



June 7, 2022

Joydeb Majumder
Office of Air and Radiation
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

RE: Proposed Waiver for Build America, Buy America for the 2022 Clean School Bus Rebate Program; 2022 Diesel Emissions Reduction Act (DERA) State Grants; and 2022 Diesel Emissions Reduction Act (DERA) Tribal and Insular Area Request for Applications

Dear Mr. Majumder,

The Council of Infrastructure Financing Authorities (CIFA), which represents the Clean Water and Drinking Water State Revolving Funds (SRFs), fully endorses a waiver of the requirements of the Build America, Buy America Act (BABAA) in the Infrastructure Investment and Jobs Act (IIJA) for all infrastructure projects funded with 2022 appropriations, including the ones addressed by this proposed waiver and the Clean Water and Drinking Water State Revolving Funds (SRFs).

Clean air and clean water are priorities for the American people. Like emissions-free school buses, clean water is essential to public health, especially for the most vulnerable including babies, children, elderly, infirmed and immunocompromised.

Construction, rehabilitation, and improvement of water, wastewater, recycled water, and stormwater facilities are essential to providing safe, reliable drinking water, as well as to preventing harmful water pollution and restoring and protecting water quality. Federal funding and financing, as well as strategies to manage the rising cost of compliance and infrastructure, are critical to ensuring affordable access to these vital, life-sustaining services, especially for disadvantaged communities and vulnerable populations.

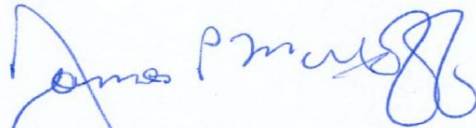
CIFA urges EPA to establish the same waiver for all programs funded by 2022 appropriations. Providing the same waiver for all EPA programs funded by 2022 appropriations will ensure clarity, consistency and equity on EPA's policy as well as allow sufficient time to educate recipients of federal funding about the new, expansive requirements of BABAA.

To ensure further consistency across EPA programs, CIFA also urges EPA to extend the exemption of BABAA requirements to all vehicles and engines for all programs, just as they have for electric school buses under the Clean School Bus Rebate Program.

Finally, CIFA urges consideration of the impact of implementation on water utilities, particularly those that serve low-income households and vulnerable populations. Every federal requirement on government funding and financing increases the cost of construction, administration and compliance of water infrastructure projects, which consequently erodes the savings offered by subsidized government loans. Consequently, well-intended public policy can have the unintended consequence of undermining efforts to maintain affordability of life-sustaining water services, disproportionately impacting low-income households. Burdensome paperwork and processes can also have a deterrent effect on use of subsidized loan programs, particularly for utilities and water systems that don't have the professional capacity to manage projects in-house.

Thank you for the opportunity to comment on this proposed waiver. CIFA looks forward to working with the Biden-Harris Administration to implement Build America, Buy America to strengthen our nation's commitment to clean water.

Sincerely,



James P McGoff
COO and Director of Environmental Programs
Indiana Finance Authority
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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