



August 3, 2021

The Honorable Nancy Pelosi
Speaker of the House
U.S. House of Representatives
Washington, DC 20515

The Honorable Chuck Schumer
Majority Leader
United States Senate
Washington, DC 20510

The Honorable Kevin McCarthy
Republican Leader
U.S. House of Representatives
Washington, DC 20515

The Honorable Mitch McConnell
Republican Leader
United States Senate
Washington, DC 20510

Dear Speaker Pelosi, Majority Leader Schumer, and Republican Leaders McCarthy and McConnell:

The undersigned organizations write to express our concern with Division G, Title IX of the *Infrastructure Investment and Jobs Act*, the “Build America, Buy America” domestic content mandate relating to the use of manufactured products in the water and wastewater sector. While we support this bill’s historic investment in the nation’s core infrastructure programs, we remain concerned that this provision undermines our shared goal of reducing carbon emissions, energy use, water loss, and improving public health and the environment.

Specifically, sections 70912 and 70913 of the legislation would expand existing Buy American mandates that apply to EPA’s State Revolving Fund or WIFIA programs to include “manufactured products” used in drinking water and wastewater projects, in addition to iron and steel products that are currently subject to the domestic procurement requirement.

As noted in our May 19, 2021 letter imposing new Buy American mandates on complex manufactured products used in the treatment of drinking water and wastewater, this proposal would limit the effectiveness of infrastructure funds and curtail our efforts to use the best available technologies to solve complex water challenges. We are particularly concerned that this provision will inadvertently exclude cutting edge water and wastewater products, which have been proven to improve energy efficiency, reduce carbon emissions, conserve water, and increase water use efficiency.

We understand the importance of bolstering domestic manufacturing, but not at the expense of public agencies securing the most effective and efficient technologies to protect water supplies and the environment. We therefore ask you to ensure that any final infrastructure legislation leaves intact the current Buy American rules that apply to EPA's drinking water and wastewater infrastructure funding programs and omits the problematic inclusion of "manufactured goods." This would allow public agencies to rely upon the use of critical technologies that address public health vital to safe and reliable water supply for municipal, industrial, agriculture and ecosystem needs, while also ensuring timely compliance with technology-based federal, state, and local mandates and improve public health and environmental protection.

In conclusion, we ask for Congress to revise the *Infrastructure Investment and Jobs Act* as recommended above and look forward to supporting the bill moving forward.

Sincerely yours,

Association of California Water Agencies
Association of Metropolitan Water Agencies
American Water Works Association
California Association of Sanitation Agencies
National Association of Clean Water Agencies
National Water Resources Association
Water Environment Federation
WaterReuse Association
Water and Wastewater Equipment Manufacturers Association