



Testimony of Ben Brubeck
Vice President, Regulatory, Labor and State Affairs
Associated Builders and Contractors
Before the Committee on Oversight and Accountability
Subcommittee on Cybersecurity, Information Technology, and Government Innovation
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Introduction

Thank you, Chair Mace, Ranking Member Connolly and Members of this Oversight and Accountability Subcommittee on Cybersecurity, Information Technology, and Government Innovation.

It is an honor to deliver analysis and concerns—on behalf of a key segment of the construction industry—related to the Biden administration’s anti-competitive and inflationary policies pushing controversial project labor agreement mandates and preferences on federal and federally assisted construction projects funded by taxpayers.

On behalf of Associated Builders and Contractors, I am giving a voice to the thousands of quality large and small contractors and millions of their employees who want nothing more than to compete to deliver taxpayer-funded projects safely, on time and on budget for their private and government customers. But they are effectively boxed out from doing so via government protectionism benefiting special interests that is the foundation of the Biden administration’s harmful pro-PLA policies and the stated goal of being the most pro-union presidency in American history.

My objective by participating in this hearing is to help lawmakers, regulators and the American public understand how unnecessary Biden administration policies pushing PLAs are benefiting special interests, hurting more than 89% of the U.S. construction industry workforce that does not belong to a union and undermining taxpayer investment in infrastructure.

I have drafted regulatory comments, participated in litigation, provided testimony, conducted hundreds of media interviews and surveyed thousands of contractors, construction workers, apprentices and government contracting officers on the controversial government-mandated PLA topic.

I’ve studied closely the outcomes of different White House policies on PLAs for federal and federally assisted projects across four administrations. For more than 20 years, I’ve contributed to hundreds of articles and editorials about PLA schemes in print, radio and television media outlets and on TheTruthAboutPLAs.com blog. I’ve helped champion the passage of state legislation in more than 27 states restricting government-mandated PLAs that have protected over \$1 trillion worth of state and local taxpayer-funded construction projects from PLA mandates.

I have witnessed firsthand the discriminatory and costly outcomes of numerous government-mandated PLAs on local, state and federal government construction projects funded by taxpayers.

For these reasons, I am one of the leaders of the federal BuildAmericaLocal coalition¹—a group of construction industry stakeholders representing the interests of thousands of companies employing millions earning a living in the construction industry. The coalition strongly opposes the Biden administration’s new rule

¹ Access studies, coalition letters, media coverage, talking points and social media kits on PLAs and the Biden administration’s misguided pro-PLA policies at the BuildAmericaLocal.com coalition website: <https://buildamericalocal.com/learn-more/>.

requiring PLAs on federal construction contracts of \$35 million²—as well as other Biden administration policies pushing government-mandated PLAs on state and local government construction projects receiving federal assistance via \$271 billion worth of federal agency infrastructure grant programs,³ private microchip manufacturing facilities receiving \$50 billion in CHIPS and Science Act funding⁴ and private clean energy projects receiving \$270 billion in enhanced tax incentives funded by the Inflation Reduction Act.⁵

About Associated Builders and Contractors

ABC is a national construction industry trade association representing more than 23,000 member companies. ABC and its 67 chapters help members develop people, win work and deliver that work safely, ethically and profitably for the betterment of the communities in which ABC and its members work.

ABC's membership represents all specialties within the U.S. construction industry and is comprised primarily of general contractors and subcontractors that perform work in the industrial and commercial sectors for government and private sector customers.⁶

The vast majority of ABC's contractor members are small businesses. This is consistent with the U.S. Census Bureau and U.S. Small Business Administration's Office of Advocacy's findings that the construction industry has one of the highest concentrations of small businesses (82% of all construction firms have fewer than 10 employees)⁷ and industry workforce employment (nearly 81% of the construction industry is employed by small businesses).⁸ In fact, construction companies that employ fewer than 100 construction professionals comprise 99% of construction firms in the United States and account for 69% of all construction industry employment.⁹

In addition to small business member general contractors and subcontractors that build private and public works projects, ABC also has large member general contractors and subcontractors that perform construction services for private sector customers and federal, state and local government customers procuring construction contracts subject to respective private and government acquisition policies and regulations.

For example, according to data extracted from [usaspending.gov](https://www.usaspending.gov) and compared to ABC membership, of the \$238.45 billion worth of federal NAICS 23-classified construction contracts within the United States and territories awarded from fiscal year 2009 to fiscal year 2023 exceeding \$25 million, ABC prime contractors won more than 46% of the 3,222 federal contracts and over 52% of all such contracts by value.¹⁰

ABC's diverse membership is bound by a shared commitment to the merit shop philosophy in the construction industry. The philosophy is based on the principles of nondiscrimination due to labor affiliation and the awarding of construction contracts through open, competitive bidding based on safety, quality and value.

As a key part of an all-of-the-above solution to the construction industry's workforce development challenges, ABC's network of 67 chapters currently provide more than 450 government-registered apprenticeship programs—known as GRAPs—in over 20 construction industry trades such as electrical, plumbing, carpentry, HVAC, welding, etc.¹¹ In addition, thousands of ABC member contractors participate in GRAPs administered by their company, ABC chapters, other construction trade associations, community and education system

² See Jan. 4, 2024, [coalition letter](#) to Congress and [coalition comments](#) on the proposed rule submitted Oct. 13, 2022.

³ Visit abc.org/plagrants to learn more.

⁴ Visit abc.org/chips to learn more.

⁵ Visit abc.org/ira to learn more.

⁶ For example, [ABC's 34th Annual National Excellence in Construction Awards program from 2024](#).

⁷ U.S. Census Bureau 2021 County Business Patterns:

<https://data.census.gov/table?q=CBP2021.CB2100CBP&tid=CBP2021.CB2100CBP&hidePreview=true> and <https://www.census.gov/programs-surveys/cbp/data/tables.html>.

⁸ 2022 Small Business Profile, U.S. Small Business Administration Office of Advocacy (2022), at page 4, <https://advocacy.sba.gov/wp-content/uploads/2022/08/Small-Business-Economic-Profile-US.pdf>.

⁹ U.S. Census County Business Patterns by Legal Form of Organization and Employment Size Class for the U.S., States and Selected Geographies: 2021, available at <https://data.census.gov/table/CBP2021.CB2100CBP?q=CBP2021.CB2100CBP&hidePreview=true>.

¹⁰ TheTruthAboutPLAs.com, <https://thetruthaboutplas.com/wp-content/uploads/2023/12/ABC-Members-Won-A-Significant-Number-of-Large-Scale-Federal-Contracts-25-M-FY09FY23-030524.png>.

¹¹ To locate one of more than 450 GRAPs provided by ABC chapters, visit www.abc.org/grapmap.

workforce development providers and quality workforce development programs offered by these stakeholders that are not registered with the government. According to the 2024 ABC Workforce Development Survey,¹² ABC members invested \$1.6 billion in 2023 to educate and upskill 1.3 million course attendees in craft, leadership and health and safety education. Safety education accounts for the greatest share of total workforce investment at 59%, which has remained stable since 2022.

Safety is a pillar of ABC's strategic goals. ABC's STEP Safety Management System® was founded in 1989. Companies at the STEP Diamond level, the highest possible, are 576% safer than the U.S. Bureau of Labor Statistics industry average and have an 83% lower total recordable incident rate than the U.S. BLS construction industry average.¹³

ABC members and their government and private customers are facing a perfect storm of factors that are limiting the ability to build America's infrastructure, clean energy and manufacturing facilities efficiently and increasing the cost of construction: The construction industry has an estimated skilled labor shortage of more than half a million workers in 2024;¹⁴ construction materials costs have increased by 41% since February 2020¹⁵ and higher interest rates means it is more expensive to finance project construction, which is disrupting government and private sector plans for new construction and improvements to existing assets. There is also a steady onslaught of federal regulations from the Biden administration that will needlessly delay infrastructure projects, reduce competition from qualified bidders and increase project costs.

