



April 14, 2010

The Honorable Sander Levin
Acting Chair
House Ways and Means Committee
1102 Longworth House Office Building
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Dave Camp
Ranking Member
House Ways and Means Committee
1139E Longworth House Office Building
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Levin and Ranking Member Camp:

On behalf of Associated Builders and Contractors (ABC), a national association with 77 chapters representing 25,000 merit shop construction and construction-related firms with 2 million employees, we appreciate the opportunity to provide our position in response to the House Ways and Means Committee's hearing entitled, "Energy Tax Incentives Driving the Green Job Economy." While we agree that action should be taken to address this issue, ABC strongly supports initiatives that promote energy efficiency and incorporate all American workers, regardless of labor affiliation.

ABC member companies have been leaders in green construction since before this terminology came into fashion. In fact, ABC has been at the forefront of the green building movement since its inception. ABC member SIGAL Construction was a founding member of the U.S. Green Building Council (USGBC) as well as one of the authors of the Leadership in Energy and Environmental Design (LEED) rating system. ABC members continue leading the construction industry by utilizing sustainable construction methods and practices. According to Engineering News-Record in 2008, 53 of the Top 100 Green Contractors were ABC members generating close to \$15 billion in revenue with more than 2,800 LEED APs on staff. (Attachment 1)

ABC chapters and member companies are actively engaged in training workers in a wide variety of skilled occupations and are constantly striving to keep pace with technology and innovation in order to make certain America has the skilled workforce it deserves, and that all American workers, regardless of union affiliation, enjoy equal opportunity of access to critical job training. However, the continued participation of open shop contractors, and the job opportunities for 85.5 percent of the construction workforce they employ, in the booming green building market is threatened by the efforts of many in Washington, D.C. to exclude non-union companies and training providers from participating in new government funded green jobs training programs.

The Green Jobs Act, enacted as part of the "Energy Independence and Security Act of 2007" which was signed into law in December 2007, establishes National Energy Training Partnership Grants to fund training programs targeted at creating an efficient energy and renewable energy skilled workforce. Specifically, the Green Jobs Act would require any entity applying for these grants to partner with organized labor. The reality is that this language would bar the numerous open shop training programs from receiving this grant funding.

Organized labor makes up just 14.5 percent of the private construction workforce and likely represents a similar amount of work in the green building market. Given the desire to see a continued increase in the use of green building and green technology, it seems that limiting the ability to participate in green training to such a small percentage of the construction industry would make this growth difficult. If the green building market is going to continue to expand in the coming years as some groups predict, the participation of the open shop will be a crucial factor in ensuring there are enough skilled workers to meet the demand.

To that end, ABC, along with many other construction and business groups, strongly supports the “Green Jobs Improvement Act” (H.R. 2026) introduced by Congressman John Kline which amends the Workforce Investment Act to allow both union and open shop training providers access to the federally funded energy efficiency and renewable energy worker training programs. This bill would give all workers the opportunity to train in the ever increasing field of green construction and would not block certain training providers access simply because they choose not to be affiliated with organized labor.

The advances in the technology and skill involved in green building, and the benefits of their use, is indeed a welcome trend for contractors, skilled workers and the end user. It is our view that the most efficient path to encouraging this continued growth of this sector is by giving all training providers, regardless of union affiliation, access to federal training programs so that the greatest numbers of workers can be trained in green jobs. In today’s tough economic times, especially in the construction industry with a current unemployment rate of 25 percent, Members of Congress have a responsibility to provide all workers with training opportunities paid for by their tax dollars.

Additionally, a comprehensive energy plan will benefit all Americans through less expensive, more stable energy supplies. The potential dividend for the construction industry is considerable. The nation’s energy infrastructure is insufficient and crumbling; new construction and upgrades to plants and transmission infrastructure are desperately needed. ABC is committed to ensuring these new projects are built with open competition and without government-mandated project labor agreements. ABC also supports allowing for responsible offshore exploration and development; lessening America’s dependence on foreign sources of energy by increasing domestic exploration and production of fossil fuels; increasing construction of new power plants, and tax incentives for energy efficiency and conservation, including for homes and businesses.

