

JUNE 23, 2021

RULES COMMITTEE PRINT 117-9

TEXT OF DIVISIONS H AND I OF H.R. 3684, THE

INVESTING IN A NEW VISION FOR THE ENVI-

RONMENT AND SURFACE TRANSPORTATION IN

AMERICA ACT

[Showing the text of H.R. 1915, as reported by the Committee on Transportation and Infrastructure, and H.R. 3291 and H.R. 3293, as ordered reported by the Committee on Energy and Commerce, each with modifications.]

Add at the end the following:

1 **DIVISION H—WATER QUALITY**

2 **PROTECTION AND JOB CRE-**

3 **ATION ACT OF 2021**

4 **SEC. 12001. SHORT TITLE; TABLE OF CONTENTS.**

5 (a) **SHORT TITLE.**—This division may be cited as the

6 “Water Quality Protection and Job Creation Act of

7 2021”.

8 (b) **TABLE OF CONTENTS.**—The table of contents for

9 this division is as follows:

Sec. 12001. Short title; table of contents.

Sec. 12002. Wastewater infrastructure workforce investment.

Sec. 12003. Technical assistance to rural, small, and Tribal municipalities.

Sec. 12004. State management assistance.

Sec. 12005. Watershed, wet weather, and resiliency projects.

Sec. 12006. Waiver of matching requirement for grants to District of Columbia.

Sec. 12007. Pilot program for alternative water source projects.

Sec. 12008. Sewer overflow and stormwater reuse municipal grants.

Sec. 12009. Grants for the treatment of emerging contaminants.

- Sec. 12010. Household wastewater grant program.
Sec. 12011. Smart wastewater infrastructure technology grant program.
Sec. 12012. Reports to Congress.
Sec. 12013. Indian Tribes.
Sec. 12014. Capitalization grants.
Sec. 12015. Water pollution control revolving loan funds.
Sec. 12016. Allotment of funds.
Sec. 12017. Reservation of funds for territories of the United States.
Sec. 12018. Authorization of appropriations.
Sec. 12019. Technical assistance by Municipal Ombudsman.
Sec. 12020. Report on wastewater infrastructure funding for rural, economically disadvantaged, and Tribal communities.
Sec. 12021. Water Reuse Interagency Working Group.

1 **SEC. 12002. WASTEWATER INFRASTRUCTURE WORKFORCE**
2 **INVESTMENT.**

3 Section 104(g) of the Federal Water Pollution Con-
4 trol Act (33 U.S.C. 1254(g)) is amended—

5 (1) in paragraph (1), by striking “manpower”
6 each place it appears and inserting “workforce”; and

7 (2) by amending paragraph (4) to read as fol-
8 lows:

9 “(4) REPORT TO CONGRESS ON PUBLICLY
10 OWNED TREATMENT WORKS WORKFORCE DEVELOP-
11 MENT.—Not later than 2 years after the date of en-
12 actment of the Water Quality Protection and Job
13 Creation Act of 2021, the Administrator, in con-
14 sultation with the Secretary of Labor, shall submit
15 to the Committee on Transportation and Infrastruc-
16 ture of the House of Representatives and the Com-
17 mittee on Environment and Public Works of the
18 Senate a report containing—

1 “(A) an assessment of the current and fu-
2 ture workforce needs for publicly owned treat-
3 ment works, including an estimate of the num-
4 ber of future positions needed for such treat-
5 ment works and the technical skills and edu-
6 cation needed for such positions;

7 “(B) a summary of actions taken by the
8 Administrator, including Federal investments
9 under this chapter, that promote workforce de-
10 velopment to address such needs; and

11 “(C) any recommendations of the Adminis-
12 trator to address such needs.”.

13 **SEC. 12003. TECHNICAL ASSISTANCE TO RURAL, SMALL,**
14 **AND TRIBAL MUNICIPALITIES.**

15 (a) REAUTHORIZATION.—Section 104(u) of the Fed-
16 eral Water Pollution Control Act (33 U.S.C. 1254(u)) is
17 amended—

18 (1) by striking “and (7)” and inserting “(7)”;

19 (2) by striking “2023” and inserting “2021”;

20 and

21 (3) by inserting “; and (8) not to exceed
22 \$100,000,000 for each of fiscal years 2022 through
23 2026 for carrying out subsections (b)(3), (b)(8), and
24 (g), except that not less than half of the amounts so
25 appropriated to carry out such subsections in each

1 such fiscal year shall be used for carrying out sub-
2 section (b)(8)” before the period at the end.

3 (b) COMMUNICATION.—A nonprofit organization re-
4 ceiving a grant under section 104(b)(8) of the Federal
5 Water Pollution Control Act (33 U.S.C. 1254(b)(8)) shall,
6 prior to carrying out an activity using such grant funds,
7 consult with the State in which such activity is to be car-
8 ried out.

9 (c) REPORT.—Not later than 2 years after the date
10 of enactment of this Act, the Administrator of the Envi-
11 ronmental Protection Agency shall submit to Congress a
12 report that describes the implementation of the grants
13 made under subsections (b)(3), (b)(8), and (g) of section
14 104 of the Federal Water Pollution Control Act (33
15 U.S.C. 1254) during the 2 fiscal years preceding the date
16 of the report, including a description of the recipients and
17 amounts of such grants.

18 **SEC. 12004. STATE MANAGEMENT ASSISTANCE.**

19 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
20 106(a) of the Federal Water Pollution Control Act (33
21 U.S.C. 1256(a)) is amended—

22 (1) by striking “and” at the end of paragraph

23 (1); and

24 (2) by inserting after paragraph (2) the fol-
25 lowing:

1 “(3) such sums as may be necessary for each
2 of fiscal years 1991 through 2021; and

3 “(4) \$500,000,000 for each of fiscal years 2022
4 through 2026;”.

5 (b) TECHNICAL AMENDMENT.—Section 106(e) of the
6 Federal Water Pollution Control Act (33 U.S.C. 1256(e))
7 is amended by striking “Beginning in fiscal year 1974
8 the” and inserting “The”.

9 **SEC. 12005. WATERSHED, WET WEATHER, AND RESILIENCY**
10 **PROJECTS.**

11 (a) INCREASED RESILIENCE OF TREATMENT
12 WORKS.—Section 122(a)(6) of the Federal Water Pollu-
13 tion Control Act (33 U.S.C. 1274(a)(6)) is amended to
14 read as follows:

15 “(6) INCREASED RESILIENCE OF TREATMENT
16 WORKS.—Efforts—

17 “(A) to assess future risks and
18 vulnerabilities of publicly owned treatment
19 works to manmade or natural disasters, includ-
20 ing extreme weather events, drought, and sea
21 level rise; and

22 “(B) to carry out the planning, design, or
23 construction of projects, on a systemwide or
24 areawide basis, to increase the resilience of pub-
25 licly owned treatment works through—

1 “(i) the conservation of water or the
2 enhancement of water use efficiency;

3 “(ii) the enhancement of wastewater
4 (including stormwater) management by in-
5 creasing watershed preservation and pro-
6 tection, including through—

7 “(I) the use of green infrastruc-
8 ture; or

9 “(II) the reclamation and reuse
10 of wastewater (including stormwater),
11 such as through aquifer recharge
12 zones;

13 “(iii) the modification or relocation of
14 an existing publicly owned treatment works
15 at risk of being significantly impaired or
16 damaged by a manmade or natural dis-
17 aster;

18 “(iv) the enhancement of energy effi-
19 ciency, or the use or generation of recov-
20 ered or renewable energy, in the manage-
21 ment, treatment, or conveyance of waste-
22 water (including stormwater); or

23 “(v) other activities that the Adminis-
24 trator determines will address identified
25 vulnerabilities to manmade or natural dis-

1 asters, including activities to address cy-
2 bersecurity vulnerabilities of publicly
3 owned treatment works.”.

4 (b) REQUIREMENTS; AUTHORIZATION OF APPRO-
5 PRIATIONS.—Section 122 of the Federal Water Pollution
6 Control Act (33 U.S.C. 1274) is amended by striking sub-
7 section (c) and inserting the following:

8 “(c) REQUIREMENTS.—The requirements of section
9 608 shall apply to any construction, alteration, mainte-
10 nance, or repair of treatment works carried out using a
11 grant under this section.

12 “(d) ASSISTANCE.—The Administrator shall use not
13 less than 15 percent of the amounts appropriated pursu-
14 ant to this section in a fiscal year to provide assistance
15 to municipalities with a population of less than 10,000,
16 or for economically disadvantaged communities (as defined
17 in section 12020 of the Water Quality Protection and Job
18 Creation Act of 2021), to the extent there are sufficient
19 eligible applications.

20 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
21 is authorized to be appropriated to carry out this section
22 \$200,000,000 for each of fiscal years 2022 through
23 2026.”.

24 (c) TECHNICAL AND CONFORMING AMENDMENTS.—

1 (1) WATERSHED PILOT PROJECTS.—Section
2 122 of the Federal Water Pollution Control Act (33
3 U.S.C. 1274) is amended—

4 (A) in the section heading, by striking
5 “**WATERSHED PILOT PROJECTS**” and insert-
6 ing “**WATERSHED, WET WEATHER, AND RE-**
7 **SILIENCY PROJECTS**”; and

8 (B) by striking “pilot” each place it ap-
9 pears.

10 (2) WATER POLLUTION CONTROL REVOLVING
11 LOAN FUNDS.—Section 603(c)(7) of the Federal
12 Water Pollution Control Act (33 U.S.C. 1383(c)(7))
13 is amended by striking “watershed”.

14 **SEC. 12006. WAIVER OF MATCHING REQUIREMENT FOR**
15 **GRANTS TO DISTRICT OF COLUMBIA.**

16 Section 202(a) of the Federal Water Pollution Con-
17 trol Act (33 U.S.C. 1282(a)) is amended by adding at the
18 end the following:

19 “(5) Notwithstanding any other provision of this sub-
20 section, in the case of a project for a treatment works in
21 the District of Columbia, such a project shall be eligible
22 for grants at 100 percent of the cost of construction there-
23 of.”.

1 **SEC. 12007. PILOT PROGRAM FOR ALTERNATIVE WATER**
2 **SOURCE PROJECTS.**

3 (a) SELECTION OF PROJECTS.—Section 220(d) of
4 the Federal Water Pollution Control Act (33 U.S.C.
5 1300(d)) is amended—

6 (1) by amending paragraph (1) to read as fol-
7 lows:

8 “(1) LIMITATION ON ELIGIBILITY.—A project
9 that has received construction funds under the Rec-
10 lamation Projects Authorization and Adjustment Act
11 of 1992 shall not be eligible for grant assistance
12 under this section.”; and

13 (2) by striking paragraph (2) and redesignating
14 paragraph (3) as paragraph (2).

15 (b) COMMITTEE RESOLUTION PROCEDURE; ASSIST-
16 ANCE.—Section 220 of the Federal Water Pollution Con-
17 trol Act (33 U.S.C. 1300) is amended by striking sub-
18 section (e) and inserting the following:

19 “(e) ASSISTANCE.—The Administrator shall use not
20 less than 15 percent of the amounts appropriated pursu-
21 ant to this section in a fiscal year to provide assistance
22 to eligible entities for projects designed to serve fewer than
23 10,000 individuals, to the extent there are sufficient eligi-
24 ble applications.”.

25 (c) REQUIREMENTS.—Section 220 of the Federal
26 Water Pollution Control Act (33 U.S.C. 1300) is amended

1 by redesignating subsections (i) and (j) as subsections (j)
2 and (k), respectively, and inserting after subsection (h) the
3 following:

4 “(i) REQUIREMENTS.—The requirements of section
5 608 shall apply to any construction of an alternative water
6 source project carried out using assistance made available
7 under this section.”.

8 (d) DEFINITIONS.—Section 220(j)(1) of the Federal
9 Water Pollution Control Act (as redesignated by sub-
10 section (c) of this section) is amended by striking “or by
11 treating wastewater” and inserting “(including
12 stormwater), or by treating wastewater (including
13 stormwater) for groundwater recharge, potable reuse, or
14 other purposes”.

15 (e) AUTHORIZATION OF APPROPRIATIONS.—Section
16 220(k) of the Federal Water Pollution Control Act (as re-
17 designated by subsection (c) of this section) is amended
18 by striking “a total of \$75,000,000 for fiscal years 2002
19 through 2004” and inserting “\$200,000,000 for each of
20 fiscal years 2022 through 2026”.

21 **SEC. 12008. SEWER OVERFLOW AND STORMWATER REUSE**
22 **MUNICIPAL GRANTS.**

23 Section 221 of the Federal Water Pollution Control
24 Act (33 U.S.C. 1301) is amended—

1 (1) in subsection (c), by striking “subsection
2 (b),” each place it appears and inserting “this sec-
3 tion,”;

4 (2) in subsection (d)—

5 (A) by striking “The Federal share” and
6 inserting the following:

7 “(1) FEDERAL SHARE.—

8 “(A) IN GENERAL.—Except as provided in
9 subparagraph (B), the Federal share”; and

10 (B) by striking “The non-Federal share”
11 and inserting the following:

12 “(B) FINANCIALLY DISTRESSED COMMU-
13 NITIES.—The Federal share of the cost of ac-
14 tivities carried out using amounts from a grant
15 made to a financially distressed community
16 under subsection (a) shall be not less than 75
17 percent of the cost.

18 “(2) NON-FEDERAL SHARE.—The non-Federal
19 share”;

20 (3) in subsection (e), by striking “section 513”
21 and inserting “section 513, or the requirements of
22 section 608,”; and

23 (4) in subsection (f)—

24 (A) in paragraph (1), by inserting “, and
25 \$400,000,000 for each of fiscal years 2022

1 through 2026” before the period at the end;
2 and

3 (B) by adding at the end the following:

4 “(3) ASSISTANCE.—In carrying out subsection
5 (a), the Administrator shall ensure that, of the
6 amounts granted to municipalities in a State, not
7 less than 20 percent is granted to municipalities
8 with a population of less than 20,000, to the extent
9 there are sufficient eligible applications.”.

