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July 11, 2023

The Honorable James Comer  
Chairman  
U.S. House Committee on  
Oversight and Accountability  
Washington, DC

The Honorable Jamie Raskin  
Ranking Member  
U.S. House Committee on  
Oversight and Accountability  
Washington, DC

Dear Chairman Comer, Ranking Member Raskin, and Members of the Committee on Oversight and Accountability:

On behalf of the Independent Electrical Contractors (IEC), I write to ask that you support the Fair and Open Competition Act (H.R. 1209 / S. 537) during the July 12 markup.

Established in 1957, Independent Electrical Contractors is a trade association representing 3,600 members with more than 50 chapters and training centers nationwide. Headquartered in Arlington, Va., IEC is the nation's premier trade association representing America's independent electrical and systems contractors. IEC National aggressively works with the industry to establish a competitive environment for the merit shop—a philosophy that promotes the concept of free enterprise, open competition, and economic opportunity for all.

The Fair and Open Competition Act (FOCA) prevents federal agencies and recipients of federal assistance from requiring contractors to sign a project labor agreement (PLA) as a condition of winning a federal or federally assisted construction contract. Government-mandated PLAs can discriminate against small, women, minority, and veteran-owned businesses, creating a rigged bidding process that denies jobs to local construction workers and businesses, increases costs, and yields fewer infrastructure improvements. PLAs discourage competition from the private construction workforce that chooses not to join a union, which represents 88% of the industry.

With the Biden administration's plan to issue its final rule implementing Executive Order 14063, which mandates anti-competitive and inflationary project labor agreements on federal construction projects of \$35 million or more, support for FOCA is even more critical. The administration also continues to promote PLAs on federally assisted infrastructure projects procured by state and local governments via more than \$100 billion worth of competitive grant programs administered by federal agencies containing pro-PLA language.

I hope you will take the opportunity to promote fair and open competition in federal contracting and support the Fair and Open Competition Act (H.R. 1209 / S. 537).

Sincerely,

Jason E. Todd  
Vice President, Government Affairs