

November 8, 2023

TTD Opposes Senate Joint Resolution 38

Dear Senator:

On behalf of the Transportation Trades Department, AFL-CIO (TTD), and the thousands of workers we represent in manufacturing and electrification, we urge you to oppose the Congressional Review Act Joint Resolution 38 (S.J.Res 38). If enacted, this legislation would undermine the long term growth of our nation's manufacturing capacity, especially in the electric vehicle industry.

TTD has always worked to ensure that American workers are bolstered by the federal government's purchasing power, not abandoned in favor of foreign labor, by working to strengthen and expand Buy America policy. Regrettably, if passed, this resolution would remove all existing Buy America coverage for electric vehicle chargers, leaving the policy to revert back to a 1983 Federal Highway Administration (FHWA) general waiver of Buy America for all manufactured products.

While we work to build up our domestic manufacturing capacity to meet the demands created by the historic and forward-thinking Infrastructure investment and Jobs Act (IIJA), it is necessary to retain FHWA's "short-term, temporary waiver [that] enables EV charger acquisition and installation to immediately proceed while also ensuring the application of Buy America to EV chargers by the phasing out of the waiver over time." In pursuing this waiver, FHWA put forward a plan to phase in Buy America requirements over time, which encourages companies to invest in the U.S. industry. It is worth noting that the enactment of this resolution would also hamstring the agency's ability to improve domestic procurement rules and would prevent FHWA from issuing a similar rule unless it is specifically authorized by a subsequent law. Allowing S.J.Res 38 to pass does nothing to improve our domestic EV charger manufacturing capacity, and significantly harms the goals and ideals set forth in the IIJA.

The Transportation Trades Department, AFL-CIO stands with our affiliated unions, including the United Steelworkers (USW), United Auto Workers (UAW), and International Brotherhood of Electrical Workers (IBEW), in urging you to oppose S.J.Res 38.

Sincerely,



Greg Regan, President