ABC's Concerns With Government-Mandated PLA Policies

A PLA is a jobsite-specific collective bargaining agreement unique to the construction industry that typically requires companies to agree to recognize unions as the representatives of their employees on that job, use the union hiring hall to obtain most or all construction labor, hire apprentices from union-affiliated apprenticeship programs, follow union work rules and pay into union benefit and multiemployer pension plans that nonunion employees cannot access. This forces employers to pay "double benefits" into their existing plans and union plans, puts them at a significant competitive disadvantage and exposes them to unfunded multiemployer pension plan liabilities.

In addition, PLAs typically require construction workers to pay union agency shop fees, union dues and/or join a union if they want to receive work on a PLA project and/or receive union benefits. If they do not satisfy these stipulations, the few nonunion workers permitted on a PLA project lose an estimated 34% of their wages and benefits to union coffers and benefits plans—making them the victims of wage theft.¹⁶

When mandated by government agencies and lawmakers, PLAs exacerbate the construction industry's estimated skilled labor shortage¹⁷ of more than half a million workers¹⁸ by unfairly discouraging competition from quality nonunion contractors and their employees, who comprise 89.3% of the private U.S. construction industry workforce.¹⁹

¹² [Survey: ABC Members Invested \\$1.6 Billion To Upskill 1.3 Million in Construction Workforce Education](#), June 24, 2024

¹³ [ABC Safety Report: Construction Companies Can Be Nearly 6 Times Safer Than the Industry Average Through Best Practices](#), April 30, 2024

¹⁴ See www.abc.org/wfshortage.

¹⁵ ABC construction materials analysis, June 13, 2024, <https://www.abc.org/News-Media/News-Releases/abc-construction-materials-prices-decrease-in-may-for-the-first-time-since-december>.

¹⁶ McGowan, John R., Ph.D., CPA, [Government-Mandated Project Labor Agreements Result in Lost and Stolen Wages for Employees and Excessive Costs and Liability Exposure for Employers](#), October 2021.

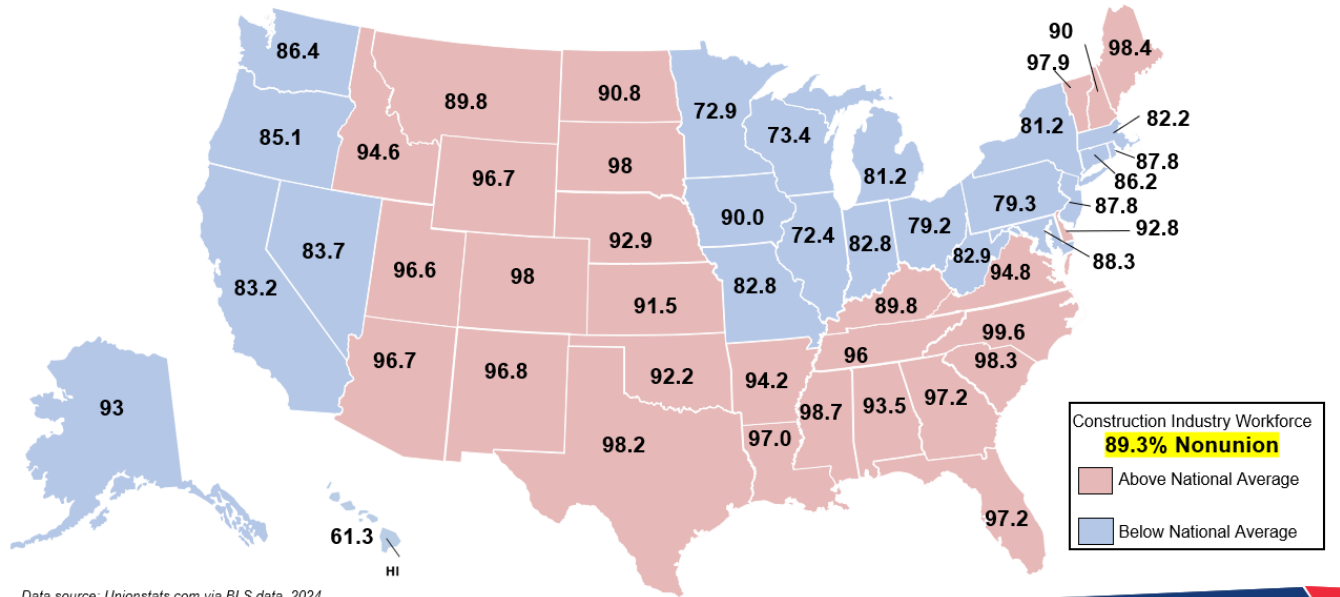
¹⁷ TheTruthAboutPLAs.com, [Biden Policies on Project Labor Agreements and Apprenticeship Exacerbate Construction Industry Skilled Labor Shortage](#), May 14, 2024.

¹⁸ See www.abc.org/wfshortage.

¹⁹ U.S. Bureau of Labor Statistics [Union Members Summary](#), Jan. 23, 2024, data <https://www.bls.gov/news.release/union2.t03.htm>.



STATE-BY-STATE CONSTRUCTION INDUSTRY NONUNION WORKFORCE DENSITY (2023)



In addition, government-mandated PLAs can interfere with existing union collective bargaining agreements negotiated between employers and unions. Likewise, some union organizations and union-affiliated contracting groups oppose government-mandated PLAs²⁰ because unionized contractors signatory to unions excluded from a specific PLA are prohibited from hiring union members from other unions and cannot bid on PLA projects.

As my written testimony further demonstrates, government-mandated PLAs are problematic for contractors, construction workers, government contracting officers and taxpayers. Government-mandated PLAs increase the cost of construction by 12% to 20%,²¹ harm qualified and experienced contractors and their local construction industry workforce²² not affiliated with labor unions and steer contracts to unionized contractors and union labor at the expense of taxpayers and free enterprise.²³

For these reasons, ABC is vigorously opposed to government-mandated PLAs and PLA preferences and the Biden administration’s policies promoting their use on federal and federally assisted construction projects, as well as state and local government infrastructure projects.

Insights on Biden’s Final Rule Requiring PLAs on Federal Construction Projects of \$35 Million or More

On Dec. 22, 2023, the Biden administration published the Federal Acquisition Regulatory Council’s final rule, Use of Project Labor Agreements for Federal Construction Projects,²⁴ in the Federal Register, implementing President Joe Biden’s Feb. 4, 2022, Executive Order 14063.²⁵

²⁰ TheTruthAboutPLAs.com, [Union Leaders and Contractors Oppose Government-Mandated Project Labor Agreements Too](#), March 1, 2021.

²¹ Access a number of studies on government-mandated PLAs at <https://buildamericalocal.com/learn-more/#gmpla-studies>.

²² <https://www.abc.org/News-Media/News-Releases/abc-a-record-893-of-the-us-construction-industry-is-not-part-of-a-union>.

²³ McGowan, John R., Ph.D., CPA, [Government-Mandated Project Labor Agreements Result in Lost and Stolen Wages for Employees and Excessive Costs and Liability Exposure for Employers](#), October 2021.

²⁴ <https://www.federalregister.gov/documents/2023/12/22/2023-27736/federal-acquisition-regulation-use-of-project-labor-agreements-for-federal-construction-projects>.

²⁵ Executive Order 14063, [Executive Order on Use of Project Labor Agreements For Federal Construction Projects](#), signed Feb. 4, 2022.