10 **SEC. 12009. GRANTS FOR THE TREATMENT OF EMERGING**
11 **CONTAMINANTS.**

12 Title II of the Federal Water Pollution Control Act
13 (33 U.S.C. 1281 et seq.) is amended by adding at the end
14 the following:

15 **“SEC. 222. EMERGING CONTAMINANTS.**

16 “(a) IN GENERAL.—The Administrator shall award
17 grants to owners of publicly owned treatment works to be
18 used for the implementation of a pretreatment standard
19 or effluent limitation developed pursuant to this Act for
20 the introduction into a treatment works, or the discharge
21 of, any pollutant that is a perfluoroalkyl or polyfluoroalkyl
22 substance or any pollutant identified by the Administrator
23 as a contaminant of emerging concern.

24 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
25 is authorized to be appropriated to carry out this section

1 \$200,000,000 for each of fiscal years 2022 through
2 2026.”.

3 **SEC. 12010. HOUSEHOLD WASTEWATER GRANT PROGRAM.**

4 Title II of the Federal Water Pollution Control Act
5 (33 U.S.C. 1281 et seq.) is further amended by adding
6 at the end the following:

7 **“SEC. 223. HOUSEHOLD WASTEWATER GRANT PROGRAM.**

8 “(a) ESTABLISHMENT.—The Administrator shall es-
9 tablish a program to provide grants to municipalities or
10 qualified nonprofit entities to provide assistance to eligible
11 individuals—

12 “(1) for the construction, repair, or replacement
13 of an individual household decentralized wastewater
14 treatment system;

15 “(2) for the construction of a decentralized
16 wastewater treatment system designed to provide
17 wastewater treatment for 2 or more households in
18 which eligible individuals reside, if—

19 “(A) such a decentralized wastewater
20 treatment system could be cost-effectively con-
21 structed; and

22 “(B) site conditions at such households are
23 unsuitable for the construction of an individual
24 household decentralized wastewater treatment
25 system; or

1 “(3) in a case in which an eligible individual re-
2 sides in a household that could be cost-effectively
3 connected to an available publicly owned treatment
4 works, for the connection of the applicable household
5 to such treatment works.

6 “(b) APPLICATION.—To be eligible to receive a grant
7 under this subsection, a municipality or qualified nonprofit
8 entity shall submit to the Administrator an application at
9 such time, in such manner, and containing such informa-
10 tion as the Administrator determines to be appropriate.

11 “(c) PRIORITY.—In providing grants under this sec-
12 tion, the Administrator shall, to the maximum extent prac-
13 ticable, prioritize applications for activities that will assist
14 eligible individuals residing in households that are not con-
15 nected to a system or technology designed to treat domes-
16 tic sewage, including eligible individuals using household
17 cesspools.

18 “(d) ADMINISTRATIVE EXPENSES.—

19 “(1) IN GENERAL.—Of the amounts made
20 available under subsection (h), the Administrator
21 may use not more than 2 percent for administrative
22 costs.

23 “(2) INDIVIDUAL GRANTS.—A municipality or
24 qualified nonprofit entity may use grant funds pro-
25 vided under this section to pay the administrative

1 expenses associated with the provision of the assist-
2 ance to eligible individuals under this section, as the
3 Administrator determines to be appropriate.

4 “(e) REPORT.—Not later than 2 years after the date
5 of enactment of this section, the Administrator shall sub-
6 mit to the Committee on Environment and Public Works
7 of the Senate and the Committee on Transportation and
8 Infrastructure of the House of Representatives a report
9 describing the recipients of grants and assistance under
10 this section and the results of the program established
11 under this section.

12 “(f) APPLICATION OF OTHER REQUIREMENTS.—The
13 requirements of sections 513 and 608 shall apply to any
14 project for the construction, repair, or replacement of a
15 decentralized wastewater treatment system, or for the con-
16 nection of a household to a treatment works, for which
17 assistance is received under this section.

18 “(g) DEFINITIONS.—In this section:

19 “(1) ELIGIBLE INDIVIDUAL.—The term ‘eligible
20 individual’ has the meaning given that term in sec-
21 tion 603(j).

22 “(2) QUALIFIED NONPROFIT ENTITY.—The
23 term ‘qualified nonprofit entity’ means an entity de-
24 termined by the Administrator to be a qualified non-
25 profit entity for purposes of section 603(c)(12).

1 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
2 is authorized to be appropriated to the Administrator to
3 carry out this section \$50,000,000 for each of fiscal years
4 2022 through 2026.”.

5 **SEC. 12011. SMART WASTEWATER INFRASTRUCTURE TECH-**
6 **NOLOGY GRANT PROGRAM.**

7 Title II of the Federal Water Pollution Control Act
8 (33 U.S.C. 1281 et seq.) is further amended by adding
9 at the end the following:

10 **“SEC. 224. SMART WASTEWATER INFRASTRUCTURE TECH-**
11 **NOLOGY GRANT PROGRAM.**

12 “(a) GRANTS.—The Administrator shall establish a
13 program to provide grants to municipalities for projects
14 for the planning, design, and construction, at publicly
15 owned treatment works, of—

16 “(1) intelligent sewage or stormwater collection
17 systems, including such collection systems that in-
18 corporate technologies that rely on—

19 “(A) real-time monitoring (including
20 through sensors), embedded intelligence, and
21 predictive maintenance capabilities that improve
22 the energy efficiency, reliability, and resiliency
23 of treatment works; and

24 “(B) the use of artificial intelligence and
25 other intelligent optimization tools that reduce

1 operational costs, including operational costs re-
2 lating to energy consumption and chemical
3 treatment; or

4 “(2) innovative and alternative combined storm
5 and sanitary sewer projects, including groundwater
6 recharge, that rely on real-time data acquisition to
7 support predictive aquifer recharge through water
8 reuse and stormwater management capabilities.

9 “(b) ASSISTANCE.—The Administrator shall use not
10 less than 20 percent of the amounts appropriated pursu-
11 ant to this section in a fiscal year to provide assistance
12 to municipalities with a population of less than 10,000,
13 to the extent there are sufficient eligible applications.

14 “(c) COST SHARE.—

15 “(1) IN GENERAL.—The non-Federal share of
16 the costs of an activity carried out using a grant
17 under this section shall be 25 percent.

18 “(2) EXCEPTION.—The Administrator may
19 waive the cost-sharing requirement of paragraph (1)
20 if the Administrator determines that the munici-
21 pality meets the affordability criteria established
22 under section 603(i)(2) by the State in which the
23 municipality is located.

24 “(d) PROGRAM IMPLEMENTATION.—

1 “(1) GUIDANCE.—Not later than 30 days after
2 the date of enactment of this section, the Adminis-
3 trator shall issue guidance to municipalities on how
4 to apply for a grant under this section.

5 “(2) DECISION ON APPLICATIONS.—Not later
6 than 30 days after the date on which the Adminis-
7 trator receives an application for a grant under this
8 section, the Administrator shall determine whether
9 to provide such grant.

10 “(3) APPLICATION DEFICIENCY.—If the Admin-
11 istrator determines that an application for a grant
12 under this section is incomplete, the Administrator
13 shall notify the applicant and provide the applicant
14 the opportunity to resubmit the application.

15 “(4) CONSIDERATION.—In determining whether
16 to provide a grant under this section, the Adminis-
17 trator shall consider the potential positive effects of
18 the project on water quality.

19 “(e) COMPLIANCE WITH BUY AMERICA.—The re-
20 quirements of section 608 shall apply to any project for
21 construction for which assistance is received under this
22 section.

23 “(f) REPORT TO CONGRESS.—Not later than 180
24 days after the date of enactment of this section, and annu-
25 ally thereafter, the Administrator shall submit to Congress

1 a report describing projects funded under this section, any
2 related improvement of the resiliency of publicly owned
3 treatment works, and recommendations to improve the
4 grant program established under this section.

5 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
6 is authorized to be appropriated \$500,000,000 to carry
7 out this section, to remain available until expended.”.

8 **SEC. 12012. REPORTS TO CONGRESS.**

9 (a) BIENNIAL ESTIMATES.—Section 516(b)(1) of the
10 Federal Water Pollution Control Act (33 U.S.C.
11 1375(b)(1)) is amended by striking “(B) a detailed esti-
12 mate, biennially revised, of the cost of construction of all
13 needed publicly owned treatment works in all of the States
14 and of the cost of construction of all needed publicly
15 owned treatment works in each of the States;” and insert-
16 ing “(B) a detailed estimate, biennially revised, of the cost
17 of construction of all planned publicly owned treatment
18 works in all of the States and all needed publicly owned
19 treatment works in all of the States, and the cost of con-
20 struction of all planned publicly owned treatment works
21 in each of the States and all needed publicly owned treat-
22 ment works in each of the States, which estimates shall
23 include (i) the cost of construction to rehabilitate or up-
24 grade all existing publicly owned treatment works (exclud-
25 ing any pipe or other device or system for the conveyance

1 of wastewater), every 20 years, including the costs to im-
2 plement measures necessary to address the resilience and
3 sustainability of publicly owned treatment works to man-
4 made or natural disasters, and (ii) the cost of construction
5 to replace 10 percent of existing publicly owned pipes and
6 other devices and systems for the conveyance of waste-
7 water to such treatment works over the 20-year period fol-
8 lowing the date of the estimate;”.

9 (b) ANNUAL REPORT ON USE OF FUNDS.—Section
10 516 of the Federal Water Pollution Control Act (33
11 U.S.C. 1375) is amended by adding at the end the fol-
12 lowing:

13 “(f) ANNUAL REPORT ON USE OF FUNDS.—Not
14 later than 18 months after the date of enactment of this
15 subsection, and annually thereafter, the Administrator
16 shall submit to the Committee on Transportation and In-
17 frastructure of the House of Representatives and the Com-
18 mittee on Environment and Public Works of the Senate
19 a report that—

20 “(1) identifies projects that are—

21 “(A) described in clause (i) or (ii) of sec-
22 tion 602(b)(15)(A); and

23 “(B) carried out using funds made avail-
24 able under or pursuant to section 221 or title
25 VI; and

1 “(2) identifies, to the extent practicable, the
2 costs and benefits of such projects, including any po-
3 tential short- and long-term cost savings to publicly
4 owned treatment works and any environmental and
5 community benefits of implementing such projects.”.

6 **SEC. 12013. INDIAN TRIBES.**

7 (a) IN GENERAL.—Section 518(c) of the Federal
8 Water Pollution Control Act (33 U.S.C. 1377(c)) is
9 amended—

10 (1) by striking paragraphs (1) and (2) and in-
11 serting the following:

12 “(1) IN GENERAL.—For each fiscal year, the
13 Administrator shall reserve, of the funds made avail-
14 able to carry out title VI (before allotments to the
15 States under section 604(a)), the greater of—

16 “(A) 2 percent of such funds; or

17 “(B) \$30,000,000.

18 “(2) USE OF FUNDS.—

19 “(A) GRANTS.—Funds reserved under this
20 subsection shall be available only for grants to
21 entities described in paragraph (3) for—

22 “(i) projects and activities eligible for
23 assistance under section 603(c); and

24 “(ii) training, technical assistance,
25 and educational programs relating to the

1 operation and management of treatment
2 works eligible for assistance pursuant to
3 section 603(c).

4 “(B) LIMITATION.—Not more than
5 \$2,000,000 of such reserved funds may be used
6 for grants under subparagraph (A)(ii).”; and
7 (2) in paragraph (3)—

8 (A) in the header, by striking “USE OF
9 FUNDS” and inserting “ELIGIBLE ENTITIES”;
10 and

11 (B) by striking “for projects and activities
12 eligible for assistance under section 603(c) to
13 serve” and inserting “to”.

14 (b) ADDITIONAL ASSISTANCE.—

15 (1) AUTHORIZATION OF APPROPRIATIONS.—In
16 addition to amounts otherwise made available under
17 title VI of the Federal Water Pollution Control Act
18 (33 U.S.C. 1381 et seq.), there is authorized to be
19 appropriated \$500,000,000 for each of fiscal years
20 2022 through 2026 to make grants, in cooperation
21 with the Director of the Indian Health Service, to
22 entities described in section 518(c)(3) of the Federal
23 Water Pollution Control Act (33 U.S.C. 1377) for—

1 (A) projects and activities eligible for as-
2 sistance under section 603(c) of such Act (33
3 U.S.C. 1383); and

4 (B) training, technical assistance, and edu-
5 cational programs related to the operation and
6 management of treatment works eligible for as-
7 sistance pursuant to such section 603(c).

8 (2) NO MATCHING REQUIREMENT.—The Ad-
9 ministrator may not require an entity receiving a
10 grant under paragraph (1) to provide, as a condition
11 of receiving such grant, a share of the cost of the
12 project or activity for which such grant was made.

13 (3) LIMITATION.—Not more than \$2,000,000
14 of amounts made available in a fiscal year to carry
15 out this subsection may be used for grants under
16 paragraph (1)(B).

17 (4) APPLICATION OF OTHER REQUIREMENTS.—
18 The requirements of sections 513 and 608 of the
19 Federal Water Pollution Control Act (33 U.S.C.
20 1372, 1388) shall apply to any project for the con-
21 struction, alteration, maintenance, or repair of treat-
22 ment works for which a grant is received under
23 paragraph (1).