It is clear that we are facing unprecedented economic challenges, and ABC members both large and small are eager to stimulate growth and spur job creation. ABC looks forward to your continued efforts to promote green building opportunities for all contractors.

Sincerely,



Brewster B. Bevis
Senior Director, Legislative Affairs

Attachment 1



According to Engineering News-Record in 2008, 53 of the Top 100 Green Contractors were ABC members generating close to \$15 billion in revenue with more than 2,800 LEED APs on staff - http://enr.construction.com/people/topLists/GreenCont/topGreenCont_1-50.asp.

Highlighted firms are ABC member companies:

RANK 2008	FIRM	APs on staff	07 GREEN REV	
			\$MIL	% REV
1	The Turner Corp., New York, N.Y.	429	1805.05	19
2	Webcor Builders, San Mateo, Calif.			
3	Skanska USA Inc., Whitestone, N.Y.	164	1242.34	22
4	Bovis Lend Lease, New York, N.Y.	201	1075.5	20
5	Swinerton Inc., San Francisco, Calif.	195	1046	52
6	PCL Construction Enterprises Inc., Denver, Colo.	18	936.71	19
7	Clark Group, Bethesda, Md.	85	752.97	18
8	Hensel Phelps Construction Co., Greeley, Colo.	68	747.68	30
9	Gilbane Building Co., Providence, R.I.	186	651.87	22
10	The Haskell Co., Jacksonville, Fla.	17	562	79
11	Hunt Construction Group Inc., Scottsdale, Ariz.	25	527.32	26
12	L.F. Driscoll Co., Bala Cynwyd, Pa.			
13	Hoffman Corp., Portland, Ore.			
14	The Whiting-Turner Contracting Co., Baltimore, Md.			
15	Sundt Construction Inc., Tempe, Ariz.	74	440.3	49
16	Clayco Inc., St. Louis, Mo.			
17	The Weitz Co. LLC, Des Moines, Iowa	58	349.33	22
18	Austin Industries, Dallas, Texas	47	345.9	2
19	David E. Harvey Builders Inc., Houston, Texas	13	337	47
20	Holder Construction Co., Atlanta, Ga.			
21	Balfour Beatty Construction, Dallas, Texas	50	273.58	12
22	The Facility Group, Smyrna, Ga.			
23	B.L. Harbert International LLC, Birmingham, Ala.	5	267.1	63
24	JE Dunn Construction Group, Kansas City, Mo.	133	266.5	10
25	William A. Berry & Son Inc., Danvers, Mass.			
26	Caddell Construction Co. Inc., Montgomery, Ala.	4	256.54	74
27	Structure Tone, New York, N.Y.	140	248.43	7
28	Opus Group, Minnetonka, Minn.	92	225.3	12
29	FTR International Inc., Irvine, Calif.			
30	Stellar, Jacksonville, Fla.	25	199.9	36
31	HITT Contracting Inc., Fairfax, Va.	17	199.04	22
32	James G. Davis Construction Corp., Rockville, Md.			
33	Pepper Construction Group, Chicago, Ill.			
34	M.A. Mortenson Co., Minneapolis, Minn.			
35	Suffolk Construction Co. Inc., Boston, Mass.	56	170.06	15
36	DPR Construction Inc., Redwood City, Calif.	211	167.22	11
37	Linbeck, Houston, Texas			
38	Hathaway Dinwiddie Construction, San Francisco, Calif.			
39	Messer Construction, Cincinnati, Ohio	11	146.5	22
40	TLT Construction Corp., Wakefield, Mass.			
41	The Walsh Group, Portland, Ore.	20	136.5	52
42	The Walsh Group Ltd., Chicago, Ill.	44	135.47	4
43	Barton Malow Co., Southfield, Mich.	40	133.24	9
44	Okland Construction Co. Inc., Salt Lake City, Utah			
45	McCarthy Holdings Inc., St. Louis, Mo.			