Effective Jan. 22, 2024, the rule and a related White House Office of Management and Budget memo²⁶ require federal agencies to “use project labor agreements in large-scale construction projects to promote economy and efficiency in the administration and completion of Federal construction projects.”²⁷ The rule defines a large-scale construction project as a “federal construction project within the United States for which the total estimated cost of the construction contract to the Federal Government is \$35 million or more”²⁸ However, the rule states that it does not preclude federal agencies from mandating PLAs on federal projects less than \$35 million, or federally assisted projects.

Based on fiscal year 2019 to fiscal year 2021 contract award data, the FAR final rule estimates 119 contracts—at an average contract value of \$114 million—will be subject to the policy annually.²⁹ However, it is unclear how many federal construction contracts of \$35 million or more will be issued in fiscal year 2024 and beyond. ABC estimates the rule is likely to affect more than \$16 billion worth of federal construction contracts of \$35 million or more annually.³⁰ In addition, it is unclear which of the federal projects below the \$35 million threshold—or federally assisted projects—will be subjected to PLA mandates encouraged by the FAR rule.³¹

Mechanics of PLA Mandates in Federal Contract Solicitations Under the FAR Rule³²

The rule states that the federal government shall not negotiate the terms of a PLA and federal agencies shall not publish a final PLA with its solicitation for construction services. Instead, the rule establishes minimum terms that all PLAs must contain. It directs federal agencies to require all general contractors and subcontractors on a qualifying federal project to agree to a PLA negotiated and executed with at least one labor union as a condition of winning a contract for construction services on a qualifying project.

The rule directs federal agencies to publish the PLA requirement in a project’s solicitation for construction services. In addition, the rule states that federal agency contracting officers can choose whether to require, (1) all offerors (as part of their proposal), (2) the apparent successful offeror prior to award or (3) the awardee, to provide a copy of the PLA executed with labor unions.³³

However, each of these options poses challenges for both the contracting officer and contractors submitting proposals to perform construction services on the project where the PLA is required. For example, with all three options, it has been reported that unions are not negotiating in good faith and/or refusing to negotiate and execute a PLA with certain bidders. This effectively ensures contractors favored by unions are awarded federal contracts without competition from contractors that the unions have screened out. This makes a mockery of federal procurement principles and is a clear violation of federal statutes like the Competition in Contracting Act, which requires genuine open competition from all qualified bidders.

In addition, unions have insisted that a PLA contains many anti-competitive and costly provisions found in typical PLAs that are not expressly required by the final rule, knowing that a contractor cannot be awarded a contract and/or proceed to build the project without executing a PLA with the preferred terms of the unions signatory to the PLA. The rule has created a situation where unions have maximum leverage during PLA negotiations, which can create needless delays and increased costs for federal agencies and contractors alike during the procurement and construction phases of a project.

²⁶ A Dec. 18, 2023, White House Office of Management and Budget memo, M-24-06, Use of Project Labor Agreements on Federal Construction Projects, provides federal agency executives additional guidance on the final rule: <https://www.whitehouse.gov/wp-content/uploads/2023/12/M-24-06.pdf>.

²⁷ <https://www.federalregister.gov/d/2023-27736/p-287>.

²⁸ <https://www.federalregister.gov/d/2023-27736/p-286>.

²⁹ <https://www.federalregister.gov/d/2023-27736/p-225>.

³⁰ Of note, data from [usaspending.gov](https://www.usaspending.gov) indicates a total of 179 new U.S. construction contracts of \$35 million or more in total cost, valued at a total of \$15.9 billion, were awarded in fiscal year 2023.

³¹ According to [census.gov](https://www.census.gov) data, the federal government put in place about \$33 billion worth of construction in 2023, indicating a significant segment of the federal construction contracting marketplace will be subject to the rule in fiscal year 2024 and beyond: https://www.census.gov/construction/c30/historical_data.html.

³² For detailed analysis on the FAR Council’s final rule, ABC submits for the congressional record a document detailing more than 57 Frequently Asked Questions on the Biden administration’s pro-PLA policies that is regularly updated and available to the public at www.abc.org/bidenplafags.

³³ <https://www.federalregister.gov/d/2023-27736/p-227>.

In addition, the final two PLA options provided by the final rule can lead to contract procurement and project construction delays, increased costs and additional risk for the federal agencies and contractors if they submit a bid with unknown labor costs because a PLA has not been executed with unions prior to submission of a contractor's price-sensitive proposal.

In short, the Biden rule has created the conditions for unions to arbitrarily decide who can submit qualifying bids on federal construction contracts and significantly influence if such bids will be competitive enough to win.

This will naturally discourage competition from qualified contractors, especially because of the resources it takes companies to submit a bid on a federal contract. It can cost prime contractors hundreds of thousands of dollars to submit a proposal and there is an opportunity cost of not pursuing construction contracts they can actually win. Likewise, subcontractor partners incur considerable expenses submitting a bid.

The new rule's potential to create needless delays, increase costs and reduce competition from large and small firms clearly does not enhance the economy and efficiency in federal contracting as the Biden administration alleges.

FAR Rule's PLA Exception Process Is Constructed in Bad Faith

The rule and OMB memo outline a process where some federal projects can be granted exceptions to PLA requirements in very limited and unique circumstances following market research conducted by contracting officers.³⁴ ³⁵ A federal agency's senior procurement officer³⁶ may grant an exception to the PLA requirement if the project meets a narrow set of prescriptive criteria and provides a written explanation posted on a public website³⁷—for the likely purpose of subjecting senior procurement officers to public pressure by PLA advocates—granting the PLA exception.

However, federal agency contracting officials have confided to industry partners that the PLA exception process is impractical, problematic and constructed in bad faith. For example, concerned USACE contracting officials have said that they can get an exception only from Doug Bush, assistant secretary of the Army for Acquisition, Logistics, and Technology, who is the USACE's senior procurement executive in charge of all military acquisition.³⁸ For an exception to be granted, the contracting officer's request has to go all the way up the military chain of command in a timely manner so it is granted by project's solicitation date.³⁹ The head of the USACE's construction programs isn't even able to grant PLA exceptions. This process is just not practical and is intentionally designed by the Biden administration to prevent PLA exceptions from even being requested.

To date, ABC is not aware of any federal agency granting an exception to the Biden PLA policy on a project. This means PLAs are being required on federal projects in geographic markets where a PLA just doesn't make any sense, especially in areas of the country where there are very few construction union members, because PLAs unfairly discourage competition from quality nonunion contractors and their employees, who comprise 89.3% of the private U.S. construction industry workforce.⁴⁰

Biden Rule Eliminates Obama's PLA-Optional Policy

Prior to its replacement by the new Biden PLA rule effective Jan. 22, 2024, President Barack Obama's EO

³⁴ <https://www.federalregister.gov/d/2023-27736/p-235>.

³⁵ <https://www.federalregister.gov/d/2023-27736/p-311>.

³⁶ The senior procurement official varies by federal agency. According to the rule, "FAR 2.101 identifies the senior procurement executive as the responsible official for management direction of the acquisition system in an executive agency (41 U.S.C. 1702(c))":

<https://www.federalregister.gov/d/2023-27736/p-152>.

³⁷ <https://www.federalregister.gov/d/2023-27736/p-137>.

³⁸ <https://api.army.mil/e2/c/downloads/2022/02/14/c440c78f/hon-bush-bio.pdf>.

³⁹ <https://www.federalregister.gov/d/2023-27736/p-312>.

⁴⁰ U.S. Bureau of Labor Statistics [Union Members Summary](https://www.bls.gov/news.release/union2.t03.htm), Jan. 23, 2024, data <https://www.bls.gov/news.release/union2.t03.htm>.

