



DON'T TIP THE SCALES ON MILITARY CONSTRUCTION PROJECTS

Oppose the Grimm Amendment to Strike Section 517 of H.R. 5854

Dear Colleague:

During the Full Committee markup of H.R. 5854, the FY 2013 Military Construction/VA Appropriations bill, I successfully offered an amendment to prevent the federal government from prohibiting or requiring project labor agreements (PLAs) on military construction projects. This language is necessary to make sure that federal agencies do not unfairly mandate PLAs as President Obama encouraged them to do when he signed Executive Order 13502 in February 2009. Considering that only 14 percent of the workforce is unionized, this is no small thing. Unfortunately, there's a lot of misinformation being circulated about this language (now Section 517), primarily, that the language would prohibit the use of project labor agreements for construction projects. This is simply not true. **The language included in the bill expressly does not prohibit federal agencies from awarding contracts that include project labor agreements.**

And you don't just have to take my word for it.

The non-partisan *Congressional Research Service* found that, "Based on the plain language of the amendment's text, PLAs for military construction projects would not be forbidden." CRS goes on to clarify that the language contained in the bill would, "have the effect of: (1) preventing federal agencies from mandating the use of PLAs (as Executive Order 13502 encourages) and (2) prohibiting federal agencies from giving preference to a bidder/contractor based on the signing of a PLA."

The language contained in the bill would return the federal government to a position of neutrality with regard to project labor agreements, allowing the free market to work its will and deliver to taxpayers the best possible product at the best possible price. Section 517 is similar to an amendment recently offered in the House to H.R. 4310, the FY 2013 National Defense Authorization Act, offered by myself and Mr. Bartlett (R-MD) and approved on a roll call vote. I urge opposition to the Grimm Amendment which would strip Section 517 out of the bill, and allow government to continue to unfairly mandate PLAs for military construction projects.

Sincerely,

JEFF FLAKE
Member of Congress