1 **SEC. 12014. CAPITALIZATION GRANTS.**

2 (a) SPECIFIC REQUIREMENTS.—Section 602(b) of
3 the Federal Water Pollution Control Act (33 U.S.C.
4 1382(b)) is amended—

5 (1) in paragraph (13)(B)—

6 (A) in the matter preceding clause (i), by
7 striking “and energy conservation” and insert-
8 ing “and efficient energy use (including through
9 the implementation of technologies to recover
10 and reuse energy produced in the treatment of
11 wastewater)” ; and

12 (B) in clause (iii), by striking “; and” and
13 inserting a semicolon;

14 (2) in paragraph (14), by striking the period at
15 the end and inserting “; and” ; and

16 (3) by adding at the end the following:

17 “(15) to the extent there are sufficient projects
18 or activities eligible for assistance from the fund,
19 with respect to funds for capitalization grants re-
20 ceived by the State under this title and section
21 205(m)—

22 “(A) the State will use—

23 “(i) not less than 15 percent of such
24 funds for green infrastructure, water or
25 energy efficiency improvements, or other
26 environmentally innovative activities; and

1 “(ii) not less than 5 percent of such
2 funds for projects to increase the resiliency
3 of treatment works to extreme weather
4 events, drought, sea level rise, or other im-
5 pacts of climate change; and

6 “(B) the State will use not less than a
7 total of 20 percent of such funds for projects
8 described in subparagraph (A).”.

9 (b) CORROSION CONTROL.—Section 602 of the Fed-
10 eral Water Pollution Control Act (33 U.S.C. 1382) is
11 amended by adding at the end the following:

12 “(c) CORROSION CONTROL.—

13 “(1) IN GENERAL.—To the greatest extent
14 practicable, the Administrator shall encourage the
15 incorporation of corrosion prevention activities in
16 projects and activities carried out using financial as-
17 sistance provided under or pursuant to this title.

18 “(2) ACTIVITIES.—In carrying out paragraph
19 (1), the Administrator, to the greatest extent prac-
20 ticable, shall ensure that any recipient of financial
21 assistance under or pursuant to this title—

22 “(A) carries out any project or activity
23 using such assistance using, as applicable—

24 “(i) best practices to carry out corro-
25 sion prevention activities in the field;

1 “(ii) industry-recognized standards
2 and corrosion mitigation and prevention
3 methods when—

4 “(I) determining protective coat-
5 ings;

6 “(II) selecting materials; and

7 “(III) determining methods of
8 cathodic protection, design, and engi-
9 neering for corrosion prevention;

10 “(iii) certified coating application spe-
11 cialists and cathodic protection technicians
12 and engineers; and

13 “(iv) best practices in environmental
14 protection to prevent environmental deg-
15 radation and to ensure proper handling of
16 all hazardous materials; and

17 “(B) demonstrates, as applicable—

18 “(i) a history of employing industry-
19 certified inspectors to ensure adherence to
20 best practices and standards; and

21 “(ii) a history of compliance with ap-
22 plicable requirements of the Occupational
23 Safety and Health Administration.

1 “(3) CORROSION PREVENTION ACTIVITIES DE-
2 FINED.—In this subsection, the term ‘corrosion pre-
3 vention activities’ means—

4 “(A) the application and inspection of pro-
5 tective coatings for complex work involving steel
6 and cementitious structures, including struc-
7 tures that will be exposed in immersion;

8 “(B) the installation, testing, and inspec-
9 tion of cathodic protection systems; and

10 “(C) any other activities related to corro-
11 sion prevention the Administrator determines
12 appropriate.”.

13 **SEC. 12015. WATER POLLUTION CONTROL REVOLVING**
14 **LOAN FUNDS.**

15 Section 603 of the Federal Water Pollution Control
16 Act (33 U.S.C. 1383) is amended—

17 (1) in subsection (c)(10), by inserting “, includ-
18 ing measures to identify and address cybersecurity
19 vulnerabilities of such treatment works” before the
20 semicolon; and

21 (2) in subsection (i)—

22 (A) in paragraph (1)—

23 (i) in the matter preceding subpara-
24 graph (A), by striking “, including forgive-
25 ness of principal and negative interest

1 loans” and inserting “(including in the
2 form of forgiveness of principal, negative
3 interest loans, or grants)”; and

4 (ii) in subparagraph (A)—

5 (I) in the matter preceding clause

6 (i), by striking “in assistance”; and

7 (II) in clause (ii)(III), by striking

8 “to such ratepayers” and inserting

9 “to help such ratepayers maintain ac-
10 cess to wastewater (including
11 stormwater) treatment services”; and

12 (B) by amending paragraph (3) to read as
13 follows:

14 “(3) SUBSIDIZATION AMOUNTS.—

15 “(A) IN GENERAL.—A State may use for
16 providing additional subsidization in a fiscal
17 year under this subsection an amount that does
18 not exceed the greater of—

19 “(i) 50 percent of the total amount
20 received by the State in capitalization
21 grants under this title for the fiscal year;
22 or

23 “(ii) the annual average over the pre-
24 vious 10 fiscal years of the amounts depos-
25 ited by the State in the State water pollu-

1 tion control revolving fund from State
2 moneys that exceed the amounts required
3 to be so deposited under section 602(b)(2).

4 “(B) MINIMUM.—To the extent there are
5 sufficient applications for additional subsidiza-
6 tion under this subsection that meet the criteria
7 under paragraph (1)(A), a State shall use for
8 providing additional subsidization in a fiscal
9 year under this subsection an amount that is
10 not less than 20 percent of the total amount re-
11 ceived by the State in capitalization grants
12 under this title for the fiscal year.”.

13 **SEC. 12016. ALLOTMENT OF FUNDS.**

14 (a) FORMULA.—Section 604(a) of the Federal Water
15 Pollution Control Act (33 U.S.C. 1384(a)) is amended by
16 striking “each of fiscal years 1989 and 1990” and insert-
17 ing “each fiscal year”.

18 (b) WASTEWATER INFRASTRUCTURE WORKFORCE
19 DEVELOPMENT.—Section 604 of the Federal Water Pollu-
20 tion Control Act (33 U.S.C. 1384) is amended by adding
21 at the end the following:

22 “(d) WASTEWATER INFRASTRUCTURE WORKFORCE
23 DEVELOPMENT.—Each fiscal year, a State may reserve
24 up to 1 percent of the sums allotted to the State under
25 this section for the fiscal year to carry out workforce devel-

1 opment, training, and retraining activities described in
2 section 104(g).”.

3 (c) NEEDS SURVEY.—Section 604 of the Federal
4 Water Pollution Control Act (33 U.S.C. 1384) is further
5 amended by adding at the end the following:

6 “(e) NEEDS SURVEY.—Each fiscal year, a State may
7 reserve up to 0.5 percent of the sums allotted to the State
8 under this section for the fiscal year to carry out activities
9 under section 516(b)(1)(B).”.

10 (d) FUNDS ALLOTTED TO PUERTO RICO.—Section
11 604 of the Federal Water Pollution Control Act (33
12 U.S.C. 1384) is further amended by adding at the end
13 the following:

14 “(f) FUNDS ALLOTTED TO PUERTO RICO.—Notwith-
15 standing any other provision of law, no funds allotted to
16 the Commonwealth of Puerto Rico under this section may
17 be counted as income or an asset of the owner or operator
18 of a publicly owned treatment works receiving such funds,
19 or be used, set aside, or otherwise made available for the
20 purposes of payment of debt restructuring under the Puer-
21 to Rico Oversight, Management, and Economic Stability
22 Act (48 U.S.C. 2101 et seq.) by the Puerto Rico Financial
23 Oversight and Management Board.”.

1 **SEC. 12017. RESERVATION OF FUNDS FOR TERRITORIES OF**
2 **THE UNITED STATES.**

3 Title VI of the Federal Water Pollution Control Act
4 (33 U.S.C. 1381 et seq.) is amended by striking section
5 607 and inserting the following:

6 **“SEC. 607. RESERVATION OF FUNDS FOR TERRITORIES OF**
7 **THE UNITED STATES.**

8 “(a) IN GENERAL.—

9 “(1) RESERVATION.—For each fiscal year, the
10 Administrator shall reserve 1.5 percent of available
11 funds, as determined under paragraph (2).

12 “(2) AVAILABLE FUNDS.—For purposes of
13 paragraph (1), the amount of available funds for a
14 fiscal year is—

15 “(A) the amount of funds made available
16 to carry out this title for the fiscal year (before
17 allotments to the States under section 604(a));
18 less

19 “(B) the amount of any funds reserved
20 under section 518(c) for the fiscal year.

21 “(b) USE OF FUNDS.—Funds reserved under this
22 section shall be available only for grants to American
23 Samoa, the Commonwealth of the Northern Mariana Is-
24 lands, Guam, and the Virgin Islands for projects and ac-
25 tivities eligible for assistance under section 603(c).

1 “(c) LIMITATION.—American Samoa, the Common-
2 wealth of the Northern Mariana Islands, Guam, and the
3 Virgin Islands may not receive funds allotted under sec-
4 tion 604(a).”.

5 **SEC. 12018. AUTHORIZATION OF APPROPRIATIONS.**

6 Title VI of the Federal Water Pollution Control Act
7 (33 U.S.C. 1381 et seq.) is amended by adding at the end
8 the following:

9 **“SEC. 609. AUTHORIZATION OF APPROPRIATIONS.**

10 “There are authorized to be appropriated to carry out
11 this title the following sums:

12 “(1) \$8,000,000,000 for fiscal year 2022.

13 “(2) \$8,000,000,000 for fiscal year 2023.

14 “(3) \$8,000,000,000 for fiscal year 2024.

15 “(4) \$8,000,000,000 for fiscal year 2025.

16 “(5) \$8,000,000,000 for fiscal year 2026.”.

17 **SEC. 12019. TECHNICAL ASSISTANCE BY MUNICIPAL OM-**
18 **BUDSMAN.**

19 Section 4(b)(1) of the Water Infrastructure Improve-
20 ment Act (42 U.S.C. 4370j(b)(1)) is amended to read as
21 follows:

22 “(1) technical and planning assistance to sup-
23 port municipalities, including municipalities that are
24 rural, small, economically disadvantaged, or Tribal
25 communities, in achieving and maintaining compli-

1 ance with enforceable deadlines, goals, and require-
2 ments of the Federal Water Pollution Control Act;
3 and”.

4 **SEC. 12020. REPORT ON WASTEWATER INFRASTRUCTURE**
5 **FUNDING FOR RURAL, ECONOMICALLY DIS-**
6 **ADVANTAGED, AND TRIBAL COMMUNITIES.**

7 (a) STUDY.—Not later than 90 days after the date
8 of enactment of this Act, the Administrator of the Envi-
9 ronmental Protection Agency shall initiate a study on the
10 distribution of wastewater infrastructure funds to rural
11 communities, economically disadvantaged communities,
12 and Tribal communities during the 20 fiscal years pre-
13 ceding the date of enactment of this Act.

14 (b) REQUIREMENTS.—In carrying out the study
15 under this section, the Administrator shall—

16 (1) consult with other Federal agencies, State,
17 local, and Tribal governments, owners and operators
18 of publicly owned treatment works, and stakeholder
19 organizations, including organizations with experi-
20 ence in investigating or addressing the wastewater
21 infrastructure needs of rural communities, economi-
22 cally disadvantaged communities, and Tribal com-
23 munities;

24 (2) undertake at least one public meeting in a
25 rural community, in an economically disadvantaged

1 community, and in a Tribal community, to receive
2 testimony from the public;

3 (3) examine whether the distribution of waste-
4 water infrastructure funds during the period covered
5 by the study has been in accordance with any appli-
6 cable executive order or policy regarding environ-
7 mental justice;

8 (4) examine how wastewater infrastructure
9 funds have been distributed with respect to the iden-
10 tified needs of rural communities, economically dis-
11 advantaged communities, and Tribal communities,
12 and whether such funds have addressed the needs of
13 such communities equitably when compared to how
14 such funds have been distributed with respect to the
15 identified needs of communities that are not rural,
16 economically disadvantaged, or Tribal; and

17 (5) consider any additional factors that the Ad-
18 ministrator determines necessary or appropriate to
19 determine whether rural communities, economically
20 disadvantaged communities, and Tribal communities
21 have equitable access to wastewater infrastructure
22 funds to comply with applicable requirements of the
23 Federal Water Pollution Control Act (33 U.S.C.
24 1251 et seq.).

1 (c) REPORT TO CONGRESS.—Not later than 2 years
2 after the date of enactment of this Act, the Administrator
3 shall submit to Congress a report describing—

4 (1) the results of the study carried out under
5 this section; and

6 (2) any recommendations to Congress, or to
7 State, local, and Tribal governments, to ensure that
8 rural communities, economically disadvantaged com-
9 munities, and Tribal communities can equitably ac-
10 cess wastewater infrastructure funds in amounts
11 sufficient to address local wastewater infrastructure
12 needs and local water quality challenges.

13 (d) DEFINITIONS.—In this section:

14 (1) ECONOMICALLY DISADVANTAGED COMMU-
15 NITY.—The term “economically disadvantaged com-
16 munity” means—

17 (A) a municipality that meets the afford-
18 ability criteria of a State established under sec-
19 tion 603(i)(2) of the Federal Water Pollution
20 Control Act (33 U.S.C. 1383(i)(2));

21 (B) a community with respect to which a
22 municipality can demonstrate that households
23 in the community experience significant eco-
24 nomic hardship related to wastewater infra-
25 structure; or

1 (C) a community that is located in an area
2 that meets the criteria described in paragraph
3 (1) or (2) of section 301(a) of the Public Works
4 and Economic Development Act of 1965 (42
5 U.S.C. 3161(a)).

6 (2) MUNICIPALITY; TREATMENT WORKS.—The
7 terms “municipality” and “treatment works” have
8 the meanings given those terms in section 502 of the
9 Federal Water Pollution Control Act (33 U.S.C.
10 1362).

