

Congress of the United States

Washington, DC 20515

November 13, 2019

The Honorable Adam Smith
Chairman
House Armed Services Committee
United States House of Representatives
2216 Rayburn House Office Building
Washington, DC 20515

The Honorable James Inhofe
Chairman
Senate Armed Services Committee
United States Senate
228 Russell Senate Office Building
Washington, DC 20515

The Honorable Mac Thornberry
Ranking Member
House Armed Services Committee
United States House of Representatives
2216 Rayburn House Office Building
Washington, DC 20515

The Honorable Jack Reed
Ranking Member
Senate Armed Services Committee
United States Senate
228 Russell Senate Office Building
Washington, DC 20515

Dear Chairman Smith, Ranking Member Thornberry, Chairman Inhofe, and Ranking Member Reed:

As Members of the Congressional delegation from southern California, we write to express our grave concern about a provision in the Senate version of the National Defense Authorization Act (NDAA) that would eliminate the jobs of more than 750 union workers—many of them veterans, single parents and vulnerable families—and shrink the U.S. electric bus market at a time when we are falling behind in the battle against climate change.

This provision would prohibit municipalities, racing to decarbonize, from using federal transportation dollars to procure buses manufactured by companies having any arbitrary connection whatsoever, back to China -- even if those companies have made investments to create good U.S. jobs that support the American manufacturing sector. We urge you to use the House version of the provision, which calls for “rail rolling stock” procurement bans and leaves electric buses and green union jobs alone.

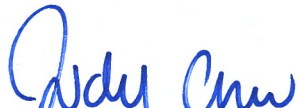
Supporters of the Senate provision say they want to stop Chinese government-owned companies from unfairly underbidding transit contracts. But the language extends beyond this scope to threaten BYD, a publicly traded company whose Lancaster, CA plant manufactures the majority of the electric buses in use in the United States. BYD is *not* a Chinese government-owned company -- in fact, all of its corporate financial data is a matter of public record, and nearly ten percent of the company is owned by U.S. investor Warren Buffett. It plays by the same rules as the two other companies manufacturing electric buses here in the U.S. Going above and beyond, it is proud to be the only electric vehicle manufacturer in the U.S. to have an all-union workforce, and has a collective bargaining agreement with the International Association of Sheet Metal, Air, Rail and Transportation (SMART) workers. BYD’s workforce is 85 percent minority, and the firm focuses on creating job opportunities for veterans, single mothers, and people seeking a second chance. As L.A. County Supervisor Kathryn Barger wrote, “Steady paychecks have made home ownership a reality for many of BYD’s employees.”

Supporters of the Senate provision also make vague and spurious claims that BYD might somehow pose a threat to national security. These claims have no evidence, and insult our commitment to combating one of the most pressing national security threats we face, climate change. As the world races to meet the goals of the Paris Climate Agreement, America cannot afford to turn its back on the 750 SMART union workers who show up to work each day, dedicated to transforming the most carbon-polluting sector of the U.S. economy with zero emission electric buses. America can't afford to move backwards in the fight against climate change. Too many of our communities, families and businesses are harmed by the effects of poor air quality, worsening national disasters, extreme heat and rising seas. As a threat multiplier that will catalyze conflict and put more U.S. troops in harm's way, global warming is fueling food shortages, political instability, and a new generation of climate refugees who suffer unbearable hardship. Rising seas threaten to inundate key missile defense test sites, even as the military has designated dozens of its bases as vulnerable to the effects of extreme weather. Extreme heat is driving up dangerous infectious diseases in hotspots where our troops could be deployed—and causing a surge in “black flag” days that are triggering more heat strokes, heat exhaustion and even deaths among our men and women in uniform.


Given these grave and growing threats, we must do everything we can to help the United States transition to a cleaner, safer, more efficient and economical transportation system that meets our air quality and climate goals. A robust electric bus sector is critical to lowering emissions in the coming years. We simply cannot afford to tie one hand behind our back by singling out domestic manufacturing plants and hardworking Americans that are helping us build a better future.

Thank you for your time and consideration of this request.


Sincerely,




Judy Chu
Member of Congress




Ted W. Lieu
Member of Congress




Julia Brownley
Member of Congress



Karen Bass
Member of Congress



Alan S. Lowenthal
Member of Congress



Nanette Diaz Barragán
Member of Congress

Maxine Waters

Maxine Waters
Member of Congress