



September 22, 2021

The Honorable Pramila Jayapal
United States House of Representatives
2346 Rayburn House Office Building
Washington, D.C. 20515

Dear Representative Jayapal:

On behalf of the Construction Employers of America (CEA) and the 15,000 signatory contractors and 1.4 million employees we represent, we are writing to inform you of our support for your amendment to the fiscal year 2022 National Defense Authorization Act (NDAA) that would direct federal agencies to initiate debarment proceedings for federal contractors with repeated or willful violations of the Fair Labor Standards Act (FLSA).

In the construction industry, our members increasingly find themselves competing with companies that seek to reduce labor costs by disassociating themselves from the traditional obligations of being an employer. The COVID-19 pandemic has accelerated a push within construction for contractors to reduce costs by structuring operations to evade paying minimum wage, overtime, unemployment insurance, and other related expenses. Construction is so plagued by wage theft and independent contractor abuse that the law-abiding employers our organizations represent find it hard to compete while providing middle class wages, healthcare, and a pension.

Your amendment fulfills Congress' duty to ensure that the taxpayer funds spent on federal contracts do not reward law breakers and tax cheats seeking a competitive advantage at the expense of their workers. Your amendment levels the playing field for honest employers by requiring federal agencies to initiate debarment proceedings against federal contractors that have committed four or more willful or repeated wage violations in the last four years.

We appreciate your efforts on this amendment and look forward to working with you to urge its adoption during consideration of the FY2022 NDAA.

Sincerely,

The Construction Employers of America
www.constructionemployersofamerica.com

International Council of Employers of Bricklayer and Allied Craftworkers
FCA International
Mechanical Contractors Association of America
National Electrical Contractors Association
Sheet Metal & Air Conditioning Contractors' National Association
Signatory Wall and Ceiling Contractors Alliance
The Association of Union Constructors