11 (3) WASTEWATER INFRASTRUCTURE FUNDS.—
12 The term “wastewater infrastructure funds” means
13 funds made available for projects or activities under
14 or pursuant to—

15 (A) title VI of the Federal Water Pollution
16 Control Act (33 U.S.C. 1381 et seq.);

17 (B) section 122 of the Federal Water Pol-
18 lution Control Act (33 U.S.C. 1274);

19 (C) section 220 of the Federal Water Pol-
20 lution Control Act (33 U.S.C. 1300); and

21 (D) section 221 of the Federal Water Pol-
22 lution Control Act (33 U.S.C. 1301).

1 **SEC. 12021. WATER REUSE INTERAGENCY WORKING**
2 **GROUP.**

3 (a) **IN GENERAL.**—Not later than 180 days after the
4 date of enactment of this Act, the Administrator shall es-
5 tablish a Water Reuse Interagency Working Group to de-
6 velop and coordinate actions, tools, and resources to en-
7 courage water reuse across the United States, including
8 through the implementation of the National Water Reuse
9 Action Plan, consistent with the mission of each Federal
10 agency that is a member of the working group.

11 (b) **CHAIRPERSON; MEMBERSHIP.**—The working
12 group shall be—

13 (1) chaired by the Administrator; and

14 (2) comprised of senior representatives from
15 any Federal agency the Administrator determines to
16 be appropriate.

17 (c) **DUTIES OF THE WORKING GROUP.**—The working
18 group shall—

19 (1) annually review the National Water Reuse
20 Action Plan and, as necessary, update such plan;

21 (2) encourage the consideration of water reuse
22 as part of integrated water resources management
23 and planning;

24 (3) conduct, and submit to Congress and make
25 public, an assessment of opportunities to encourage

1 water reuse and actions necessary to pursue such
2 opportunities;

3 (4) seek to coordinate Federal programs and
4 policies to encourage water reuse;

5 (5) consider how each Federal agency that is a
6 member of the working group can explore and iden-
7 tify opportunities to encourage water reuse through
8 the programs and activities of each such Federal
9 agency; and

10 (6) consult, on a regular basis, with representa-
11 tives of the water reuse industry, research commu-
12 nity, and nongovernmental organizations.

13 (d) REPORT.—Not less frequently than once every 2
14 years, the Administrator shall submit to Congress a report
15 on the activities and findings of the working group.

16 (e) SUNSET.—The working group shall terminate on
17 the date that is 6 years after the date of enactment of
18 this Act.

19 (f) DEFINITIONS.—In this section:

20 (1) ADMINISTRATOR.—The term “Adminis-
21 trator” means the Administrator of the Environ-
22 mental Protection Agency.

23 (2) NATIONAL WATER REUSE ACTION PLAN.—
24 The term “National Water Reuse Action Plan”
25 means the document published by the Administrator

1 entitled “National Water Reuse Action Plan: Col-
 2 laborative Implementation (Version 1)”, dated Feb-
 3 ruary 2020, and noticed in the Federal Register on
 4 March 3, 2020 (85 Fed. Reg. 12552), as updated
 5 pursuant to this section.

6 (3) WORKING GROUP.—The term “working
 7 group” means the Water Reuse Interagency Work-
 8 ing Group established under this section.

9 **DIVISION I—ASSISTANCE, QUAL-**
 10 **ITY, AND AFFORDABILITY**
 11 **ACT OF 2021**

12 **SEC. 13001. SHORT TITLE; TABLE OF CONTENTS.**

13 (a) SHORT TITLE.—This division may be cited as the
 14 “Assistance, Quality, and Affordability Act of 2021”.

15 (b) TABLE OF CONTENTS.—The table of contents for
 16 this division is as follows:

Sec. 13001. Short title; table of contents.

TITLE I—INFRASTRUCTURE

Sec. 13101. Drinking water system resilience funding.

Sec. 13102. Grants for State programs.

Sec. 13103. American iron and steel products.

Sec. 13104. Assistance for disadvantaged communities.

Sec. 13105. Allotments for territories.

Sec. 13106. Drinking water SRF funding.

Sec. 13107. Lead service line replacement.

Sec. 13108. Drinking water assistance to colonias.

Sec. 13109. PFAS treatment grants.

Sec. 13110. Voluntary school and child care program lead testing grant pro-
 gram.

Sec. 13111. Grant program for installation of filtration stations at schools and
 child care programs.

Sec. 13112. Drinking water fountain replacement for schools.

Sec. 13113. Indian reservation drinking water program.

Sec. 13114. Assistance for areas affected by natural disasters.

TITLE II—SAFETY

- Sec. 13201. Enabling EPA to set standards for new drinking water contaminants.
- Sec. 13202. National primary drinking water regulations for PFAS.
- Sec. 13203. National primary drinking water regulations for microcystin toxin.
- Sec. 13204. National primary drinking water regulations for 1,4-dioxane.
- Sec. 13205. Elimination of small system variances.

TITLE III—AFFORDABILITY

- Sec. 13301. Emergency relief program.
- Sec. 13302. Low-income drinking water assistance program.
- Sec. 13303. Low-income wastewater assistance program.
- Sec. 13304. Needs assessment for nationwide rural and urban low-income community water assistance program.

TITLE IV—OTHER MATTERS

- Sec. 13401. Small urban and rural water system consolidation report.

1 **TITLE I—INFRASTRUCTURE**

2 **SEC. 13101. DRINKING WATER SYSTEM RESILIENCE FUND-**
3 **ING.**

4 Section 1433(g) of the Safe Drinking Water Act (42
5 U.S.C. 300i-2(g)) is amended—

6 (1) in paragraph (1), by striking “and 2021”
7 and inserting “through 2031”; and

8 (2) in paragraph (6)—

9 (A) by striking “25,000,000” and inserting
10 “50,000,000”; and

11 (B) by striking “2020 and 2021” and in-
12 serting “2022 through 2031”.

13 **SEC. 13102. GRANTS FOR STATE PROGRAMS.**

14 Section 1443(a)(7) of the Safe Drinking Water Act
15 (42 U.S.C. 300j-2(a)(7)) is amended by striking “and
16 2021” and inserting “through 2031”.

1 **SEC. 13103. AMERICAN IRON AND STEEL PRODUCTS.**

2 Section 1452(a)(4)(A) of the Safe Drinking Water
3 Act (42 U.S.C. 300j-12(a)(4)(A)) is amended by striking
4 “During fiscal years 2019 through 2023, funds” and in-
5 serting “Funds”.

6 **SEC. 13104. ASSISTANCE FOR DISADVANTAGED COMMU-
7 NITIES.**

8 Section 1452(d)(2)(A) of the Safe Drinking Water
9 Act (42 U.S.C. 300j-12(d)(2)(A)) is amended by striking
10 “35 percent” and inserting “40 percent”.

11 **SEC. 13105. ALLOTMENTS FOR TERRITORIES.**

12 Section 1452(j) of the Safe Drinking Water Act (42
13 U.S.C. 300j-12(j)) is amended by striking “0.33 percent”
14 and inserting “1.5 percent”.

15 **SEC. 13106. DRINKING WATER SRF FUNDING.**

16 Section 1452(m)(1) of the Safe Drinking Water Act
17 (42 U.S.C. 300j-12(m)(1)) is amended—

18 (1) in subparagraph (B), by striking “and”;

19 (2) in subparagraph (C), by striking “2021.”

20 and inserting “2021;”; and

21 (3) by adding at the end the following:

22 “(D) \$4,140,000,000 for fiscal year 2022;

23 “(E) \$4,800,000,000 for fiscal year 2023;

24 and

25 “(F) \$5,500,000,000 for each of fiscal
26 years 2024 through 2031.”.

1 **SEC. 13107. LEAD SERVICE LINE REPLACEMENT.**

2 (a) IN GENERAL.—Section 1452 of the Safe Drink-
3 ing Water Act (42 U.S.C. 300j–12) is amended by adding
4 at the end the following:

5 “(u) LEAD SERVICE LINE REPLACEMENT.—

6 “(1) IN GENERAL.—In addition to the capital-
7 ization grants to eligible States under subsection
8 (a)(1), the Administrator shall offer to enter into
9 agreements with States, Indian Tribes, and the ter-
10 ritories described in subsection (j) to make grants,
11 including letters of credit, to such States, Indian
12 Tribes, and territories under this subsection to fund
13 the replacement of lead service lines.

14 “(2) ALLOTMENTS.—

15 “(A) STATES.—Funds made available to
16 carry out this subsection shall be—

17 “(i) allotted and reallocated to the ex-
18 tent practicable to States as if allotted or
19 reallocated under subsection (a)(1) as a cap-
20 italization grant under such subsection;
21 and

22 “(ii) deposited into the State loan
23 fund of a State receiving such funds pur-
24 suant to an agreement entered into pursu-
25 ant to this subsection.

1 “(B) INDIAN TRIBES.—The Administrator
2 shall set aside 1½ percent of the amounts
3 made available each fiscal year to carry out this
4 subsection to make grants to Indian Tribes.

5 “(C) OTHER AREAS.—Funds made avail-
6 able to carry out this subsection shall be allot-
7 ted to territories described in subsection (j) in
8 accordance with such subsection.

9 “(3) GRANTS.—Notwithstanding any other pro-
10 vision of this section, funds made available under
11 this subsection shall be used only for providing
12 grants for the replacement of lead service lines.

13 “(4) PRIORITY.—Each State, Indian Tribe, and
14 territory that has entered into an agreement pursu-
15 ant to this subsection shall annually prepare a plan
16 that identifies the intended uses of the amounts
17 made available to such State, Indian Tribe, or terri-
18 tory under this subsection, and any such plan
19 shall—

20 “(A) not be required to comply with sub-
21 section (b)(3); and

22 “(B) provide, to the maximum extent prac-
23 ticable, that priority for the use of funds be
24 given to projects that replace lead service lines

1 serving disadvantaged communities and envi-
2 ronmental justice communities.

3 “(5) PLAN FOR REPLACEMENT.—Each State,
4 Indian Tribe, and territory that has entered into an
5 agreement pursuant to this subsection shall require
6 each recipient of funds made available pursuant to
7 this subsection to submit to the State, Indian Tribe,
8 or territory a plan to replace all lead service lines in
9 the applicable public water system within 10 years
10 of receiving such funds.

11 “(6) AMERICAN MADE IRON AND STEEL AND
12 PREVAILING WAGES.—The requirements of para-
13 graphs (4) and (5) of subsection (a) shall apply to
14 any project carried out in whole or in part with
15 funds made available under or pursuant to this sub-
16 section.

17 “(7) LIMITATION.—

18 “(A) PROHIBITION ON PARTIAL LINE RE-
19 PLACEMENT.—No funds made available pursu-
20 ant to this subsection may be used for partial
21 lead service line replacement if, at the conclu-
22 sion of the service line replacement, drinking
23 water is delivered through a publicly or pri-
24 vately owned portion of a lead service line.

1 “(B) NO PRIVATE OWNER CONTRIBU-
2 TION.—Any recipient of funds made available
3 pursuant to this subsection for lead service line
4 replacement shall offer to replace any privately
5 owned portion of any lead service line with re-
6 spect to which such funds are used at no cost
7 to the private owner.

8 “(8) DISADVANTAGED COMMUNITY ASSIST-
9 ANCE.—All funds made available pursuant to this
10 subsection to fund the replacement of lead service
11 lines may be used to replace lead service lines serv-
12 ing disadvantaged communities.

13 “(9) STATE CONTRIBUTION NOT REQUIRED.—
14 No agreement entered into pursuant to paragraph
15 (1) shall require that a State deposit, at any time,
16 in the applicable State loan fund from State moneys
17 any contribution in order to receive funds under this
18 subsection.

19 “(10) AUTHORIZATION OF APPROPRIATIONS.—
20 “(A) IN GENERAL.—There are authorized
21 to be appropriated to carry out this subsection
22 \$4,500,000,000 for each of fiscal years 2022
23 through 2031. Such sums shall remain available
24 until expended.

1 “(B) ADDITIONAL AMOUNTS.—To the ex-
2 tent amounts authorized to be appropriated
3 under this subsection in any fiscal year are not
4 appropriated in that fiscal year, such amounts
5 are authorized to be appropriated in a subse-
6 quent fiscal year. Such sums shall remain avail-
7 able until expended.

8 “(11) DEFINITIONS.—For purposes of this sub-
9 section:

10 “(A) DISADVANTAGED COMMUNITY.—The
11 term ‘disadvantaged community’ has the mean-
12 ing given such term in subsection (d)(3).

13 “(B) ENVIRONMENTAL JUSTICE COMMU-
14 NITY.—The term ‘environmental justice com-
15 munity’ means any population of color, commu-
16 nity of color, indigenous community, or low-in-
17 come community that experiences a dispropor-
18 tionate burden of the negative human health
19 and environmental impacts of pollution or other
20 environmental hazards.

21 “(C) LEAD SERVICE LINE.—The term
22 ‘lead service line’ means a pipe and its fittings,
23 which are not lead free (as defined in section
24 1417(d)), that connect the drinking water main
25 to the building inlet.”.

1 (b) CONFORMING AMENDMENT.—Section
2 1452(m)(1) of the Safe Drinking Water Act (42 U.S.C.
3 300j–12(m)(1)) is amended by striking “(a)(2)(G) and
4 (t)” and inserting “(a)(2)(G), (t), and (u)”.

5 **SEC. 13108. DRINKING WATER ASSISTANCE TO COLONIAS.**

6 Section 1456 of the Safe Drinking Water Act (42
7 U.S.C. 300j–16) is amended—

8 (1) in subsection (a)—

9 (A) by redesignating paragraph (2) as
10 paragraph (3); and

11 (B) by inserting after paragraph (1) the
12 following new paragraph:

13 “(2) COVERED ENTITY.—The term ‘covered en-
14 tity’ means each of the following:

15 “(A) A border State.

