

AMWA engages Biden Administration on new Buy America rules

January 10, 2022 at 5:00 AM

AMWA joined a coalition of water and wastewater organizations last week in writing to the Biden Administration to express concerns with new Buy America requirements that will apply to water infrastructure projects that receive federal funding assistance. The new mandates were included in a landmark infrastructure law enacted late last year.

The law establishes a new set of overarching Buy America rules that permanently apply to a wide range of federal infrastructure support programs, including EPA's State Revolving Fund and WIFIA. Most notably, the provision will expand those programs' Buy America mandates to cover manufactured products used in water and wastewater projects, in addition to iron and steel goods. The provision will allow EPA and other federal agencies to grant waivers to the Buy America mandate on a project-by-project basis, but agencies may also issue broad general applicability waivers if the domestic content requirement is found to be "inconsistent with the public interest."

The water sector letter sent to EPA and the Office of Management and Budget last week noted that many advanced technological components that are used in water treatment systems are not produced domestically, so a Buy America mandate for manufactured products could "compound already strained supply chains, exacerbate cost overruns, or project delays, or undermine project affordability and water ratepayer value."

To avoid these outcomes, AMWA and the other water associations asked EPA to explore issuing a general applicability waiver that would exempt manufactured products used in water and wastewater projects from the new Buy America mandates. They also asked for ongoing dialogue with the Biden Administration to ensure effective implementation of the infrastructure law, and assurance that the new Buy America requirements will not be retroactively applied to water projects already in line for federal funding assistance.

Under the infrastructure law, EPA and other federal agencies are required to begin enforcing the new Buy America requirements by May.

[Back to January 10, 2022](#)

Source URL: <https://www.amwa.net/article/amwa-engages-biden-administration-new-buy-america-rules>

