



March 13, 2023

Deidre A. Harrison
Deputy Controller, Office of Federal Financial Management
White House Office of Management and Budget
725 17th Street, NW Washington, DC 20503

Subject: PCI and NPCA Response to Proposed Rule and Notification of Proposed Guidance, “2 CFR Parts 184 and 200, Guidance for Grants and Agreements,” Docket No. OMB-2023-0004

Dear Deputy Controller Harrison:

Thank you for the opportunity to clarify existing requirements regarding the Build America, Buy America Act provisions of the Infrastructure Investment and Jobs Act. The Precast/Prestressed Concrete Institute (PCI) and the National Precast Concrete Association (NPCA) respectfully oppose extending Buy America provisions to include our product, precast concrete.

The PCI is the technical institute and trade association of the precast/prestressed concrete structures industry. PCI members across the country manufacture quality products used in both architectural and structural applications ranging from buildings to bridges. NPCA provides industry leadership by promoting quality precast concrete products across all markets, addressing industry challenges, and developing opportunities for member success. NPCA members are manufacturers of industrial plant-produced precast concrete products and the suppliers of products and services for the industry.

Precast concrete is a manufactured product built from four components: cement, water, aggregates and admixtures, which are combined to produce specific properties based on the engineered design. Precast concrete is available in essentially any color, form, finish or texture. Additionally, sensors and other components can be cast within a precast structure to support the efficient integration of technology and utilities.

Precast products are engineered and manufactured to the highest standards. Because precast concrete is mixed, poured and cured within forms inside a factory environment, ideal conditions and quality control are maintained throughout the production process. Performance testing and



inspection ensure that products meet customer specifications before being delivered to the job site.

Precast concrete products are a critical part of U.S. infrastructure projects because they arrive reinforced and finished – ready for easy and efficient installation. They can be delivered “just in time” so units may be lifted directly into place. This eliminates the need for onsite storage space and unnecessary handling, while other materials are dependent upon job site access and favorable weather conditions.

In a healthy economy, precast concrete is made from materials that are widely available and often sourced locally, providing a high level of dependability while saving on delivery time and cost. However, in the last few years, widespread supply chain interruptions and raw material price fluctuations have adversely impacted precast concrete manufacturing. In order to meet federal and state infrastructure construction demands, as well as those from the private sector, there are specific instances where domestic raw material supplies run low or are not available. For example, during the well-documented post-COVID supply chain issues of 2021 and 2022, some fundamental elements of manufactured precast concrete – specifically sand, aggregate and cement – were difficult to obtain and consistently not produced in sufficient and reasonably available quantities within the United States. As a result, these materials – for a time – had to be obtained from outside the United States. If these imported materials had not been available, federal, state and other building projects would have come to a halt.

The intent of Buy America provisions included in the IIJA is to “exclude(ed) Materials”, from Buy America Preference when included in manufactured products. These key materials, in accordance with Section 70917(c) include (i) Cement and Cementitious materials; (ii) aggregates such as stone, sand or gravel; or (iii) aggregate binding agents or additives. These materials, without question, should be considered exempt. The purpose of these materials is to be utilized as **ingredients** for finished products, *such as concrete*, so that they may be utilized in construction projects and enjoyed by society. Even when these “exempt materials” are combined, as in the case of precast concrete, four specific components – cement, water, aggregates and admixtures – still should receive the Buy America Preference exclusion. OMB should fully consider why these products were intended to be exempt in the first place: to meet the demand of America’s infrastructure needs.



With regard to expanding the definition of a “manufactured good” to “a good brought to the construction site for incorporation into the building or work that has been (i) Processed into a specific form and shape; or (ii) Combined with other raw material to create a material that has different properties than the properties of the individual raw materials, NPCA and PCI oppose this definition. This definition would unduly subject precast concrete to Buy America restrictions and undermine the purpose of IIIA. Precast concrete is manufactured in America, and our constituent products, cement and cementitious materials, aggregates such as stone, sand or gravel, aggregate binding agents or additives are exempted from Buy America and therefore should remain exempt when combined into precast concrete.

Thank you again for this opportunity to comment. Precast concrete – which is the result of mixing together cement, water, aggregates and admixtures – should be equally exempt because all or most of these individual components already are being exempted in the proposed Act.

Sincerely,

A handwritten signature in black ink, appearing to read "R. J. Risser".

Robert J. Risser, PE
President & CEO
Precast/Prestressed Concrete Institute

A handwritten signature in black ink, appearing to read "F. H. Grubbe".

Frederick H. Grubbe, MBA, CAE
President
National Precast Concrete Association