16 “(B) A local government with jurisdiction
17 over an eligible community.”;

18 (2) in subsection (b), by striking “border
19 State” and inserting “covered entity”;

20 (3) in subsection (d), by striking “shall not ex-
21 ceed 50 percent” and inserting “may not be less
22 than 80 percent”; and

23 (4) in subsection (e)—

24 (A) by striking “\$25,000,000” and insert-
25 ing “\$100,000,000”; and

1 (B) by striking “1997 through 1999” and
2 inserting “2022 through 2026”.

3 **SEC. 13109. PFAS TREATMENT GRANTS.**

4 Part E of the Safe Drinking Water Act (42 U.S.C.
5 300j et seq.) is amended by adding at the end the fol-
6 lowing new section:

7 **“SEC. 1459E. ASSISTANCE FOR COMMUNITY WATER SYS-**
8 **TEMS AFFECTED BY PFAS.**

9 “(a) ESTABLISHMENT.—Not later than 180 days
10 after the date of enactment of this section, the Adminis-
11 trator shall establish a program to award grants to af-
12 fected community water systems to pay for capital costs
13 associated with the implementation of eligible treatment
14 technologies.

15 “(b) APPLICATIONS.—

16 “(1) GUIDANCE.—Not later than 12 months
17 after the date of enactment of this section, the Ad-
18 ministrator shall publish guidance describing the
19 form and timing for community water systems to
20 apply for grants under this section.

21 “(2) REQUIRED INFORMATION.—The Adminis-
22 trator shall require a community water system ap-
23 plying for a grant under this section to submit—

1 “(A) information showing the presence of a
2 perfluoroalkyl or polyfluoroalkyl substance in
3 water of the community water system; and

4 “(B) a certification that the treatment
5 technology in use by the community water sys-
6 tem at the time of application is not sufficient
7 to meet all applicable standards, and all appli-
8 cable health advisories published pursuant to
9 section 1412(b)(1)(F), for perfluoroalkyl and
10 polyfluoroalkyl substances.

11 “(c) LIST OF ELIGIBLE TREATMENT TECH-
12 NOLOGIES.—Not later than 150 days after the date of en-
13 actment of this section, and every 2 years thereafter, the
14 Administrator shall publish a list of treatment tech-
15 nologies that the Administrator determines are the most
16 effective at removing perfluoroalkyl and polyfluoroalkyl
17 substances from drinking water.

18 “(d) PRIORITY FOR FUNDING.—In awarding grants
19 under this section, the Administrator shall prioritize an
20 affected community water system that—

21 “(1) serves a disadvantaged community;

22 “(2) will provide at least a 10-percent cost
23 share for the cost of implementing an eligible treat-
24 ment technology;

1 “(3) demonstrates the capacity to maintain the
2 eligible treatment technology to be implemented
3 using the grant; or

4 “(4) is located within an area with respect to
5 which the Administrator has published a determina-
6 tion under the first sentence of section 1424(e) re-
7 lating to an aquifer that is the sole or principal
8 drinking water source for the area.

9 “(e) AUTHORIZATION OF APPROPRIATIONS.—

10 “(1) IN GENERAL.—There is authorized to be
11 appropriated to carry out this section \$500,000,000
12 for each of the fiscal years 2022 through 2031.

13 “(2) SPECIAL RULE.—Of the amounts author-
14 ized to be appropriated by paragraph (1),
15 \$25,000,000 are authorized to be appropriated for
16 each of fiscal years 2022 and 2023 for grants under
17 subsection (a) to pay for capital costs associated
18 with the implementation of eligible treatment tech-
19 nologies during the period beginning on October 1,
20 2014, and ending on the date of enactment of this
21 section.

22 “(f) DEFINITIONS.—In this section:

23 “(1) AFFECTED COMMUNITY WATER SYSTEM.—
24 The term ‘affected community water system’ means
25 a community water system that is affected by the

1 presence of a perfluoroalkyl or polyfluoroalkyl sub-
2 stance in the water in the community water system.

3 “(2) DISADVANTAGED COMMUNITY.—The term
4 ‘disadvantaged community’ has the meaning given
5 that term in section 1452.

6 “(3) ELIGIBLE TREATMENT TECHNOLOGY.—
7 The term ‘eligible treatment technology’ means a
8 treatment technology included on the list published
9 under subsection (c).”.

10 **SEC. 13110. VOLUNTARY SCHOOL AND CHILD CARE PRO-**
11 **GRAM LEAD TESTING GRANT PROGRAM.**

12 Section 1464(d)(8) of the Safe Drinking Water Act
13 (42 U.S.C. 300j–24(d)(8)) is amended by striking “and
14 2021” and inserting “through 2031”.

15 **SEC. 13111. GRANT PROGRAM FOR INSTALLATION OF FIL-**
16 **TRATION STATIONS AT SCHOOLS AND CHILD**
17 **CARE PROGRAMS.**

18 Section 1464 of the Safe Drinking Water Act (42
19 U.S.C. 300j–24) is amended by adding at the end the fol-
20 lowing:

21 “(e) GRANT PROGRAM FOR INSTALLATION AND
22 MAINTENANCE OF FILTRATION STATIONS.—

23 “(1) PROGRAM.—The Administrator shall es-
24 tablish a program to make grants to States to assist
25 local educational agencies in voluntary installation

1 and maintenance of filtration stations at schools and
2 child care programs under the jurisdiction of the
3 local educational agencies.

4 “(2) DIRECT GRANTS TO LOCAL EDUCATIONAL
5 AGENCIES.—The Administrator may make a grant
6 described in paragraph (1) directly available to—

7 “(A) any local educational agency de-
8 scribed in clause (i) or (iii) of subsection
9 (d)(1)(B) located in a State that does not par-
10 ticipate in the program established under para-
11 graph (1); or

12 “(B) any local educational agency de-
13 scribed in clause (ii) of subsection (d)(1)(B).

14 “(3) USE OF FUNDS.—Grants made under the
15 program established under this subsection may be
16 used to pay the costs of—

17 “(A) installation and maintenance of filtra-
18 tion stations at schools and child care pro-
19 grams; and

20 “(B) annual testing of drinking water at
21 such schools and child care programs following
22 the installation of filtration stations.

23 “(4) PRIORITY.—In making grants under the
24 program established under this subsection, the Ad-
25 ministrator shall give priority to States and local

1 educational agencies that will assist in voluntary in-
2 stallation and maintenance of filtration stations at
3 schools and child care programs that are in low-in-
4 come areas.

5 “(5) GUIDANCE.—Not later than 180 days
6 after the date of enactment of this subsection, the
7 Administrator shall establish guidance to carry out
8 the program established under this subsection.

9 “(6) NO PRIOR TESTING REQUIRED.—The pro-
10 gram established under this subsection shall not re-
11 quire testing for lead contamination in drinking
12 water at schools and child care programs prior to
13 participation in such program.

14 “(7) DEFINITIONS.—In this subsection:

15 “(A) CHILD CARE PROGRAM AND LOCAL
16 EDUCATIONAL AGENCY.—The terms ‘child care
17 program’ and ‘local educational agency’ have
18 the meaning given such terms in subsection (d).

19 “(B) FILTRATION STATION.—The term
20 ‘filtration station’ means an apparatus that—

21 “(i) is connected to building plumb-
22 ing;

23 “(ii) is certified to the latest version
24 of NSF/ANSI 53 for lead reduction and
25 NSF/ANSI 42 for particulate reduction

1 (Class I) by a certification body accredited
2 by the American National Standards Insti-
3 tute National Accreditation Board;

4 “(iii) has an indicator to show filter
5 performance;

6 “(iv) can fill bottles or containers for
7 water consumption; and

8 “(v) allows users to drink directly
9 from a stream of flowing water.

10 “(8) AUTHORIZATION OF APPROPRIATIONS.—

11 There is authorized to be appropriated to carry out
12 this subsection \$50,000,000 for each of fiscal years
13 2022 through 2031.”.

14 **SEC. 13112. DRINKING WATER FOUNTAIN REPLACEMENT**
15 **FOR SCHOOLS.**

16 Section 1465(d) of the Safe Drinking Water Act (42
17 U.S.C. 300j–25(d)) is amended by striking “2021” and
18 inserting “2031”.

19 **SEC. 13113. INDIAN RESERVATION DRINKING WATER PRO-**
20 **GRAM.**

21 Section 2001(d) of America’s Water Infrastructure
22 Act of 2018 (Public Law 115–270) is amended by striking
23 “2022” and inserting “2031”.

1 **SEC. 13114. ASSISTANCE FOR AREAS AFFECTED BY NAT-**
2 **URAL DISASTERS.**

3 Section 2020 of America’s Water Infrastructure Act
4 of 2018 (Public Law 115–270) is amended—

5 (1) in subsection (b)(1), by striking “subsection
6 (e)(1)” and inserting “subsection (f)(1)”;

7 (2) by redesignating subsections (e) through (e)
8 as subsections (d) through (f), respectively;

9 (3) by inserting after subsection (b) the fol-
10 lowing:

11 “(c) ASSISTANCE FOR TERRITORIES.—The Adminis-
12 trator may use funds made available under subsection
13 (f)(1) to make grants to Guam, the Virgin Islands, Amer-
14 ican Samoa, and the Northern Mariana Islands for the
15 purposes of providing assistance to eligible systems to re-
16 store or increase compliance with national primary drink-
17 ing water regulations.”; and

18 (4) in subsection (f), as so redesignated—

19 (A) in the heading, by striking “STATE
20 REVOLVING FUND CAPITALIZATION”; and

21 (B) in paragraph (1)—

22 (i) in the matter preceding subpara-
23 graph (A), by inserting “and to make
24 grants under subsection (c) of this sec-
25 tion,” before “to be available”; and

1 (ii) in subparagraph (A), by inserting
2 “or subsection (c), as applicable” after
3 “subsection (b)(1)”.

4 **TITLE II—SAFETY**

5 **SEC. 13201. ENABLING EPA TO SET STANDARDS FOR NEW** 6 **DRINKING WATER CONTAMINANTS.**

7 (a) IN GENERAL.—Section 1412(b)(6) of the Safe
8 Drinking Water Act (42 U.S.C. 300g–1(b)(6)) is repealed.

9 (b) CONFORMING AMENDMENTS.—Section 1412(b)
10 of the Safe Drinking Water Act (42 U.S.C. 300g–1(b))
11 is amended—

12 (1) in paragraph (3)(C)(i)—

13 (A) by striking “paragraph (5) or (6)(A)”
14 and inserting “paragraph (5)”; and

15 (B) by striking “paragraphs (4), (5), and
16 (6)” and inserting “paragraphs (4) and (5)”;
17 and

18 (2) in paragraph (4)(B), by striking “para-
19 graphs (5) and (6)” and inserting “paragraph (5)”.

20 **SEC. 13202. NATIONAL PRIMARY DRINKING WATER REGU-** 21 **LATIONS FOR PFAS.**

22 Section 1412(b) of the Safe Drinking Water Act (42
23 U.S.C. 300g–1(b)) is amended by adding at the end the
24 following:

1 “(16) PERFLUOROALKYL AND
2 POLYFLUOROALKYL SUBSTANCES.—

3 “(A) IN GENERAL.—Not later than 2 years
4 after the date of enactment of this paragraph,
5 the Administrator shall, after notice and oppor-
6 tunity for public comment, promulgate a na-
7 tional primary drinking water regulation for
8 perfluoroalkyl and polyfluoroalkyl substances,
9 which shall, at a minimum, include standards
10 for—

11 “(i) perfluorooctanoic acid (commonly
12 referred to as ‘PFOA’); and

13 “(ii) perfluorooctane sulfonic acid
14 (commonly referred to as ‘PFOS’).

15 “(B) ALTERNATIVE PROCEDURES.—

16 “(i) IN GENERAL.—Not later than 1
17 year after the validation by the Adminis-
18 trator of an equally effective quality con-
19 trol and testing procedure to ensure com-
20 pliance with the national primary drinking
21 water regulation promulgated under sub-
22 paragraph (A) to measure the levels de-
23 scribed in clause (ii) or other methods to
24 detect and monitor perfluoroalkyl and
25 polyfluoroalkyl substances in drinking

1 water, the Administrator shall add the pro-
2 cedure or method as an alternative to the
3 quality control and testing procedure de-
4 scribed in such national primary drinking
5 water regulation by publishing the proce-
6 dure or method in the Federal Register in
7 accordance with section 1401(1)(D).

8 “(ii) LEVELS DESCRIBED.—The levels
9 referred to in clause (i) are—

10 “(I) the level of a perfluoroalkyl
11 or polyfluoroalkyl substance;

12 “(II) the total levels of
13 perfluoroalkyl and polyfluoroalkyl sub-
14 stances; and

15 “(III) the total levels of organic
16 fluorine.

17 “(C) INCLUSIONS.—The Administrator
18 may include a perfluoroalkyl or polyfluoroalkyl
19 substance or class of perfluoroalkyl or
20 polyfluoroalkyl substances on—

21 “(i) the list of contaminants for con-
22 sideration of regulation under paragraph
23 (1)(B)(i), in accordance with such para-
24 graph; and

1 “(ii) the list of unregulated contami-
2 nants to be monitored under section
3 1445(a)(2)(B)(i), in accordance with such
4 section.

5 “(D) MONITORING.—When establishing
6 monitoring requirements for public water sys-
7 tems as part of a national primary drinking
8 water regulation under subparagraph (A) or
9 subparagraph (G)(ii), the Administrator shall
10 tailor the monitoring requirements for public
11 water systems that do not detect or are reliably
12 and consistently below the maximum contami-
13 nant level (as defined in section 1418(b)(2)(B))
14 for the perfluoroalkyl or polyfluoroalkyl sub-
15 stance or class of perfluoroalkyl or
16 polyfluoroalkyl substances subject to the na-
17 tional primary drinking water regulation.

18 “(E) HEALTH PROTECTION.—The national
19 primary drinking water regulation promulgated
20 under subparagraph (A) shall be protective of
21 the health of subpopulations at greater risk, as
22 described in section 1458.

