



**INSTITUTE**  
for the American Worker

## **Fair and Open Competition Act (FOCA)**

Bill name: Fair and Open Competition Act (FOCA)

Bill sponsor: [H.R. 1858](#), [S. 907](#), sponsored by Sen. Todd Young (R-IN), Rep. Ted Budd (R-NC)

**Summary:** FOCA aims to promote fair competition for federally funded construction projects by requiring neutrality in the bidding process as it relates to Project Labor Agreements. FOCA would prohibit the federal government from requiring a construction contractor to maintain a union labor agreement and also prohibit discriminating against a construction contractor without a union labor agreement.

**Background:** Requiring a Project Labor Agreement often penalizes merit shop and increases construction project costs to the taxpayer.

North Carolina, where bill sponsor Rep. Ted Budd is from, has a large construction workforce with only 0.8 percent of those 284,820 workers opting in as union members.

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**Bill Status:** *The bills have been introduced but no other action has been taken.*

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