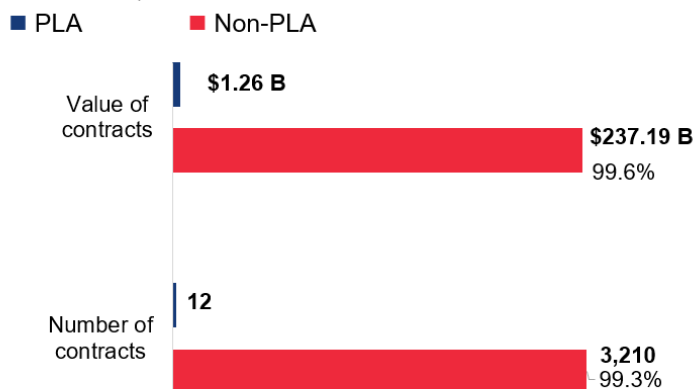
13502 and related FAR regulations⁴¹ encouraged, but did not require, federal agencies to mandate PLAs on a case-by-case basis on federal construction projects totaling \$25 million or more.⁴²

According to ABC research, from fiscal year 2009 to fiscal year 2023,⁴³ just 12 PLAs⁴⁴ valued at a total of \$1.25 billion were mandated on large-scale federal construction projects of \$25 million or more. This is out of a total population of 3,222 federal construction contracts of \$25 million or more, totaling roughly \$238.45 billion in value.⁴⁵



PLA MANDATES ON FEDERAL CONTRACTS, FY09-FY23

Total value of PLA mandate/preference contracts greater than \$25M, FY2009-FY2023



Source: USASpending.gov (accessed 1/4/24) cross-referenced with known list of federal government-mandated PLAs

- Non-GMPLA contracts far outnumber GMPLA contracts by value (99.6%) and number of contracts (99.3%) on \$238.458B of federal projects greater than \$25M.
- There have been no federal GMPLAs during the Trump and Biden administrations.

This data illustrates that when federal contracting officers and agencies are given an opportunity to freely evaluate the effectiveness of government-mandated PLAs without undue political pressure and restrictive policies, PLAs are not needed to enhance the economy and efficiency in federal contracting.

This is a key fundamental difference between the Biden policy and the Obama policy on federal government-mandated PLAs. In practice, the Biden policy is intentionally designed to tie the hands of federal agency contracting officers—the ones closest to a federal construction project—to exercise the informed choice that a PLA is not appropriate for a specific project.

The Biden PLA policy is an effective blanket PLA requirement. To date, ABC has identified more than 50 federal construction projects subject to PLA requirements in federal agency pre-solicitations and solicitations in the five months since the Biden policy has been active.⁴⁶ ABC is not aware of any PLA exceptions granted on any projects subject to the new Biden policy. Soon all these projects will be awarded to firms willing to execute a PLA.

⁴¹ <https://www.federalregister.gov/documents/2010/04/13/2010-8118/federal-acquisition-regulation-far-case-2009-005-use-of-project-labor-agreements-for-federal>.

⁴² <https://www.federalregister.gov/documents/2010/04/13/2010-8118/federal-acquisition-regulation-far-case-2009-005-use-of-project-labor-agreements-for-federal>.

⁴³ Of note, the Trump administration did not repeal the Obama administration's pro-PLA policy but did not require PLAs on any federal construction projects.

⁴⁴ The final rule also corroborates ABC's research: <https://www.federalregister.gov/d/2023-27736/p-117>.

⁴⁵ Of note, from fiscal year 2009 to fiscal year 2023, there were 2,106 federal construction contracts of \$35 million or more valued at \$205.56 billion. All the 12 PLAs mandated during this time period were on contracts greater than \$35 million.

⁴⁶ Of note, the Biden administration's federal agencies have been able to mandate PLAs at any time under prior Obama administration pro-PLA policy but have not done so on billions of dollars of federal construction projects prior to the effective date of this new policy of Jan. 22, 2024.

Biden PLA Mandate Policy Chills Competition From Some of the Best Federal Contractors

According to federal contract awards posted on usaspending.gov⁴⁷ cross-referenced with ABC membership, ABC member prime contractors won 50.04% (1,054 contracts) of 2,106 large-scale federal construction contracts of \$35 million or more from fiscal year 2009 to 2023, and 54.22% (\$111.46 billion) of the total value of \$205.56 billion.



ABC MEMBERS WON THE MAJORITY OF LARGE-SCALE FEDERAL CONTRACTS >\$35M, FY2009-FY2023

	# of Contracts	Percent of # of Contracts	Value (in \$ billions)	Percent of Total Value
ABC	1,054	50.04%	\$111.46	54.22%
Non-ABC	1,052	49.95%	\$94.1	45.77%
Total	2,106	100%	\$205.56	100%

Source: [USASpending.gov](https://usaspending.gov) (accessed 1/4/24) cross-referenced with ABC membership as of 12/5/23.

This demonstrates ABC member prime contractors have a strong record of successfully building award-winning⁴⁸ federal projects safely, on time and on budget, free from government-mandated PLAs that are the very same types of projects subject to the Biden PLA rule.⁴⁹

In contrast to the faulty rationale used by the Biden administration to justify the use of PLA mandates, there were no reports of widespread delays, union-led strikes, cost overruns, reduced competition or poor construction quality because of a lack of government-mandated PLAs during this time period.

The same can be said of the \$147 billion worth of federal construction contracts subject to President George W. Bush's Executive Orders 13202 and 13208, which prohibited government-mandated PLAs on federal and federally assisted construction projects from 2001 until it was repealed by the Obama policy in 2009.⁵⁰

Nevertheless, the Biden administration's pro-PLA FAR rule is preventing some of the best and most experienced federal contractors from pursuing federal construction contracts funded by taxpayers for no other reason than because these large and small businesses are not willing and able to sign a union agreement.

⁴⁷ https://files.usaspending.gov/generated_downloads/PrimeAwardSummariesAndSubawards_2023-12-04_H19M49S49753665.zip.

⁴⁸ For example, in 2024, the GSA's [Construction Awards program](#) recognized a number of ABC members for successfully delivering large-scale federal agency construction projects for the GSA. The projects recognized were not subject to GSA PLA requirements.

⁴⁹ Note that the government does not publish subcontracting data awarded by prime contractors, but it is likely the percentage of subcontracts won by ABC member subcontractors is the same or greater.

⁵⁰ See Sept. 23, 2009, report by the Beacon Hill Institute, [Project Labor Agreements on Federal Construction Projects: A Costly Solution in Search of a Problem](#), available at: <https://thetruthaboutplas.com/wp-content/uploads/2012/12/PLAs-on-Federal-Construction-Projects-A-Costly-Solution-in-Search-of-a-Problem-BHI-090923.pdf>.

