

Meghan Hasse: Buy America helps Wisconsin workers. The government shouldn't let special interests flout them.

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Washington is getting its Made In America bona fides in order.

Tougher trade enforcement against China and other serial trade cheats is a growing area of bipartisan agreement. Federal assistance and commonsense industrial policies are accelerating private sector factory investments. And stronger “Buy America” rules in all corners of government infrastructure spending are increasing taxpayer-funded purchases of American-made goods.

These are all good developments, and they stand to strengthen our domestic manufacturing sector and its critical supply chains. Predictably, though, this has stirred up longtime Buy America opponents who for decades have profited from the nation’s reliance on making items offshore where workers earn less, unsafe conditions are the norm, and environmental safeguards are lacking or non-existent. It’s a business model with no regard for the implications posed to American security or economic resiliency.

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Their lobbyists are pressing the federal bureaucracy for new Buy America loopholes to exploit and massive waivers that erode the policy’s coverage. And they want it done far from the view of the average taxpayer who isn’t likely to read volumes of

arcane regulatory publications.

We need to be clear what we're talking about here. Buy America gives U.S. manufacturers and workers the first shot at supplying the products and materials needed for federal infrastructure projects and government procurement contracts. These rules apply only to projects and acquisitions that rely on federal tax dollars; they don't affect private purchasing decisions. They've been signed into law by President Biden, who has consistently called for strengthening Made in America policies.

In Wisconsin we have Tammy Baldwin to thank for this. The senator was a central figure in enacting these generational improvements as part of the 2021 Bipartisan Infrastructure Law. Many provisions authored by Baldwin were rolled into the new law's "Build America, Buy America" provisions – also known as "BABA." It closed loopholes, added transparency to waivers, and expanded coverage to more infrastructure programs and more products and materials, and support for it was remarkably bipartisan.

But passing these kinds of bills into law when everyone is watching is only half the battle; putting them into practice through implementing policies and regulations is the other. And this is where Buy America's opponents – construction groups, contractors, importers, and even industrial sectors – are trying to undermine the intent of Congress, the clear directives of the president, and the law itself. BABA's implementation and enforcement is now in the hands of federal departments and agencies who are tasked with writing the fine print. Ensuring that "Made in America" lives up to its meaning will require the administration to overcome intense opposition from these special interests who want permissive rules that allow largely foreign products to be passed off as if they were made here.

Last year, for example, several federal departments proposed to create a "de minimis" allowance for the use of foreign-made items in infrastructure projects. The Merriam-Webster dictionary defines this term as "lacking significance or importance" or "so minor as to merit disregard." But the proposed allowance would have exceeded the total cost of materials used in many projects. It would have amounted to a rollback of the existing Buy America laws that Congress set out to strengthen in the first place.

Fortunately, and to President Biden's credit, White House officials stepped in to close this loophole before it was created. But it's illustrative of the pitfalls that come

during the implementation process.

Despite the opposition, these rules fit in squarely with the reemergence of federal industrial policy and the expectations of voters across the political spectrum. One recent national poll found that 78 percent of voters agree that “the federal government should be required to buy American-made materials and goods with its own purchases.”

And federal infrastructure dollars are already helping to build the first new shipping terminal in 100 years at the Port of Green Bay, replace an aging Interstate bridge over the Wisconsin River near Portage, and improve congestion on I-41 in Milwaukee County.

Improved infrastructure means a stronger economy. And these projects will be even more impactful if the Buy America rules that are meant to govern them are fully implemented and enforced.

Doing so will produce a tangible benefit in places all around our manufacturing-heavy Badger State. Roughly 480,000 people here work in a factory setting, and many of them will benefit from domestic sourcing preferences that give them the first opportunity to supply the products and materials needed for these public works projects.

The Buy America rules included in the infrastructure law are the reason a company that manufactures broadband cable – the actual physical equipment that brings high-speed internet to homes and businesses – is creating 200 jobs at its factory in Kenosha County. They’re also the reason a manufacturer in Milwaukee is creating 100 more to build EV charging stations for the coming electric vehicle boom.

For the Wisconsinite workers that will fill them, Buy America means steady work. But Buy America’s effectiveness will ultimately depend on whether the implementing policies will be watered down by the import-addicted opposition. Congress did right by passing stronger Buy America rules, and President Biden did too by signing them into law and repeating his commitment to these policies.

Now it’s time for all departments and agencies across government to implement and enforce them.

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