, build their businesses and provide good jobs for hardworking Americans. ABC has supported efforts in the past to ensure that the implementation of harmful regulations is prevented through the appropriations process and encourages Congress to limit the ability of our agencies to pursue these overbearing regulatory agendas.

**ABC urges members of the House of Representatives to vote no on H.R. 4502, the FY 2022 appropriations minibuss, and may consider this a key vote for the 117<sup>th</sup> Congress.**

Sincerely,

A handwritten signature in black ink, appearing to read "Kristen Swearingen". The signature is written in a cursive, flowing style.

Kristen Swearingen  
Vice President, Legislative & Political Affairs