Biden PLA Mandate Policy Harms Small and Diverse Federal Contractors

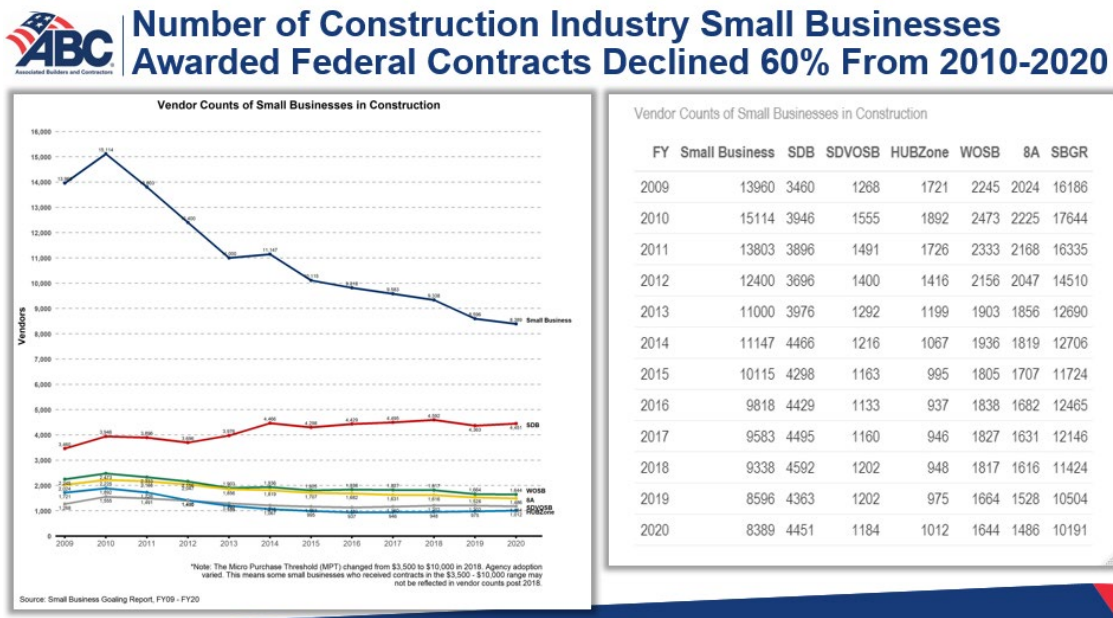
In my experience, government-mandated PLAs have a disparate impact on federal small business general contractors and subcontractors, many of whom are minority- or women-owned or disadvantaged businesses and employ a diverse workforce. The vast majority of these firms are not unionized and would be disenfranchised by the added red tape and costly requirements of typical government-mandated PLAs.

The Biden administration’s imposition of government-mandated PLAs represents another burden for small business federal contractors, despite EO 14063’s erroneous claim that “the use of project labor agreements is fully consistent with the promotion of small business interests.”⁵¹

In contrast to the Biden administration’s attempt to downplay the negative effects its pro-PLA policy will have on small business federal contractors, the U.S. Small Business Administration Office of Advocacy said, “This regulation will conflict with the Administration’s goal to reduce economic barriers for small businesses that wish to enter the federal marketplace. If this regulation is finalized, it will place a greater burden on federal agencies to meet their annual statutorily required small business goals.”⁵²

In September 2022, ABC conducted a survey of its contractor members about government-mandated PLAs and the FAR Council’s proposed rule on PLAs.⁵³ Fully 97% of respondents who self-identified as small business owners said they would be less likely to bid on contracts if the proposed rule is finalized, and 73% of these respondents stated that PLAs decrease the hiring of minority, women, veteran and disadvantaged business enterprises.

In short, the new PLA rule is likely to continue the unfortunate trend of federal regulations and policies greatly reducing construction industry small business participation in federal contracting. There has been a shocking 60% decline in the number of construction industry small business contractors awarded federal contracts from 2010-2020, according to the latest data from the U.S. Small Business Administration.⁵⁴



⁵¹ See discussion in EO 14063: <https://www.federalregister.gov/d/2022-02869/p-3>.

⁵² U.S. Small Business Office of Advocacy comment letter on the proposed rule, Oct. 28, 2022.

⁵³ Survey: 97% of ABC Contractors Say Biden’s Government-Mandated Project Labor Agreement Policies Would Make Federal Construction More Expensive, ABC Newswire, Sept. 28, 2022.

⁵⁴ Chart available at: <https://thetruthaboutplas.com/wp-content/uploads/2022/09/60-percent-decline-of-small-businesses-awarded-federal-construction-contracts-2010-to-2020.png>. The data was prepared by an SBA economist who said, “The charts represent data on vendors who have received obligations. The definition of ‘small’ comes from the contracting officer’s determination when the contract was awarded. The COs follow the NAICS size standards.” Data is from FPDS that can be publicly accessed through SAM.gov: <https://sam.gov/reports/awards/standard>.

Surveys suggest that the decline in the number of small businesses winning federal construction contracts is a result of an increase in federal regulatory burdens. The new PLA rule may be the straw that breaks the camel's back for many small businesses. Small business contractors driven out of the federal contracting marketplace by government policies and red tape have little choice but to pursue opportunities with the private sector and state/local government clients where regulatory clarity and fewer regulatory burdens make projects more attractive and less risky.

ABC Lawsuit Against the Biden Administration's Rule Mandating PLAs on Federal Construction Contracts

For these reasons, on March 28, 2024, ABC filed a lawsuit seeking a nationwide injunction against the new Biden policy on federal construction projects in the U.S. District Court for the Middle District of Florida in Jacksonville, Florida.⁵⁵ ABC filed a motion for preliminary injunction on April 26, which includes affidavits from 10 ABC member federal contractors, subcontractors and a local ABC chapter who have been injured by the rule.⁵⁶ The affidavits articulate the illegal, unfair and devastating effect of the Biden administration's pro-PLA policies on federal contractor stakeholders.

Of note, federal contracting officers have contacted ABC and asked about the status of ABC's lawsuit. They have said that this appears to be the only solution to preventing PLA requirements when they are not appropriate. Contracting officers articulate that if PLAs are so great, nothing is stopping a company and its subcontractors from voluntarily executing one if it would make them more competitive. They don't understand why this policy is necessary and bristle at its evident anti-competitive and costly effects.

ABC is optimistic the court will rule in favor of ABC's preliminary injunction request and lawsuit for the many reasons discussed in my comments highlighting how the Biden FAR Council's rule injures the economy and efficiency in federal government contracting.

Biden PLA Policies on Federally Assisted Projects

Independent of EO 14063 and the FAR Council's rule, ABC has identified problematic Biden administration regulatory schemes that coerce state and local governments—as well as private entities—to mandate PLAs on infrastructure projects, all to improve the likelihood of receiving hundreds of billions of dollars of federal agency infrastructure grants from the Infrastructure Investment and Jobs Act and other new legislation funding infrastructure.⁵⁷

In addition, the Biden administration is taking the unprecedented step of pushing—but not explicitly requiring—private developers to mandate PLAs on domestic microchip manufacturing facilities receiving as much as \$50 billion in CHIPS and Science Act funding⁵⁸ and clean energy construction projects supported by more than \$270 billion in Inflation Reduction Act tax incentives that are enhanced if developers require certain labor provisions.⁵⁹

Just last week, the Treasury's Internal Revenue Service issued a final rule weaponizing the IRS⁶⁰ to coerce private developers of such clean energy construction projects seeking enhanced tax credits under the IRA to

⁵⁵ ABC Files Lawsuit Against President Biden's Anti-Competitive Project Labor Agreement Rule for Federal Construction Projects, March 28, 2024, <https://www.abc.org/News-Media/News-Releases/abc-files-lawsuit-against-president-bidens-anti-competitive-project-labor-agreement-rule-for-federal-construction-projects>.

⁵⁶ ABC Files Preliminary Injunction Against President Biden's Anti-Competitive Project Labor Agreement Rule For Federal Construction Projects, May 13, 2024, <https://thetruthaboutplas.com/2024/05/13/abc-files-motion-for-preliminary-injunction-against-president-bidens-anti-competitive-project-labor-agreement-rule-for-federal-construction-projects/>.

⁵⁷ Examples of more than \$271 billion in federal dollars available to state and local governments via multiple grant programs administered by the departments of Agriculture, Commerce, Energy, Environmental Protection Agency, Interior, Transportation, Treasury and other federal agencies with pro-PLA language can be found at www.abc.org/plagrants.

⁵⁸ See [March 9, 2023, coalition letter to Secretary Raimondo](#) opposing the U.S. Commerce Department's pro-PLA language in its semiconductor manufacturing notice of funding opportunity.

⁵⁹ See ABC's Oct. 30, 2023, [comment letter](#) and [coalition comment letter](#) on IRS Reg-100908-23, Increased Credit or Deduction Amounts for Satisfying Certain Prevailing Wage and Registered Apprenticeship Requirements.