23 “(F) HEALTH RISK REDUCTION AND COST
24 ANALYSIS.—In meeting the requirements of
25 paragraph (3)(C), the Administrator may rely

1 on information available to the Administrator
2 with respect to one or more specific
3 perfluoroalkyl or polyfluoroalkyl substances to
4 extrapolate reasoned conclusions regarding the
5 health risks and effects of a class of
6 perfluoroalkyl or polyfluoroalkyl substances of
7 which the specific perfluoroalkyl or
8 polyfluoroalkyl substances are a part.

9 “(G) REGULATION OF ADDITIONAL SUB-
10 STANCES.—

11 “(i) DETERMINATION.—The Adminis-
12 trator shall make a determination under
13 paragraph (1)(A), using the criteria de-
14 scribed in clauses (i) through (iii) of that
15 paragraph, whether to include a
16 perfluoroalkyl or polyfluoroalkyl substance
17 or class of perfluoroalkyl or polyfluoroalkyl
18 substances in the national primary drink-
19 ing water regulation under subparagraph
20 (A) not later than 18 months after the
21 later of—

22 “(I) the date on which the
23 perfluoroalkyl or polyfluoroalkyl sub-
24 stance or class of perfluoroalkyl or
25 polyfluoroalkyl substances is listed on

1 the list of contaminants for consider-
2 ation of regulation under paragraph
3 (1)(B)(i); and

4 “(II) the date on which—
5 “(aa) the Administrator has
6 received the results of monitoring
7 under section 1445(a)(2)(B) for
8 the perfluoroalkyl or
9 polyfluoroalkyl substance or class
10 of perfluoroalkyl or
11 polyfluoroalkyl substances; or

12 “(bb) the Administrator has
13 received reliable water data or
14 water monitoring surveys for the
15 perfluoroalkyl or polyfluoroalkyl
16 substance or class of
17 perfluoroalkyl or polyfluoroalkyl
18 substances from a Federal or
19 State agency that the Adminis-
20 trator determines to be of a qual-
21 ity sufficient to make a deter-
22 mination under paragraph
23 (1)(A).

24 “(ii) PRIMARY DRINKING WATER REG-
25 ULATIONS.—

1 “(I) IN GENERAL.—For each
2 perfluoroalkyl or polyfluoroalkyl sub-
3 stance or class of perfluoroalkyl or
4 polyfluoroalkyl substances that the
5 Administrator determines to regulate
6 under clause (i), the Administrator—

7 “(aa) not later than 18
8 months after the date on which
9 the Administrator makes the de-
10 termination, shall propose a na-
11 tional primary drinking water
12 regulation for the perfluoroalkyl
13 or polyfluoroalkyl substance or
14 class of perfluoroalkyl or
15 polyfluoroalkyl substances; and

16 “(bb) may publish the pro-
17 posed national primary drinking
18 water regulation described in
19 item (aa) concurrently with the
20 publication of the determination
21 to regulate the perfluoroalkyl or
22 polyfluoroalkyl substance or class
23 of perfluoroalkyl or
24 polyfluoroalkyl substances.

25 “(II) DEADLINE.—

1 “(aa) IN GENERAL.—Not
2 later than 1 year after the date
3 on which the Administrator pub-
4 lishes a proposed national pri-
5 mary drinking water regulation
6 under clause (i)(I) and subject to
7 item (bb), the Administrator
8 shall take final action on the pro-
9 posed national primary drinking
10 water regulation.

11 “(bb) EXTENSION.—The
12 Administrator, on publication of
13 notice in the Federal Register,
14 may extend the deadline under
15 item (aa) by not more than 6
16 months.

17 “(H) HEALTH ADVISORY.—

18 “(i) IN GENERAL.—Subject to clause
19 (ii), the Administrator shall publish a
20 health advisory under paragraph (1)(F) for
21 a perfluoroalkyl or polyfluoroalkyl sub-
22 stance or class of perfluoroalkyl or
23 polyfluoroalkyl substances not subject to a
24 national primary drinking water regulation
25 not later than 1 year after the later of—

1 “(I) the date on which the Ad-
2 ministrator finalizes a toxicity value
3 for the perfluoroalkyl or
4 polyfluoroalkyl substance or class of
5 perfluoroalkyl or polyfluoroalkyl sub-
6 stances; and

7 “(II) the date on which the Ad-
8 ministrator validates an effective qual-
9 ity control and testing procedure for
10 the perfluoroalkyl or polyfluoroalkyl
11 substance or class of perfluoroalkyl or
12 polyfluoroalkyl substances.

13 “(ii) WAIVER.—The Administrator
14 may waive the requirements of clause (i)
15 with respect to a perfluoroalkyl or
16 polyfluoroalkyl substance or class of
17 perfluoroalkyl and polyfluoroalkyl sub-
18 stances if the Administrator determines
19 that there is a substantial likelihood that
20 the perfluoroalkyl or polyfluoroalkyl sub-
21 stance or class of perfluoroalkyl or
22 polyfluoroalkyl substances will not occur in
23 drinking water with sufficient frequency to
24 justify the publication of a health advisory,
25 and publishes such determination, includ-

1 ing the information and analysis used, and
2 basis for, such determination, in the Fed-
3 eral Register.”.

4 **SEC. 13203. NATIONAL PRIMARY DRINKING WATER REGU-**
5 **LATIONS FOR MICROCYSTIN TOXIN.**

6 Section 1412(b) of the Safe Drinking Water Act (42
7 U.S.C. 300g-1(b)) is further amended by adding at the
8 end the following:

9 “(17) MICROCYSTIN TOXIN.—

10 “(A) IN GENERAL.—Notwithstanding any
11 other deadline established in this subsection,
12 not later than 2 years after the date of enact-
13 ment of the Assistance, Quality, and Afford-
14 ability Act of 2021, the Administrator shall
15 publish a maximum contaminant level goal and
16 promulgate a national primary drinking water
17 regulation for microcystin toxin.

18 “(B) HEALTH PROTECTION.—The max-
19 imum contaminant level goal and national pri-
20 mary drinking water regulation promulgated
21 under subparagraph (A) shall be protective of
22 the health of subpopulations at greater risk, as
23 described in section 1458.”.

1 **SEC. 13204. NATIONAL PRIMARY DRINKING WATER REGU-**
2 **LATIONS FOR 1,4-DIOXANE.**

3 Section 1412(b) of the Safe Drinking Water Act (42
4 U.S.C. 300g–1(b)) is further amended by adding at the
5 end the following:

6 “(18) 1,4–DIOXANE.—

7 “(A) IN GENERAL.—Notwithstanding any
8 other deadline established in this subsection,
9 not later than 2 years after the date of enact-
10 ment of the Assistance, Quality, and Afford-
11 ability Act of 2021, the Administrator shall
12 publish a maximum contaminant level goal and
13 promulgate a national primary drinking water
14 regulation for 1,4–dioxane.

15 “(B) HEALTH PROTECTION.—The max-
16 imum contaminant level goal and national pri-
17 mary drinking water regulation promulgated
18 under subparagraph (A) shall be protective of
19 the health of subpopulations at greater risk, as
20 described in section 1458.”.

21 **SEC. 13205. ELIMINATION OF SMALL SYSTEM VARIANCES.**

22 (a) SMALL SYSTEM VARIANCES.—Section 1415 (42
23 U.S.C. 300g–4) of the Safe Drinking Water Act is amend-
24 ed by striking subsection (e).

25 (b) CONFORMING AMENDMENTS.—

1 (1) Section 1412(b)(15) of the Safe Drinking
2 Water Act (42 U.S.C. 300g–1(b)(15)) is amended by
3 striking subparagraph (D).

4 (2) Section 1414(c)(1)(B) of the Safe Drinking
5 Water Act (42 U.S.C. 300g–3(c)(1)(B)) is amended
6 by striking “, (a)(2), or (e)” and inserting “or
7 (a)(2)”.

8 (3) Section 1416(b)(2) of the Safe Drinking
9 Water Act (42 U.S.C. 300g–5(b)(2)) is amended by
10 striking subparagraph (D).

11 (4) Section 1445(h) of the Safe Drinking Water
12 Act (42 U.S.C. 300j–4(h)) is amended—

13 (A) by striking “sections 1412(b)(4)(E)
14 and 1415(e) (relating to small system variance
15 program)” and inserting “section
16 1412(b)(4)(E)”;

17 (B) by striking “guidance under sections
18 1412(b)(4)(E) and 1415(e)” and inserting
19 “guidance under section 1412(b)(4)(E)”.

20 **TITLE III—AFFORDABILITY**

21 **SEC. 13301. EMERGENCY RELIEF PROGRAM.**

22 Part F of the Safe Drinking Water Act (42 U.S.C.
23 300j–21 et seq.) is amended by adding at the end the fol-
24 lowing new section:

1 **“SEC. 1466. EMERGENCY RELIEF PROGRAM.**

2 “(a) EMERGENCY RELIEF PROGRAM.—The Adminis-
3 trator shall establish and carry out a residential emer-
4 gency relief program to provide payments to public water
5 systems to reimburse such public water systems for pro-
6 viding forgiveness of arrearages and fees incurred by eligi-
7 ble residential customers before the date of enactment of
8 this section to help such eligible residential customers re-
9 tain, or reconnect or restore, water service.

10 “(b) CONDITIONS.—To receive funds under this sec-
11 tion, a public water system shall agree to—

12 “(1) except as otherwise provided in this sec-
13 tion, use such funds to forgive all arrearages and
14 fees relating to nonpayment or arrearages incurred
15 by eligible residential customers before the date of
16 enactment of this section;

17 “(2) if forgiveness of all arrearages and fees de-
18 scribed in paragraph (1) is not possible given the
19 amount of funds received, except as otherwise pro-
20 vided in this section, use such funds to reduce such
21 arrearages and fees for each eligible residential cus-
22 tomer by, to the extent practicable, a consistent per-
23 centage;

24 “(3) take no action that negatively affects the
25 credit score of an eligible residential customer, or
26 pursue any type of collection action against such eli-

1 gible residential customer, during the 5-year period
2 that begins on the date on which the public water
3 system receives such funds;

4 “(4) not disconnect or interrupt the service of
5 any eligible residential customer as a result of non-
6 payment or arrearages during such 5-year period;
7 and

8 “(5) provide to the Administrator such informa-
9 tion as the Administrator determines appropriate.

10 “(c) ELIGIBLE CUSTOMERS.—To be eligible for for-
11 giveness or reduction of arrearages and fees pursuant to
12 the program established under subsection (a), a residential
13 customer of a public water system shall have accrued new
14 arrearages on or after March 1, 2020.

15 “(d) RECONNECTION EXPENSES.—The Adminis-
16 trator, or a State that is, pursuant to subsection (e), im-
17 plementing the program established under subsection (a),
18 may authorize a public water system receiving funds under
19 this section to use up to 5 percent of such funds for ex-
20 penses relating to reconnecting or restoring water service,
21 including expenses relating to plumbing repairs and pipe
22 flushing, as needed, for eligible residential customers.

23 “(e) ADMINISTRATIVE EXPENSES.—The Adminis-
24 trator may authorize—

1 “(1) States to implement the program estab-
2 lished under subsection (a); and

3 “(2) a State implementing such program to use
4 up to 4 percent of funds made available to carry out
5 such program in such State for administrative ex-
6 penses.

7 “(f) SUBMISSIONS TO CONGRESS.—Not later than
8 180 days after the date of enactment of this section, and
9 every other month thereafter until all amounts made avail-
10 able under this section are expended, the Administrator
11 shall submit to the Committee on Energy and Commerce
12 of the House of Representatives and the Committee on
13 Environment and Public Works of the Senate a report
14 that describes—

15 “(1) each public water system that received a
16 payment under or pursuant to this section;

17 “(2) the total amount of each payment provided
18 under or pursuant to this section;

19 “(3) for each public water system receiving a
20 payment under or pursuant to this section—

21 “(A) the amount of arrearages and fees
22 forgiven or reduced;

23 “(B) the number of eligible residential cus-
24 tomers benefitting from forgiveness or reduction
25 of arrearages and fees under this section;

1 “(C) the amount of arrearages and fees of
2 customers described in subparagraph (B) in-
3 curred before the date of enactment of this sec-
4 tion that remain outstanding;

5 “(D) the number of eligible residential cus-
6 tomers that did not benefit from forgiveness or
7 reduction of arrearages and fees under this sec-
8 tion; and

9 “(E) the amount of arrearages and fees of
10 customers described in subparagraph (D) in-
11 curred before the date of enactment of this sec-
12 tion that remain outstanding; and

13 “(4) a summary of any other information pro-
14 vided to the Administrator by public water systems
15 that receive a payment pursuant to this section.

16 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
17 is authorized to be appropriated to carry out this section
18 \$4,000,000,000, to remain available until expended.”.

19 **SEC. 13302. LOW-INCOME DRINKING WATER ASSISTANCE**
20 **PROGRAM.**

21 Part E of the Safe Drinking Water Act (42 U.S.C.
22 300j et seq.) is further amended by adding at the end the
23 following:

1 **“SEC. 1459F. LOW-INCOME DRINKING WATER ASSISTANCE**
2 **PROGRAM.**

3 “(a) DEFINITIONS.—In this section:

4 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
5 tity’ means—

6 “(A) a community water system that is
7 owned or operated by a municipality, other than
8 a small community-serving water system; or

9 “(B) a State, with respect to a small com-
10 munity-serving water system located in the
11 State.

12 “(2) HOUSEHOLD.—The term ‘household’
13 means any individual or group of individuals who
14 are living together as 1 economic unit.

15 “(3) LOCAL DRINKING WATER ACCESS PRO-
16 GRAM.—The term ‘local drinking water access pro-
17 gram’ means a program developed or implemented
18 by an eligible entity using a grant awarded under
19 this section.

