

AFL-CIO

LEGISLATIVE ALERT

November 8, 2023

Dear Senator:

On behalf of the 60 affiliates of the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO), representing 12.5 million working people across our economy, I write to urge you to oppose Senate Joint Resolution 38 (S.J. Res 38), a Congressional Review Act resolution to reverse a Buy America waiver for electric vehicle (EV) charging infrastructure.

The AFL-CIO strongly supports Buy America and other domestic preference policies for their effectiveness in supporting family- and community-sustaining jobs and strengthening our security by boosting domestic production capacity for critical supply chains. However, S.J. Res 38 would actually undermine Buy America application and could adversely impact investments in both EV charging infrastructure and in domestic manufacturing capabilities for the materials and products needed to build charging stations.

The waiver this resolution is targeting functions as an implementing policy that utilizes a phase-in approach for Buy America application to EV charging stations installed with the support of federal funds. This waiver sought to balance the need to build out critical infrastructure in a timely fashion with the need to maintain the clear market signals necessary to attract domestic investment in key EV charging station supply chains. It does this by ramping up domestic preferences over time, currently requiring final assembly and predominantly iron and steel housing components, and increasing to 55 percent of components in mid-2024.

If this resolution were successful, and the waiver for EV charging stations were overturned, Buy America application would revert back to a Federal Highway Administration Buy America manufactured products waiver put in place during the Reagan Administration in 1983. The 1983 waiver has effectively gutted domestic preferences for manufactured products at FHWA for decades. Thus, S.J. Res 38 would mean less domestic manufacturing, not more. If the goal of this effort is to help domestic manufacturers compete with China in critical new technologies like EV charging, the resolution would, unfortunately, have the opposite effect. It would inject unnecessary uncertainty into decisions about projects and investments for both developers and manufacturers and effectively push American industry to the sidelines of a race for supply chains essential to our future prosperity.

This resolution needlessly puts our members' jobs at risk and could stunt growth in a key manufacturing sector. Thus, we urge you to oppose this resolution.

Sincerely,



William Samuel
Director, Government Affairs