

June 21, 2022

Mitch Landrieu
Senior Advisor to the President for Infrastructure Coordination
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear Mr. Landrieu:

Thank you for your leadership in implementing the historic Infrastructure Investment and Jobs Act (IIJA). This investment in our infrastructure comes at a critical time as our nation navigates the ongoing supply chain crisis and inflation.

As multimodal freight traffic, commuter traffic and leisure travel return to pre-pandemic levels, IIJA funding is critical for advancing projects to strengthen our ports, address freight bottlenecks at major highway interchanges, upgrade rail grade separation improvements and enhance the movement of people via airports, seaports, public transit, motorcoach, and passenger rail. Moreover, IIJA addresses safety concerns and furthers the Biden Administration's efforts to combat climate change.

Infrastructure project costs, however, continue to climb amid rising construction materials prices and shortages. Indeed, material price increases have doubled or even tripled in some cases. Lead times for procurement and delivery of many of these materials has dramatically increased as well. And prospects for the rest of the year are worse. As a result, many infrastructure projects across the country face the risk of significant delay or a reduction in scope.

Therefore, we commend the Administration's decision to impose a 180-day delay of the new Buy America, Build America Act (BABAA) requirements for construction materials included in the IIJA. Before these requirements take effect, it is critical that the U.S. Department of Transportation conduct thorough analyses of domestic manufacturing capabilities, provide sufficient opportunity for public comment on draft rules, and provide adequate time for public and private entities to adjust and learn final rules. To accomplish the necessary work, the Administration should extend the 180-day BABAA waiver to ensure that, in the meantime, projects are not needlessly delayed. Rushing through this process could further drive inflation and result in significant delays to projects that will facilitate the enhanced movement of people and goods that, in turn, will help improve the nation's constrained supply chain.

To be clear, we support growing America's manufacturing capacity. However, there must be a deliberative process for BABAA implementation that ensures the success of the IIJA.

Thank you for your leadership in implementing the IIJA.

Sincerely,
Airports Council International – North America
Associated General Contractors of America
U.S. Chamber of Commerce
Airport Consultants Council (ACC)

American Association of Airport Executives (AAAE)
American Association of Port Authorities
American Association of State Highway and Transportation Officials
American Bus Association
American Concrete Pavement Association
American Concrete Pipe Association
American Concrete Pumping Association
American Highway Users Alliance
American Pipeline Contractors Association
American Public Transportation Association
American Road & Transportation Builders Association
American Short Line and Regional Railroad Association
American Subcontractors Association
American Trucking Associations
Associated Builders and Contractors
Associated Equipment Distributors
Association of American Railroads
The Construction Management Association of America
Design-Build Institute of America
Independent Electrical Contractors
National Asphalt Pavement Association
National Association of Counties
National Association of State Aviation Officials
National Association of Surety Bond Producers
National Association of Waterfront Employers (NAWE)
National Ready Mixed Concrete Association
National Society of Professional Surveyors (NSPS)
National Stone, Sand and Gravel Association
National Utility Contractors Association
Portland Cement Association
Power and Communication Contractors Association
Safety and Security Instruction
Security Industry Association
Subsurface Utility Engineering Association (SUEA)
The Surety & Fidelity Association of America
Transportation Intermediaries Association (TIA)
United Motorcoach Association
U.S. Geospatial Executives Organization (U.S. GEO)

Cc: Secretary Pete Buttigieg, U.S. Department of Transportation
Director Shalanda Young, Office of Management and Budget
Ms. Celeste Drake, Made in America Director