⁶⁰ <https://dailycaller.com/2024/06/18/biden-subsidies-unions-green-inflation-reduction/>.

mandate a PLA in exchange for immunity from new expensive penalties for failing to comply with novel and complex prevailing wage and apprenticeship policies on private construction projects.⁶¹

Such PLA schemes enacted through regulatory fiat undermine congressional authority, as all these taxpayer investments in projects were authorized and funded through legislation that does not require or encourage the use of discriminatory PLAs.

Together, the Biden administration's aggressive pro-PLA policies needlessly increase costs, chill competition and steer hundreds of billions of dollars' worth of federal and federally assisted construction contracts funded by taxpayers to well-connected special interests, i.e., construction unions and contractors signatory to specific construction unions party to a PLA.

Biden PLA Policies Will Increase Construction Costs on Federal and Federally Assisted Projects

The Biden administration's rulemaking process failed to identify compelling justification to support the claim that government-mandated PLAs enhance the economy and efficiency in federal contracting. In fact, there is strong evidence to suggest it injures the economy and efficiency in federal contracting. Likewise, there is weak evidence supporting Biden administration claims that PLAs will reduce costs on taxpayer-funded construction projects.⁶²

Recent surveys of federal contractors, robust academic studies and strong anecdotal evidence from the few PLA mandates on federal projects subject to PLA mandates under the Obama administration's pro-PLA policy strongly suggest that PLA mandates needlessly increase costs that will be ultimately shouldered by taxpayers.

For example, a U.S. Department of Labor Job Corps Center in Manchester, New Hampshire, was originally bid with a PLA mandate in 2009, but paused. After nearly three years of PLA-related delays and litigation, the project was bid with a PLA in January 2012 and then rebid without a PLA in October 2012. Results of bids without a PLA requirement demonstrate PLAs increase costs and reduce competition. Without a PLA, there were more than three times as many bidders (nine versus three) and the low bidder's offer was \$6,247,000 (16.47%) less than the lowest PLA bidder. In addition, firms that participated in both rounds of PLA and non-PLA bidding submitted an offer that was nearly 10% less than when they submitted a bid with a PLA. Without a PLA, a local firm from New Hampshire won the contract and performed it safely, on time and on budget to the satisfaction of the DOL. In contrast, the low bidder under the PLA mandate was from Florida.⁶³

In another example of increased costs and litigation⁶⁴ on a federal PLA project, in 2010, the General Services Administration awarded a \$52.3 million contract to a general contractor to build the federal Lafayette Building in Washington, D.C., but then forced the contractor to sign a change order post-award to build it with a PLA. The PLA requirement needlessly cost taxpayers an additional \$3.3 million.⁶⁵

Another GSA project awarded in 2010, the GSA Headquarters at 1800 F St. in Washington, D.C., suffered a 107-day delay when members of a local construction trade council refused to accept the terms of a PLA the contractor presented for negotiations post-award of the federal contract that had already been signed by the

⁶¹ See ABC press release on a Treasury/IRS final rule issued last week, [Biden Rule Weaponizes IRS to Steer Clean Energy Construction Projects to Union Donors](#), June 18, 2024. In addition, review ABC's Oct. 30, 2023, [comment letter](#) and [coalition comment letter](#) on IRS Reg-100908-23, Increased Credit or Deduction Amounts for Satisfying Certain Prevailing Wage and Registered Apprenticeship Requirements.

⁶² For example, the Beacon Hill Institute for Public Policy research has thoroughly debunked misleading claims and reports that PLA mandates reduce construction costs in [Belaboring PLAs: A Critique of the Seeler Reports](#), Oct. 15, 2021, [Affidavit of Prof. David G. Tuerck, PhD, before the Government Accountability Office, concerning Protests of Eckman Construction, Turnstone Corporation and Wu & Associates, Inc. No., B-406526.1; Solicitation DOL121RB20457](#), June 2012, and Pages 43-62 of Tuerck's Cato Journal article, [Why Project Labor Agreements Are Not in the Public Interest](#), Winter 2010. It should be noted that in virtually every instance when PLA advocates have attempted to demonstrate how PLAs can reduce construction costs, they do so by comparing the costs of an already unionized project workforce with and without a PLA. There is no comparison of cost savings on a project with and without a PLA if the project was dominated by nonunion contractors and workers, as is the case in most markets across America.

⁶³ See TheTruthAboutPLAs.com for full details on the project, [Union's Criticism Misses Mark on U.S. Department of Labor's New Hampshire Job Corps Center Project Labor Agreement Scheme](#), Sept. 3, 2013.

⁶⁴ Of note, prior to award, the project was delayed during the bidding process because the GSA was forced to remove a PLA mandate after a contractor filed a bid protest with the Government Accountability Office. See TheTruthAboutPLAs.com, [GSA admits Jumping the Gun With PLA Gift to Unions](#), Dec. 29, 2009, Updated February 2010.

⁶⁵ See TheTruthAboutPLAs.com, [GSA Wasted Millions on Union Handout, Where's the Outrage?](#) April 10, 2012.

carpenters union not affiliated with the local construction trade council.⁶⁶ Following the impasse, the GSA instructed the prime contractor to proceed without a PLA with the trades council. This delay increased costs by millions of dollars and affected the project significantly. A subsequent review of documents related to change order negotiations between the GSA and the contractor revealed the GSA clawed back millions of dollars from the contractor built into its original bid related to the added costs associated with performing the project under a PLA.⁶⁷

In addition to these real-world examples of added costs on federal construction projects under the Obama administration's pro-PLA policy, multiple academic studies⁶⁸ of thousands of taxpayer-funded affordable housing⁶⁹ and school construction projects⁷⁰ found that government PLA mandates increase the cost of construction by 12% to 20% compared to similar non-PLA projects when all projects are subjected to prevailing wage regulations.⁷¹

In addition to these studies, PLA mandates on federally assisted construction projects procured by state and local governments,⁷² as well as state and local government public works projects built without federal assistance, have revealed many instances in which PLAs have failed to achieve promised cost savings, and have instead led to cost overruns, delays, local hire failures⁷³ and safety incidents⁷⁴ on such diverse public projects as stadiums, convention centers, civic centers, power plants and airports.

Of note, ABC has collected dozens of examples of projects that were bid both with and without PLA mandates. In every instance, fewer bids were submitted under the PLA mandate than were submitted without it, or the costs to the public entity went up—or both.⁷⁵

Likewise, ABC suggests that the Oversight Committee request from the GSA its own analysis of bid data on the cost of PLAs when the Obama administration's pro-PLA policy was in effect. During this time period, the GSA allowed federal contractors to submit an offer without a PLA and an offer with a PLA. However, submission of a PLA offer would provide bidders with preferential treatment that would make them more likely to win a contract under the GSA's Best Value Contracting policy.⁷⁶ Despite this preferential treatment, in almost all instances, the GSA did not mandate a PLA on a project. The GSA should have reliable data demonstrating the inflationary impact of PLAs on federal contracts from this policy.

⁶⁶ See TheTruthAboutPLAs.com, [Delays and Increased Costs: The Truth About the Failed PLA on the GSA's Headquarters at 1800 F Street](#), March 5, 2013.

⁶⁷ On March 16, 2011, the [House Oversight and Government Reform Committee's](#) Regulatory Affairs, Stimulus Oversight and Government Spending Subcommittee held the hearing [Regulatory Impediments to Job Creation: The Cost of Doing Business in the Construction Industry](#). GSA officials testified that the prime contractor on the 1800 F St. building could not finalize a PLA with numerous trade unions in the area. The contractor could only reach an agreement with the local carpenters' union, leading to delays and increased costs on the project. The financial impact of this delay has not been accurately calculated but is estimated to be in the millions of dollars.

⁶⁸ Visit <https://buildamericainlocal.com/learn-more/#gmpla-studies>.

