

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