American Pipeline Contractors Association (An Association of Merit Shop Contractors)

June 4, 2026

United States House of Representatives
Washington, DC 20515

Dear Representatives:

On behalf of the American Pipeline Contractors Association (APCA), I write in strong opposition to the Faster Labor Contracts Act (FLCA) (H.R. 5408) and H.Res. 1140, the resolution filed to bring the bill directly to the House floor.

APCA urges you to vote "No" on both the discharge petition and the underlying legislation. APCA will treat consideration of these measures as key votes for the 119th Congress.

APCA represents merit shop pipeline construction contractors, manufacturers, and suppliers who build and maintain America's interstate natural gas, oil, and hydrogen pipeline systems. Our members operate in a capital-intensive, safety-regulated, and schedule-sensitive environment where labor stability and predictable contracting frameworks are essential to project delivery and infrastructure reliability.

From a legislative standpoint, APCA is concerned that the FLCA is not a standalone reform proposal, but rather a narrow reintroduction of a long-contested provision of the Protecting the Right to Organize Act (PRO Act), repackaged for procedural advancement outside of regular order. While the broader PRO Act has failed to advance on a bipartisan basis across multiple Congresses, proponents are now isolating the first-contract arbitration provision as a vehicle to move the controversial policy through a discharge petition.

APCA views this effort as a clear attempt to circumvent committee jurisdiction and compress consideration of a major structural change to the National Labor Relations Act (NLRA) into an expedited floor process without the benefit of full committee vetting, stakeholder input, or a Congressional Budget Office analysis.

Substantively, the FLCA would replace the NLRA's established good-faith bargaining framework with a federally mandated timetable culminating in binding interest arbitration. Under current law, the bargaining process is intentionally flexible, allowing employers and unions to negotiate terms that reflect industry-specific realities, including capital structure, project cycles, and workforce requirements. That framework is reinforced by existing National Labor Relations Board enforcement mechanisms in cases of bad-faith bargaining.

The FLCA would override that system with a rigid statutory sequence that effectively guarantees arbitration within approximately 130 days of mediation failure. Once triggered, a government-appointed

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arbitrator would be empowered to impose a first collective bargaining agreement in its entirety—covering wages, benefits, work rules, and related terms.

Of particular concern to APCA members is that the legislation eliminates any requirement for employee ratification of an imposed agreement. This represents a significant departure from both traditional union practice and the voluntary bargaining model embedded in the NLRA, effectively shifting final contract authority away from the bargaining table and into the hands of a federal decision-maker.

Equally significant is the institutional expansion required to implement the proposal. The bill elevates the role of the Federal Mediation and Conciliation Service into a central arbitral authority for private-sector contract imposition. This is a substantial departure from its existing facilitative role in mediation and raises serious questions about federal capacity, expertise, and the scope of administrative expansion required to operationalize the statute.

From a bargaining dynamics perspective, APCA is concerned the FLCA creates a predictable "end-game arbitration" effect that will distort incentives on both sides of the table. Rather than encouraging durable, voluntary agreements, the structure may encourage strategic positioning early in negotiations, with the expectation that an arbitrator—not the parties—will ultimately determine outcomes.

For pipeline construction contractors in particular, the implications are significant. Projects in this sector require long planning horizons, specialized skilled labor deployment, and coordination across complex geographic and regulatory environments. Introducing externally imposed contract terms—decoupled from project economics and operational constraints—creates uncertainty in cost structures and execution risk.

At a broader policy level, APCA believes the FLCA departs from the foundational premise of the NLRA: that collective bargaining outcomes should be the product of mutual agreement between private parties, not federally imposed resolution. The bill effectively replaces that principle with compulsory arbitration under an accelerated federal timetable.

Finally, APCA is concerned that advancing such a significant reinterpretation of the NLRA through a discharge petition process limits the ability of members to fully examine the operational, fiscal, and legal consequences of establishing a nationwide first-contract arbitration regime.

For these reasons, APCA strongly opposes H.R. 5408 and H.Res. 1140 and respectfully urges House lawmakers to vote "No" on both measures and reject efforts to advance the FLCA and other controversial provisions of the PRO Act outside of regular order.

Thank you for your consideration of APCA's views on this important matter.

Sincerely,

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Submitted on behalf of APCA