⁶⁹ Ward, Jason M., The Effects of Project Labor Agreements on the Production of Affordable Housing: Evidence from Proposition HHH. Santa Monica, CA: RAND Corp., 2021, https://www.rand.org/pubs/research_reports/RRA1362-1.html.

⁷⁰ See multiple studies measuring the impact of PLA mandates on public school construction already subject to state prevailing wage laws in Connecticut, Massachusetts, New Jersey, New York and Ohio by the Beacon Hill Institute (<http://beaconhill.org/labor-economics/>); an October 2010 report by the New Jersey Department of Labor and Workforce Development, Annual Report to the Governor and Legislature: Use of Project Labor Agreements in Public Works Building Projects in Fiscal Year 2008 (https://www.nj.gov/labor/forms_pdfs/legal/2010/PLAReportOct2010.pdf); and a 2011 study by the National University System Institute for Policy Research, Measuring the Cost of Project Labor Agreements on School Construction in California (<https://thetruthaboutplas.com/wp-content/uploads/2011/07/Measuring-the-Cost-of-Project-Labor-Agreements-on-School-Construction-in-California-NUSPIR-2011.pdf>).

⁷¹ With or without a PLA, all federal projects are subject to federal labor and employment laws, including federal Davis-Bacon prevailing wage regulations, which require government-determined wages for building, heavy and highway projects that are typically union-scale wages where PLAs are most likely to be mandated. The research looked at affordable housing and school construction projects subject to prevailing wage laws regardless of whether a PLA was required, which undermines arguments by PLA proponents that PLAs are needed to ensure high wages and savings from non-PLA projects are a result of undercutting wages and benefits.

⁷² See TheTruthAboutPLAs.com, [Government-Mandated Project Labor Agreement Failures on Federal and Federally Assisted Construction Projects](#), March 10, 2021.

⁷³ See examples cited in TheTruthAboutPLAs.com, [DC Council Saddles More City Construction Projects with Project Labor Agreements Schemes](#), May 22, 2024.

⁷⁴ In addition, many problematic PLA projects are documented in ABC General Counsel Maury Baskin's report, [Government-Mandated Project Labor Agreements: The Public Record of Poor Performance \(2011 Edition\)](#).

⁷⁵ See TheTruthAboutPLAs.com, [Great Scott: Projects Bid With and Without PLA Mandates Show PLAs Increase Costs and Reduce Competition](#), April 18, 2013.

⁷⁶ See GSA Public Building Service Procurement Instructional Bulletin 11-05, Aug, 2, 2011: <https://thetruthaboutplas.com/wp-content/uploads/2015/04/GSA-PBS-Procurement-Instructional-Bulletin-on-Project-Labor-Agreement-11-05-080211.pdf>.

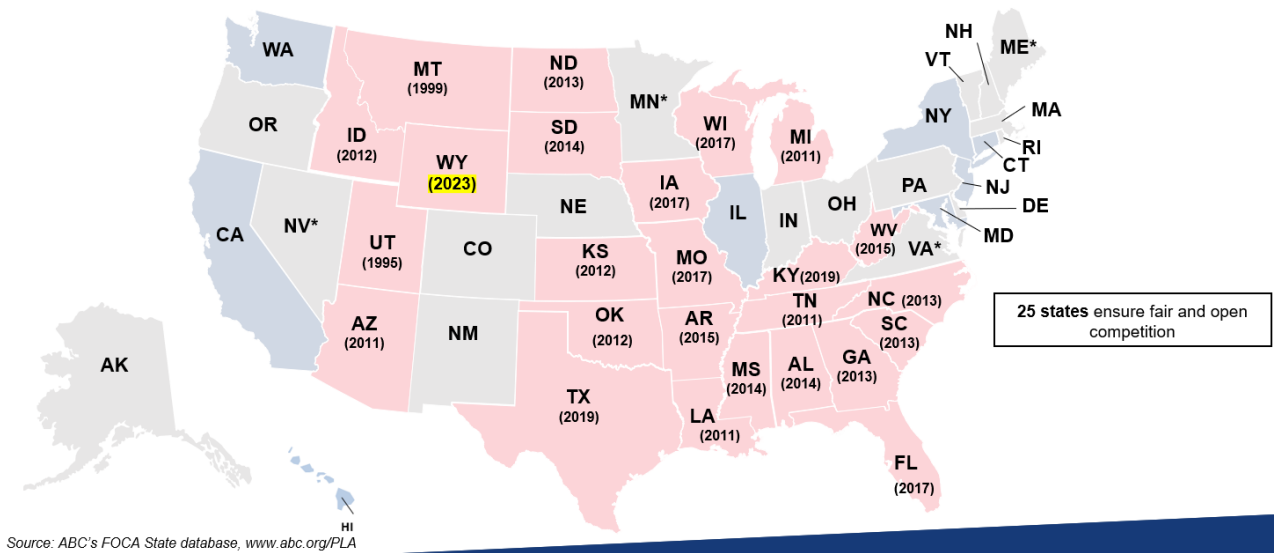
Finally, according to a September 2022 survey of ABC member contractors,⁷⁷ 97% of survey respondents said a construction contract that required a PLA would be more expensive compared to a contract procured via free and open competition.

ABC and Coalition-Supported Policy Solutions to the Biden Administration’s Pro-PLA Posture

Currently, 25 states⁷⁸ have Fair and Open Competition Act policies,⁷⁹ which curb waste and favoritism during the state and local government’s procurement of construction contracts and ensure taxpayer dollars are spent responsibly by letting the market determine if a PLA is appropriate.

25 STATES ENSURE FAIR AND OPEN COMPETITION

- No policy prohibiting or encouraging use of PLAs ■ Enacted pro-PLA bill or EO encouraging government-mandated PLAs
- Enacted bill or EO prohibiting government-mandated PLAs (year enacted) *Policy prohibiting government-mandated PLAs rescinded



These state FOCA laws prevented government-mandated PLAs on more than \$1 trillion worth of construction capital outlay through the end of 2022.

⁷⁷ [Survey: 97% of ABC Contractors Say Biden’s Government-Mandated Project Labor Agreement Policies Would Make Federal Construction More Expensive](#), ABC Newsline, Sept. 28, 2022.

