

March 22, 2022

The Honorable Shalanda Young
Director
Office of Management and Budget
725 17th Street NW
Washington, DC 20503

Dear Director Young:

The undersigned associations stand ready to work with you and others across the Administration to ensure projects funded through the landmark bipartisan Infrastructure Investment and Jobs Act (IIJA) achieve their full potential.

We understand the Office of Management and Budget (OMB) is working to develop guidance to support federal agencies' application of the IIJA's expansion of Buy America requirements. Given the breadth of newly affected infrastructure projects, the sheer amount of funding, the novelty of these requirements in certain sectors, and the ambitious implementation timelines, it is critical that guidance related to the IIJA's expansion of Buy America requirements fully considers industry's experience with supply chains and provides for the consistent application of the rules across the federal government. Without sufficient stakeholder engagement to ensure the implementation of Buy America requirements aligns with the realities of the existing commercial marketplace, it is plausible that the planned investments in utilities (e.g., water and power), electric vehicle infrastructure, broadband, roads, and bridges will not come to fruition.

To these ends, we strongly encourage OMB to hold a public comment period to solicit and incorporate necessary stakeholder input prior to finalizing guidance for federal agencies. The stakes are simply too high to undermine the effective realization of IIJA-funded projects owing simply to a lack of stakeholder engagement around new requirements, including a timely and workable waiver process. Seeking public comment in parallel with agency work to develop the IIJA programs should keep potential delays to a minimum.

Thank you for your consideration and your leadership. Our associations are committed to making these projects a success. Providing for formal stakeholder engagement through a public comment period to inform OMB's guidance would be an important first step to support more seamless implementation in the years to come.

Sincerely,

ACT | The App Association
American Clean Power Association
American Council of Engineering Companies
American Public Transportation Association

American Road and Transportation Builders Association
American Society of Civil Engineers
Associated General Contractors of America
Association of Equipment Manufacturers
Information Technology Industry Council (ITI)
National Association of Clean Water Agencies
National Defense Industrial Association
National Foreign Trade Council
Portland Cement Association
TechNet
U.S. Chamber of Commerce
Water and Wastewater Equipment Manufacturers Association
WateReuse Association

cc:

The Honorable Thomas J. Vilsack, Secretary, U.S. Department of Agriculture
The Honorable Gina M. Raimondo, Secretary, U.S. Department of Commerce
The Honorable Jennifer M. Granholm, Secretary, U.S. Department of Energy
The Honorable Alejandro Mayorkas, Secretary, U.S. Department of Homeland Security
The Honorable Deb Haaland, Secretary, U.S. Department of the Interior
The Honorable Pete Buttigieg, Secretary, U.S. Department of Transportation
The Honorable Jen Easterly, Director, Cybersecurity and Infrastructure Security Agency
The Honorable Michael S. Regan, Administrator, U.S. Environmental Protection Agency
The Honorable Alan Davidson, Assistant Secretary for Communications and Information,
National Telecommunications and Information Administration
The Honorable Chris McLean, Acting Administrator, Rural Utilities Service
Ms. Celeste Drake, Director, Made in America Office
Mr. Mitch Landrieu, Senior Advisor and Infrastructure Coordinator, White House