46	Power Construction Co. LLC, Schaumburg, Ill.			
47	Andersen Construction Co., Portland, Ore.			
48	Duke Construction, Indianapolis, Ind.			
49	Grunley Construction Co. Inc., Rockville, Md.	9	109.06	41
50	Lauth Construction Group LLC, Indianapolis, Ind.			
51	Cox & Schepp Construction Inc., Charlotte, N.C.	8	105	50
52	Barnhart Inc., San Diego, Calif.			
53	Saunders Construction Inc., Centennial, Colo.			
54	Ryan Cos. US Inc., Minneapolis, Minn.	47	101.25	10
55	Pioneer General Contractors, Grand Rapids, Mich.			
56	Sellen Construction Co. Inc., Seattle, Wash.			
57	Bernards, San Fernando, Calif.			
58	BE&K Inc., Birmingham, Ala.	22	79.48	5
59	Kraus-Anderson Construction Co., Minneapolis, Minn.			
60	Lusardi Construction Co., San Marcos, Calif.	0	77	25
61	Consigli Construction Co. Inc., Milford, Mass.			
62	The Yates Cos. Inc., Philadelphia, Miss.	25	75.2	4
63	C.W. Driver, Pasadena, Calif.	18	75.01	13
64	Hall Building Corp., Farmingdale, N.J.			
65	New South Construction Co., Atlanta, Ga.	7	73.8	47
66	McGough Construction, St. Paul, Minn.			
67	Mascaro Construction Co. LP, Pittsburgh, Pa.			
68	Forrester Construction Co., Rockville, Md.	40	70	26
69	Lease Crutcher Lewis, Seattle, Wash.			
70	Reno Contracting Inc., San Diego, Calif.	11	66.16	30
71	Rockford Construction Co., Grand Rapids, Mich.	6	63.73	18
72	The Boldt Co., Appleton, Wis.			
73	P.J. Dick-Trumbull-Lindy, West Mifflin, Pa.			
74	Shawmut Design and Construction, Boston, Mass.			
75	The Korte Co., Highland, Ill.			
76	Brasfield & Gorrie LLC, Birmingham, Ala.	7	49.72	2
77	O & G Industries Inc., Torrington, Conn.			
78	INTECH Construction Inc., Philadelphia, Pa.			
79	CORE Construction Group, Morton, Ill.	20	48.4	9
80	Manhattan Construction Co., Tulsa, Okla.	15	43.7	4
81	Continental Building Systems, Columbus, Ohio			
82	XL Construction Corp., Milpitas, Calif.			
83	Workstage, Grand Rapids, Mich.			
84	Adolfson & Peterson Constr., Minneapolis, Minn.	48	40.4	5
85	Butz Enterprises Inc., Allentown, Pa.			
86	JM Olson Corp., St. Clair Shores, Mich.			
87	Davis Constructors & Engineers Inc., Anchorage, Alaska			
88	IMC Construction, Malvern, Pa.			
89	Hoar Construction LLC, Birmingham, Ala.	15	35.4	7
90	Nabholz Construction Corp., Conway, Ariz.	10	34.2	8
91	Tarlton Corp., St. Louis, Mo.			
92	Harper Construction Co. Inc., San Diego, Calif.	5	31.6	23
93	Creative Contractors Inc., Clearwater, Fla.	4	31.12	
94	F.A. Wilhelm Construction Co. Inc., Indianapolis, Ind.			
95	Moss & Associates LLC, Fort Lauderdale, Fla.	26	28.9	4
96	Coakley & Williams Construction, Gaithersburg, Md.	8	24.5	9
97	Elkins Constructors Inc., Jacksonville, Fla.	6	20.87	9
98	Weis Builders Inc., Minneapolis, Minn.	15	20.79	4
99	Sahara Inc., West Bountiful, Utah	4	20.6	23
100	Gray Construction, Lexington, Ky.	5	19.46	4
		2809	\$14,990,700,000	