20 “(4) LOW-INCOME HOUSEHOLD.—The term
21 ‘low-income household’ means a household—

22 “(A) in which 1 or more individuals are re-
23 ceiving—

24 “(i) assistance under a State program
25 funded under part A of title IV of the So-
26 cial Security Act (42 U.S.C. 601 et seq.);

1 “(ii) supplemental security income
2 payments under title XVI of the Social Se-
3 curity Act (42 U.S.C. 1381 et seq.);

4 “(iii) supplemental nutrition assist-
5 ance program benefits under the Food and
6 Nutrition Act of 2008 (7 U.S.C. 2011 et
7 seq.); or

8 “(iv) payments under—

9 “(I) section 1315, 1521, 1541, or
10 1542 of title 38, United States Code;
11 or

12 “(II) section 306 of the Veterans’
13 and Survivors’ Pension Improvement
14 Act of 1978 (38 U.S.C. 1521 note;
15 Public Law 95–588); or

16 “(B) that has an income that—

17 “(i) as determined by the State in
18 which the household is located, does not
19 exceed the greater of—

20 “(I) an amount equal to 150 per-
21 cent of the poverty level; and

22 “(II) an amount equal to 60 per-
23 cent of the State median income for
24 that State; or

1 “(ii) does not exceed an amount, de-
2 termined by an eligible entity receiving a
3 grant under this section, that—

4 “(I) is lower than the amount de-
5 scribed in clause (i); and

6 “(II) is greater than or equal to
7 110 percent of the poverty level.

8 “(5) POVERTY LEVEL.—The term ‘poverty
9 level’ means, with respect to a household in a State,
10 the income described in the poverty guidelines issued
11 by the Secretary of Health and Human Services
12 pursuant to section 673 of the Community Services
13 Block Grant Act (42 U.S.C. 9902), as applicable to
14 the household.

15 “(6) SMALL COMMUNITY-SERVING WATER SYS-
16 TEM.—The term ‘small community-serving water
17 system’ means a community water system that pro-
18 vides drinking water services to a municipality with
19 a population of fewer than 10,000 residents, at least
20 20 percent of whom are at or below the poverty
21 level.

22 “(7) STATE MEDIAN INCOME.—The term ‘State
23 median income’ has the meaning given that term in
24 section 2603 of the Low-Income Home Energy As-
25 sistance Act of 1981 (42 U.S.C. 8622).

1 “(b) ESTABLISHMENT.—

2 “(1) IN GENERAL.—The Administrator shall es-
3 tablish a Federal low-income drinking water assist-
4 ance program to award grants to eligible entities to
5 develop and implement local drinking water access
6 programs to assist low-income households in main-
7 taining access to affordable drinking water.

8 “(2) REQUIREMENTS FOR SMALL COMMUNITY-
9 SERVING WATER SYSTEMS.—In order for a State to
10 be eligible to receive a grant under this section for
11 a small community-serving water system, the State
12 and the small community-serving water system shall
13 enter into a memorandum of understanding, under
14 which the State shall—

15 “(A) submit to the Administrator an appli-
16 cation under paragraph (6) for the small com-
17 munity-serving water system; and

18 “(B) on receipt of a grant under this sec-
19 tion, develop and implement a local drinking
20 water access program for the small community-
21 serving water system.

22 “(3) LIMITATIONS.—A grant awarded under
23 this subsection—

24 “(A) shall not be used to replace funds for
25 any existing similar local program to assist low-

1 income households in maintaining access to af-
2 fordable drinking water; but

3 “(B) may be used to supplement or en-
4 hance such a local program.

5 “(4) TERM.—The term of a grant awarded
6 under this subsection shall be one year.

7 “(5) MINIMUM LOCAL PROGRAM REQUIRE-
8 MENTS.—

9 “(A) IN GENERAL.—Not later than 6
10 months after the date of enactment of this sec-
11 tion, the Administrator shall develop, in con-
12 sultation with relevant stakeholders, the min-
13 imum requirements for a local drinking water
14 access program.

15 “(B) INCLUSIONS.—The local drinking
16 water access program requirements developed
17 under subparagraph (A) may include—

18 “(i) direct financial assistance;

19 “(ii) a lifeline rate;

20 “(iii) bill discounting;

21 “(iv) special hardship provisions;

22 “(v) a percentage-of-income payment
23 plan;

24 “(vi) water efficiency assistance, in-
25 cluding subsidizing the cost of the installa-

1 tion of water efficient fixtures or leak re-
2 pair work that is carried out or contracted
3 by a homeowner; or

4 “(vii) any other form of assistance
5 identified by the Administrator.

6 “(6) APPLICATION.—

7 “(A) IN GENERAL.—To receive a grant
8 under this subsection, an eligible entity shall
9 submit to the Administrator an application that
10 demonstrates that—

11 “(i) the proposed local drinking water
12 access program meets the requirements de-
13 veloped under paragraph (5); and

14 “(ii) the proposed local drinking water
15 access program will treat households that
16 live in owner-occupied homes and house-
17 holds that live in rental housing equitably.

18 “(B) ADDITIONAL REQUIREMENTS.—In
19 the case of an eligible entity described in sub-
20 section (a)(1)(A), to receive a grant under this
21 subsection, the eligible entity shall include in an
22 application submitted under subparagraph (A)
23 information demonstrating that—

24 “(i) the eligible entity has—

1 “(I) a long-term financial plan
2 based on an analysis of the rates the
3 applicable community water system
4 charges for drinking water services;

5 “(II) an asset management plan;

6 “(III) a capital improvement plan
7 with a period of not less than 20
8 years;

9 “(IV) a fiscal management plan;

10 or

11 “(V) another plan similar to the
12 plans described in subclauses (I)
13 through (IV);

14 “(ii) a grant awarded under this sub-
15 section would support the efforts of the eli-
16 gible entity to generate the necessary funds
17 to achieve or maintain compliance with this
18 Act while mitigating the cost to low-income
19 households; and

20 “(iii) the eligible entity has the capac-
21 ity to create and implement an effective
22 community outreach plan to inform low-in-
23 come households of the local drinking
24 water access program and assist with en-
25 rollment.

1 “(7) PRIORITY.—In awarding grants under this
2 subsection, the Administrator shall give priority to
3 applications for local drinking water access pro-
4 grams with respect to which—

5 “(A) the owner or operator of the applica-
6 ble community water system—

7 “(i) owns or operates a—

8 “(I) treatment works (as defined
9 in section 212 of the Federal Water
10 Pollution Control Act (33 U.S.C.
11 1292)) for municipal waste; or

12 “(II) a municipal separate storm
13 sewer system (as such term is used in
14 the Federal Water Pollution Control
15 Act); and

16 “(ii) is subject to a consent decree re-
17 lating to compliance with the Federal
18 Water Pollution Control Act (33 U.S.C.
19 1251 et seq.) with respect to a treatment
20 works or system described in clause (i);

21 “(B) the residential customers of the appli-
22 cable community water system have experienced
23 rate or fee increases for drinking water services
24 or wastewater services (including stormwater
25 services) of 30 percent or more during the 3-

1 year period ending on the date of enactment of
2 this section; or

3 “(C) the eligible entity will provide match-
4 ing funds in an amount equal to or greater
5 than the amount of the grant.

6 “(8) REPORTING REQUIREMENTS.—

7 “(A) IN GENERAL.—As a condition of re-
8 ceiving a grant under this subsection, an eligi-
9 ble entity shall submit to the Administrator, in
10 a manner determined by the Administrator, in-
11 formation regarding the applicable local drink-
12 ing water access program, including—

13 “(i) key features, including—

14 “(I) rate structures, rebates, dis-
15 counts, and related initiatives that as-
16 sist low-income households;

17 “(II) billing methods that aver-
18 age rates over the course of a year,
19 known as ‘budget billing’;

20 “(III) bill timing; and

21 “(IV) procedures that ensure
22 that households receive notice and an
23 opportunity to respond before service
24 is disconnected or interrupted due to
25 nonpayment;

1 “(ii) sources of funding;

2 “(iii) eligibility criteria;

3 “(iv) participation rates by house-
4 holds;

5 “(v) the average amount of assistance
6 provided to low-income households that
7 participate in the program;

8 “(vi) program costs;

9 “(vii) the demonstrable impacts of the
10 program on arrearage and service dis-
11 connection for low-income households that
12 participate in the program, based on data
13 from before and after the implementation
14 of the program, to the maximum extent
15 practicable; and

16 “(viii) other relevant information re-
17 quired by the Administrator.

18 “(B) PUBLICATION.—The Administrator
19 shall annually publish a report that compiles
20 and summarizes the information submitted
21 under subparagraph (A).

22 “(9) ASSISTANCE EXEMPT FROM TAXATION.—
23 Notwithstanding any other provision of law, assist-
24 ance provided to a low-income household under a
25 local drinking water access program shall not be in-

1 cludible in the gross income of the recipient of such
2 assistance for purposes of the Internal Revenue
3 Code of 1986.

4 “(c) TECHNICAL ASSISTANCE.—The Administrator
5 shall provide technical assistance to each eligible entity
6 that receives a grant under this section to ensure—

7 “(1) full implementation of the applicable local
8 drinking water access program; and

9 “(2) maximum enrollment of low-income house-
10 holds in the applicable local drinking water access
11 program, including through—

12 “(A) community outreach campaigns; or

13 “(B) coordination with local health depart-
14 ments to determine the eligibility of households
15 for assistance.

16 “(d) REPORT.—Not later than 2 years after the date
17 on which grant funds are first disbursed to an eligible enti-
18 ty under this section, and annually thereafter, the Admin-
19 istrator shall submit to Congress a report on the results
20 of the Federal program established under this section.

21 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
22 is authorized to be appropriated to carry out this section
23 \$4,000,000,000, to remain available until expended.”.

1 **SEC. 13303. LOW-INCOME WASTEWATER ASSISTANCE PRO-**
2 **GRAM.**

3 Title I of the Federal Water Pollution Control Act
4 (33 U.S.C. 1251 et seq.) is amended by adding at the end
5 the following:

6 **“SEC. 124. LOW-INCOME WASTEWATER ASSISTANCE PRO-**
7 **GRAM.**

8 “(a) DEFINITIONS.—In this section:

9 “(1) COVERED FACILITY.—The term ‘covered
10 facility’ means—

11 “(A) a treatment works for municipal
12 waste; or

13 “(B) a municipal separate storm sewer
14 system.

15 “(2) ELIGIBLE ENTITY.—The term ‘eligible en-
16 tity’ means—

17 “(A) a municipality that owns or operates
18 a covered facility, other than a small commu-
19 nity-serving wastewater facility;

20 “(B) 2 or more municipalities described in
21 subparagraph (A) that have entered into a part-
22 nership agreement or a cooperative agreement;
23 or

24 “(C) a State, with respect to a small com-
25 munity-serving wastewater facility located in
26 the State.

1 “(3) HOUSEHOLD.—The term ‘household’
2 means any individual or group of individuals who
3 are living together as 1 economic unit.

4 “(4) LOCAL WASTEWATER SERVICES ACCESS
5 PROGRAM.—The term ‘local wastewater services ac-
6 cess program’ means a program developed or imple-
7 mented by an eligible entity using a grant awarded
8 under this section.

9 “(5) LOW-INCOME HOUSEHOLD.—The term
10 ‘low-income household’ means a household—

11 “(A) in which 1 or more individuals are re-
12 ceiving—

13 “(i) assistance under a State program
14 funded under part A of title IV of the So-
15 cial Security Act (42 U.S.C. 601 et seq.);

16 “(ii) supplemental security income
17 payments under title XVI of the Social Se-
18 curity Act (42 U.S.C. 1381 et seq.);

19 “(iii) supplemental nutrition assist-
20 ance program benefits under the Food and
21 Nutrition Act of 2008 (7 U.S.C. 2011 et
22 seq.); or

23 “(iv) payments under—

1 “(I) section 1315, 1521, 1541, or
2 1542 of title 38, United States Code;
3 or

4 “(II) section 306 of the Veterans’
5 and Survivors’ Pension Improvement
6 Act of 1978 (38 U.S.C. 1521 note;
7 Public Law 95–588); or

8 “(B) that has an income that—

9 “(i) as determined by the State in
10 which the household is located, does not
11 exceed the greater of—

12 “(I) an amount equal to 150 per-
13 cent of the poverty level; and

14 “(II) an amount equal to 60 per-
15 cent of the State median income for
16 that State; or

17 “(ii) does not exceed an amount, de-
18 termined by an eligible entity receiving a
19 grant under this section, that—

20 “(I) is lower than the amount de-
21 scribed in clause (i); and

22 “(II) is greater than or equal to
23 110 percent of the poverty level.

24 “(6) POVERTY LEVEL.—The term ‘poverty
25 level’ means, with respect to a household in a State,

1 the income described in the poverty guidelines issued
2 by the Secretary of Health and Human Services
3 pursuant to section 673 of the Community Services
4 Block Grant Act (42 U.S.C. 9902), as applicable to
5 the household.

6 “(7) SMALL COMMUNITY-SERVING WASTE-
7 WATER FACILITY.—The term ‘small community-serv-
8 ing wastewater facility’ means a covered facility that
9 provides services to municipality with a population
10 of fewer than 10,000 residents, at least 20 percent
11 of whom are at or below the poverty level.

12 “(8) STATE MEDIAN INCOME.—The term ‘State
13 median income’ has the meaning given that term in
14 section 2603 of the Low-Income Home Energy As-
15 sistance Act of 1981 (42 U.S.C. 8622).

16 “(b) ESTABLISHMENT.—

17 “(1) IN GENERAL.—The Administrator shall es-
18 tablish a Federal low-income wastewater assistance
19 program to award grants to eligible entities to de-
20 velop and implement local wastewater access pro-
21 grams to assist low-income households in maintain-
22 ing access to affordable wastewater services, includ-
23 ing municipal stormwater services.