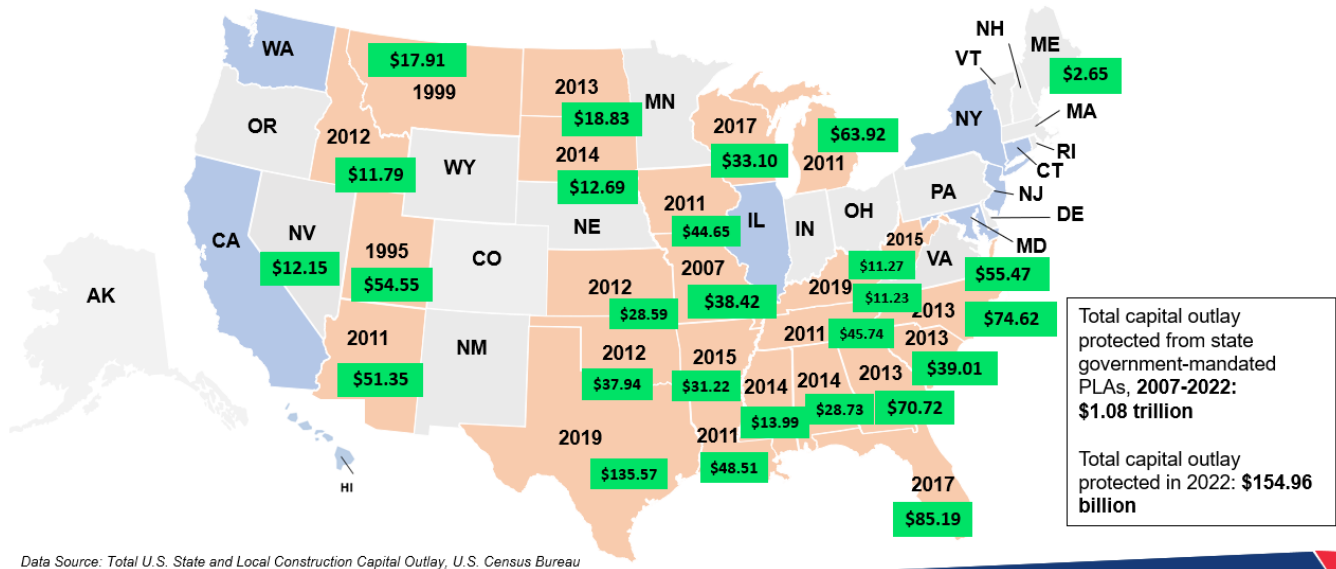
⁷⁸ [29 states responded to the threat of discriminatory PLA mandates and preferences by enacting Fair and Open Competition Act legislation](#) prohibiting government-mandated PLAs on state and local taxpayer-funded construction projects to some degree. Almost all of these were passed since 2010 to send a message to the federal government that PLA mandates via the Obama and Biden administration’s policies are not welcome on state and local government projects. Unfortunately, four states—Maine, Minnesota, Nevada and Virginia—rolled back common-sense FOCA policies following Democratic party takeovers of state government, bringing the total number of states with active pro-taxpayer FOCA measures to 25, following [Wyoming’s FOCA statute effective date](#).

⁷⁹ To date, all legal challenges to state and federal FOCA policies ensuring government neutrality in public works contracting [have failed](#).



CONSTRUCTION CAPITAL OUTLAY PROTECTED FROM GMPAS VIA STATE FOCA LAWS (BILLIONS USD, 2007-2022)

Policy prohibiting government-mandated PLAs Policy encouraging use of PLAs



Unfortunately, these state laws do not protect direct federal construction projects governed by the FAR from PLA mandates imposed by the Biden administration’s final rule. We have recently received reports of a number of states with cost sharing agreements with the USACE where the USACE is procuring the contract but the state is responsible for 35% of the project’s cost. This means such USACE projects subject to PLAs present considerable risks to their state funding partners and local constituencies.

However, in these states, if state or local governments are procuring construction services funded by a mixture of state and local government dollars and federal dollars, they have the legislative authority to oppose the Biden administration’s push for PLAs to some degree.

In contrast, dozens of municipalities and eight states controlled by union-friendly lawmakers have enacted legislation or executive orders pushing the use of government-mandated PLAs on state, state-assisted and local public works projects to some degree. These anti-competitive PLA policies are shutting out qualified contractors and their local employees on certain federally assisted public works contracts in states such as California, Connecticut, Hawaii, Illinois, Maryland, New Jersey, New York and Washington—and major cities like Chicago, Honolulu, Los Angeles, New York City, Philadelphia and Washington, D.C.—from opportunities to rebuild their own communities.

In short, the Biden administration’s policies promoting PLAs on federally assisted projects has produced additional incentives for state and local governments with an affection for labor unions to require more PLAs on taxpayer-funded construction projects. Likewise, it has undermined state laws that seek to ensure fair and open competition in taxpayer-funded contracting and coerced private developers into requiring PLAs when they are not appropriate.

Simply put, hardworking taxpayers are getting less and paying more when PLAs are encouraged or mandated during the procurement of federal and federally assisted construction projects.

All Americans deserve more efficient and effective policies that will encourage all qualified contractors and their skilled workforces to compete to build long-lasting, quality projects at the best price.

Congress can help achieve these objectives by championing and co-sponsoring the Fair and Open Competition Act (H.R. 1209/S. 537)—introduced by House Oversight and Accountability Committee Chairman James Comer, R-Ky., and Sen. Todd Young, R-Ind.⁸⁰ The national Build America Local coalition and ABC support FOCA⁸¹ because it seeks to counteract special-interest favoritism by prohibiting federal agencies and recipients of federal assistance from mandating PLAs and implementing PLA preferences. However, this legislation would allow federal agencies to award contracts to businesses that voluntarily utilize PLAs before or after a fair and open competitive bidding process—a common industry practice permitted by the National Labor Relations Act.

In addition, the BuildAmericaLocal coalition and ABC supports a resolution⁸² of disapproval (H.J. Res. 132)⁸³ under the Congressional Review Act introduced by Rep. Clay Higgins, R-La., nullifying the Biden administration’s PLA final rule on federal construction projects.

PLAs are a Political Solution In Search of a Problem

Across the country, local, state and federal government lawmakers who support government-mandated PLAs receive campaign money and support from the very same special interests that benefit from taxpayer-funded contracts steered their way as a result of PLA schemes.

For example, according to public filings, in the 2021-2022 election cycle, the federal PACs of the 15 construction trade unions affiliated with the North America’s Building Trades Unions disbursed nearly \$62 million in federal PAC dollars to federal, state and local candidates; committees; joint fundraising committees; national state and local parties; and various other expenses.⁸⁴ Of the \$14.52 million that these federal construction union PACs gave to federal candidates, 91% went to Democratic candidates.⁸⁵

Follow the money. The politicization and perversion of the government contracting process as a result of government-mandated PLAs should be of concern to all taxpayers.

Conclusion

In closing, the Biden administration’s pro-PLA policies are nothing more than a politically motivated solution in search of a problem. In fact, these policies hurt contractors, their employees, taxpayers and disrupt the federal government’s requirement for economy and efficiency in federal procurement so much that they are actually a problem in search of a problem.

Thank you for the opportunity to raise concerns about the anti-competitive and inflationary Biden administration policies that are undermining taxpayer investments in America’s infrastructure, clean energy, affordable housing and manufacturing projects.

If you or other stakeholders would like to learn more about this issue, I encourage you to:

- Review ABC’s October 2022 comments⁸⁶ on the FAR Council’s proposed rule
- Visit abc.org/bidenplafags to review FAQs

⁸⁰ In the 118th Congress, FOCA (H.R. 1209/S. 537) has 118 co-sponsors in the House and 27 in the Senate. FOCA was [passed favorably](#) out of the House Committee on Oversight and Accountability in July 2024.

⁸¹ Coalition letter to House Oversight Committee in support of FOCA, July 11, 2023, <https://buildamericalocal.com/gehudim/sites/18/2023/07/Coalition-Letter-Supporting-FOCA-COA-Markup-118th-Congress-Final.pdf>

⁸² Coalition letter to U.S. House of Representatives in support of FOCA and Rep. Higgins’ H.J. Res. 132, June 3, 2024, <https://buildamericalocal.com/gehudim/sites/18/2024/06/Coalition-Letter-to-Congress-Supporting-CRA-Opposing-Biden-Project-Labor-Agreement-Final-Rule-060324.pdf>.

⁸³ <https://www.congress.gov/bill/118th-congress/house-joint-resolution/132>.

⁸⁴ See <https://thetruthaboutplas.com/wp-content/uploads/2023/04/NABTU-PAC-Money-Raised-and-Distributed-2021-to-2022-Cycle.png>

⁸⁵ See <https://thetruthaboutplas.com/wp-content/uploads/2023/04/NABTU-PAC-Money-Raised-and-Distributed-to-Federal-Candidates-2021-to-2022-Cycle.png>

⁸⁶ <https://www.abc.org/News-Media/News-Releases/abc-lawmakers-and-industry-groups-call-on-president-biden-to-withdraw-his-inflationary-pla-mandate-policies2>

- Visit BuildAmericaLocal.com/learn-more/ to access research, media coverage and other resources.

I look forward to your questions.