



October 4, 2022

FY23 Appropriation Bills

Congress passed an FY23 Continuing Resolution funding the government until **December 16** to allow more time for enactment of the regular appropriations bills. The House will be in recess from Oct. 1 - Nov. 14; the Senate (subject to change) will be in recess from Oct. 3 - 10 and Oct. 24 - Nov. 8.

As previously reported, On July 20, the House passed a six-bill appropriations bill that included the Interior, Energy, and Transportation Appropriations bills. The House Interior Appropriations Bill provides \$1.752B for the Clean Water SRF, \$1.126B for the Safe Drinking Water SRF and \$72M for WIFIA. On the same day, the Senate Appropriations Committee released its FY23 Interior Appropriations Bill that provides \$1.689B for the Clean Water SRF, \$1.176B for the Safe Drinking Water SRF and \$66.9M for WIFIA.

More details in the attached report from Sante Esposito, including details on the Title XVI / WIIN grants and WaterSMART grants.

**“Build America, Buy America” title of the
Infrastructure Investment & Jobs Act (IIJA)**

Federal agencies are implementing a key provision included within the “Build America, Buy America” title of the Infrastructure Investment & Jobs Act (IIJA). Of interest to the Coalition, pursuant to Section 70914(c) of the Act, EPA may waive Buy America preference where EPA finds that:

- Applying the domestic content procurement preference would be inconsistent with the public interest (a “public interest waiver”);
- Types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality (a “nonavailability waiver”); or
- Inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent (an “unreasonable cost waiver”)

The EPA has already approved various [waivers](#) related to these provisions. [See BABA Act waivers open for public comment.](#) Feel free to share with Dan Kennedy any challenges you see related to state implementation of these waivers or if your state is seeking a waiver that we may be able to show support for.

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Robert Briant, Jr. – Chairman

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* Steering Committee Member



“Build Back Better” Infrastructure Components

As outlined in the attached report, we will have to wait until after the November election to know better whether there will be another round of additional federal funding focused on infrastructure in the foreseeable future. The “non-controversial” items of interest to the Coalition have been outlined by Sante Esposito for your review.

Key Advocates Report

Included with this notice is Key Advocates recent report which is current to Sept 30, 2022.

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