24 “(2) REQUIREMENTS FOR SMALL COMMUNITY-
25 SERVING WASTEWATER FACILITIES.—In order for a

1 State to be eligible to receive a grant under this sec-
2 tion for a small community-serving wastewater facil-
3 ity, the State and the small community-serving
4 wastewater facility shall enter into a memorandum
5 of understanding, under which the State shall—

6 “(A) submit to the Administrator an appli-
7 cation under paragraph (6) for the small com-
8 munity-serving wastewater facility; and

9 “(B) on receipt of a grant under this sec-
10 tion, develop and implement a local wastewater
11 access program for the small community-serv-
12 ing wastewater facility.

13 “(3) LIMITATIONS.—A grant awarded under
14 this subsection—

15 “(A) shall not be used to replace funds for
16 any existing similar local program to assist low-
17 income households in maintaining access to af-
18 fordable wastewater services, including munic-
19 ipal stormwater services; but

20 “(B) may be used to supplement or en-
21 hance such a local program.

22 “(4) TERM.—The term of a grant awarded
23 under this subsection shall be one year.

24 “(5) MINIMUM LOCAL PROGRAM REQUIRE-
25 MENTS.—

1 “(A) IN GENERAL.—Not later than 6
2 months after the date of enactment of this sec-
3 tion, the Administrator shall develop, in con-
4 sultation with relevant stakeholders, the min-
5 imum requirements for a local wastewater ac-
6 cess program.

7 “(B) INCLUSIONS.—The local wastewater
8 access program requirements developed under
9 subparagraph (A) may include—

10 “(i) direct financial assistance;

11 “(ii) a lifeline rate;

12 “(iii) bill discounting;

13 “(iv) special hardship provisions;

14 “(v) a percentage-of-income payment
15 plan;

16 “(vi) water efficiency assistance, in-
17 cluding subsidizing the cost of the installa-
18 tion of water efficient fixtures or leak re-
19 pair work that is carried out or contracted
20 by a homeowner; or

21 “(vii) any other form of assistance
22 identified by the Administrator.

23 “(6) APPLICATION.—

24 “(A) IN GENERAL.—To receive a grant
25 under this subsection, an eligible entity shall

1 submit to the Administrator an application that
2 demonstrates that—

3 “(i) the proposed local wastewater ac-
4 cess program meets the requirements de-
5 veloped under paragraph (5); and

6 “(ii) the proposed local wastewater ac-
7 cess program will treat households that live
8 in owner-occupied homes and households
9 that live in rental housing equitably.

10 “(B) ADDITIONAL REQUIREMENTS.—In
11 the case of an eligible entity described in sub-
12 section (a)(1)(A), to receive a grant under this
13 subsection, the eligible entity shall include in an
14 application submitted under subparagraph (A)
15 information demonstrating that—

16 “(i) the eligible entity has—

17 “(I) a long-term financial plan
18 based on an analysis of the rates the
19 applicable covered facility charges for
20 services;

21 “(II) an asset management plan;

22 “(III) a capital improvement plan
23 with a period of not less than 20
24 years;

1 “(IV) a fiscal management plan;

2 or

3 “(V) another plan similar to the
4 plans described in subclauses (I)
5 through (IV);

6 “(ii) a grant awarded under this sub-
7 section would support the efforts of the eli-
8 gible entity to generate the necessary funds
9 to achieve or maintain compliance with this
10 Act while mitigating the cost to low-income
11 households; and

12 “(iii) the eligible entity has the capac-
13 ity to create and implement an effective
14 community outreach plan to inform low-in-
15 come households of the local wastewater
16 access program and assist with enrollment.

17 “(7) PRIORITY.—In awarding grants under this
18 subsection, the Administrator shall give priority to
19 applications for local wastewater access programs
20 with respect to which—

21 “(A) the applicable covered facility is sub-
22 ject to a consent decree relating to compliance
23 with this Act;

24 “(B) the residential customers of the appli-
25 cable covered facility have experienced rate or

1 fee increases for drinking water services or
2 wastewater services (including stormwater serv-
3 ices) of 30 percent or more during the 3-year
4 period ending on the date of enactment of this
5 section;

6 “(C) the eligible entity develops an equiva-
7 lent program, as determined by the Adminis-
8 trator, that is administered separately by the el-
9 igible entity;

10 “(D) matching funds will be provided in an
11 amount equal to or greater than the amount of
12 the grant; or

13 “(E) the eligible entity is described in sub-
14 section (a)(2)(B).

15 “(8) REPORTING REQUIREMENTS.—

16 “(A) IN GENERAL.—As a condition of re-
17 ceiving a grant under this subsection, an eligi-
18 ble entity shall submit to the Administrator, in
19 a manner determined by the Administrator, in-
20 formation regarding the applicable local waste-
21 water access program, including—

22 “(i) key features, including—

23 “(I) rate structures, rebates, dis-
24 counts, and related initiatives that as-
25 sist low-income households;

1 “(II) billing methods that aver-
2 age rates over the course of a year,
3 known as ‘budget billing’; and

4 “(III) bill timing;

5 “(ii) sources of funding;

6 “(iii) eligibility criteria;

7 “(iv) participation rates by house-
8 holds;

9 “(v) the average amount of assistance
10 provided to low-income households that
11 participate in the program;

12 “(vi) program costs;

13 “(vii) the demonstrable impacts of the
14 program on arrearage and service dis-
15 connection for low-income households that
16 participate in the program, based on data
17 from before and after the implementation
18 of the program, to the maximum extent
19 practicable; and

20 “(viii) other relevant information re-
21 quired by the Administrator.

22 “(B) PUBLICATION.—The Administrator
23 shall annually publish a report that compiles
24 and summarizes the information submitted
25 under subparagraph (A).

1 “(9) ASSISTANCE EXEMPT FROM TAXATION.—

2 Notwithstanding any other provision of law, assist-
3 ance provided to a low-income household under a
4 local wastewater access program shall not be includ-
5 ible in the gross income of the recipient of such as-
6 sistance for purposes of the Internal Revenue Code
7 of 1986.

8 “(c) TECHNICAL ASSISTANCE.—The Administrator
9 shall provide technical assistance to each eligible entity
10 that receives a grant under this section to ensure—

11 “(1) full implementation of the applicable local
12 wastewater access program; and

13 “(2) maximum enrollment of low-income house-
14 holds in the applicable local wastewater access pro-
15 gram, including through—

16 “(A) community outreach campaigns; or

17 “(B) coordination with local health depart-
18 ments to determine the eligibility of households
19 for assistance.

20 “(d) REPORT.—Not later than 2 years after the date
21 on which grant funds are first disbursed to an eligible enti-
22 ty under this section, and annually thereafter, the Admin-
23 istrator shall submit to Congress a report on the results
24 of the Federal program established under this section.

1 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
2 is authorized to be appropriated carry out this section
3 \$4,000,000,000, to remain available until expended.”.

4 **SEC. 13304. NEEDS ASSESSMENT FOR NATIONWIDE RURAL**
5 **AND URBAN LOW-INCOME COMMUNITY**
6 **WATER ASSISTANCE PROGRAM.**

7 (a) DEFINITIONS.—In this section:

8 (1) ADMINISTRATOR.—The term “Adminis-
9 trator” means the Administrator of the Environ-
10 mental Protection Agency.

11 (2) HOUSEHOLD.—The term “household”
12 means any individual or group of individuals who
13 are living together as 1 economic unit.

14 (3) LOW-INCOME HOUSEHOLD.—The term
15 “low-income household” means a household—

16 (A) in which 1 or more individuals are re-
17 ceiving—

18 (i) assistance under a State program
19 funded under part A of title IV of the So-
20 cial Security Act (42 U.S.C. 601 et seq.);

21 (ii) supplemental security income pay-
22 ments under title XVI of the Social Secu-
23 rity Act (42 U.S.C. 1381 et seq.);

24 (iii) supplemental nutrition assistance
25 program benefits under the Food and Nu-

1 trition Act of 2008 (7 U.S.C. 2011 et
2 seq.); or

3 (iv) payments under—

4 (I) section 1315, 1521, 1541, or
5 1542 of title 38, United States Code;
6 or

7 (II) section 306 of the Veterans'
8 and Survivors' Pension Improvement
9 Act of 1978 (38 U.S.C. 1521 note;
10 Public Law 95–588); or

11 (B) that has an income that, as deter-
12 mined by the State in which the household is lo-
13 cated, does not exceed the greater of—

14 (i) an amount equal to 150 percent of
15 the poverty level; and

16 (ii) an amount equal to 60 percent of
17 the State median income for that State.

18 (4) **POVERTY LEVEL.**—The term “poverty
19 level” means, with respect to a household in a State,
20 the income described in the poverty guidelines issued
21 by the Secretary of Health and Human Services
22 pursuant to section 673 of the Community Services
23 Block Grant Act (42 U.S.C. 9902), as applicable to
24 the household.

1 (5) STATE MEDIAN INCOME.—The term “State
2 median income” has the meaning given that term in
3 section 2603 of the Low-Income Home Energy As-
4 sistance Act of 1981 (42 U.S.C. 8622).

5 (b) STUDY; REPORT.—

6 (1) IN GENERAL.—Not later than one year
7 after the date of enactment of this Act, the Adminis-
8 trator shall conduct, and submit to Congress a re-
9 port describing the results of, a study regarding the
10 prevalence throughout the United States of low-in-
11 come households that do not have access to—

12 (A) affordable and functional centralized
13 or onsite wastewater services that protect the
14 health of individuals in the households;

15 (B) affordable municipal stormwater serv-
16 ices; or

17 (C) affordable public drinking water serv-
18 ices to meet household needs.

19 (2) INCLUSIONS.—The report under paragraph
20 (1) shall include—

21 (A) recommendations of the Administrator
22 regarding the best methods to increase access
23 to the services described in paragraph (1);

24 (B) a description of the cost of each meth-
25 od described in subparagraph (A);

1 (C) a description of all consultation with
2 relevant stakeholders carried out in developing
3 the report; and

4 (D) a description of the results of the
5 study with respect to low-income households
6 that live in rental housing and do not receive
7 bills for such services, but pay for the services
8 indirectly through rent payments.

9 (3) AGREEMENTS.—The Administrator may
10 enter into an agreement with another Federal agen-
11 cy to carry out the study under paragraph (1).

12 **TITLE IV—OTHER MATTERS**

13 **SEC. 13401. SMALL URBAN AND RURAL WATER SYSTEM** 14 **CONSOLIDATION REPORT.**

15 (a) REPORT.—

16 (1) IN GENERAL.—Not later than one year
17 after the date of enactment of this Act, the Comp-
18 troller General shall submit to the Committee on
19 Energy and Commerce of the House of Representa-
20 tives and the Committee on Environment and Public
21 Works of the Senate a report on issues relating to
22 the potential for consolidation of distressed small
23 water systems.

24 (2) INCLUSIONS.—The report submitted under
25 paragraph (1) shall include—

- 1 (A) information on—
- 2 (i) the amount of debt of covered
- 3 small water systems;
- 4 (ii) whether the budgets of covered
- 5 small water systems are balanced;
- 6 (iii) the degree to which covered small
- 7 water systems defer infrastructure im-
- 8 provements;
- 9 (iv) the degree to which covered small
- 10 water systems are not in compliance with
- 11 applicable Federal and State water quality
- 12 standards;
- 13 (v) how rates charged by covered
- 14 small water systems for service relate to
- 15 the costs for maintenance of, and improve-
- 16 ments to, such systems; and
- 17 (vi) how the management, financial,
- 18 and technical capacity of covered small
- 19 water systems affects the ability of such
- 20 systems to provide service at affordable
- 21 rates;
- 22 (B) an evaluation of—
- 23 (i) whether covered small water sys-
- 24 tem infrastructure is failing, resulting in a

1 temporary or permanent loss of essential
2 functions or services; and

3 (ii) how to prevent covered small
4 water systems from becoming distressed
5 small water systems;

6 (C) policy recommendations for how Con-
7 gress may support the consolidation of dis-
8 tressed small water systems; and

9 (D) best practices and guidelines the Ad-
10 ministrator of the Environmental Protection
11 Agency may use to assist State and local gov-
12 ernments with facilitating the consolidation of
13 distressed small water systems.

14 (b) DEFINITIONS.—In this section:

15 (1) CONSOLIDATION.—The term “consolida-
16 tion” means, with respect to a public water system,
17 any of the actions described in subparagraphs (A)
18 through (D) of section 1414(h)(1) of the Safe
19 Drinking Water Act (42 U.S.C. 300g–3(h)(1)).

20 (2) COVERED SMALL WATER SYSTEM.—The
21 term “covered small water system” means a public
22 water system that serves—

23 (A) fewer than 50,000 individuals; and

24 (B) a disadvantaged community or an en-
25 vironmental justice community.

1 (3) DISADVANTAGED COMMUNITY.—The term
2 “disadvantaged community” has the meaning given
3 such term in section 1452(d)(3) of the Safe Drink-
4 ing Water Act (42 U.S.C. 300j–12(d)(3)).

5 (4) DISTRESSED SMALL WATER SYSTEM.—The
6 term “distressed small water system” means a cov-
7 ered small water system—

8 (A) that is unable to carry out necessary
9 maintenance of, and improvements to, such sys-
10 tem in order to—

11 (i) comply with applicable Federal and
12 State water quality standards; or

13 (ii) provide reliable and affordable
14 service to customers while complying with
15 such water quality standards; and

16 (B) with respect to which consolidation
17 may be necessary to address the issues de-
18 scribed in subparagraph (A).

19 (5) ENVIRONMENTAL JUSTICE COMMUNITY.—
20 The term “environmental justice community” has
21 the meaning given such term in section 1452(u)(11)
22 of the Safe Drinking Water Act.

23 (6) PUBLIC WATER SYSTEM.—The term “public
24 water system” has the meaning given such term in

- 1 section 1401 of the Safe Drinking Water Act (42
- 2 U.S.C. 300f).

