



September 28, 2024

U.S. Department of the Interior
1849 C Street, N.W.
Washington DC 20240

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Re: General Applicability Non-Availability Build America, Buy America Product Waiver: AMI Water Meters

Dear U.S. Department of Interior and U.S. Environmental Protection Agency:

The Council of Infrastructure Financing Authorities (CIFA), which represents the Clean Water and Drinking Water State Revolving Funds (SRFs), **supports** a waiver of Build America, Buy America Act (BABAA) domestic procurement requirements for Advanced Metering Infrastructure (AMI). However, CIFA **opposes** the proposed phased approach which will complicate communication, hinder compliance and muddle enforcement.

The Clean Water and Drinking Water SRFs are state-run programs that offer subsidized loans to build infrastructure that provides safe drinking water, customized recycled water, wastewater services, stormwater management and environmental protection. Over the last three years, the SRFs funded an average of 2,845 water infrastructure projects per year.

The SRFs fund AMI projects to increase protection of public health and the environment, improve water management, and strengthen financial resilience. Providing timely and accurate information on water usage results in quicker detection and resolution of leaks to limit water loss and improve service reliability, increased water efficiency and conservation, and greater alignment between water consumption and operational costs.

Providing a waiver of BABAA requirements for AMI until all components of the product can be domestically manufactured will ensure these important projects continue to be supported through federally funded programs. However, the SRFs are concerned about the challenges of successfully implementing tiered levels of compliance.

Creating a phased approach will complicate the ability of the Clean Water and Drinking Water State Revolving Funds (SRFs) to clearly and consistently communicate federal procurement requirements to borrowers. The phased timeframe of the waiver is unlikely to coincide with the purchase of meter bodies or execution of loans throughout all state SRF programs. This leaves

ambiguity regarding compliance and enforcement for the state SRF program managers, SRF borrowers, contractors, and suppliers.

Unlike federal funding programs, compliance for BABAA is handled by each SRF. Providing adequate training to the hundreds of state employees who are responsible for ensuring compliance with BABAA will be challenging. A lack of adequate training could result in diminished compliance. Further, multiple rules for determining compliance based on purchase dates will cause confusion among SRF borrowers, contractors, and suppliers which can also muddle enforcement.

CIFA appreciates the significant efforts made the U.S. Department of Interior and U.S. Environmental Protection Agency to conduct market research to determine the availability of domestically manufactured products for water infrastructure projects. Your work will ensure critical water infrastructure projects remain on track, on time and on budget.

Sincerely,

Angela Knecht
CIFA President

About CIFA

CIFA is a national not-for-profit organization that represents the Clean Water and Drinking Water State Revolving Funds (SRFs), the nation's premier programs for funding water infrastructure that protects public health and the environment.

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