

117TH CONGRESS
1ST SESSION

S. 914

AN ACT

To amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the
 3 “Drinking Water and Wastewater Infrastructure Act of
 4 2021”.

5 (b) **TABLE OF CONTENTS.**—The table of contents for
 6 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definition of Administrator.

TITLE I—DRINKING WATER

Sec. 101. Technical assistance and grants for emergencies affecting public water systems.

Sec. 102. Drinking water State revolving loan funds.

Sec. 103. Source water petition program.

Sec. 104. Assistance for small and disadvantaged communities.

Sec. 105. Reducing lead in drinking water.

Sec. 106. Operational sustainability of small public water systems.

Sec. 107. Midsize and large drinking water system infrastructure resilience and sustainability program.

Sec. 108. Needs assessment for nationwide rural and urban low-income community water assistance.

Sec. 109. Rural and low-income water assistance pilot program.

Sec. 110. Lead contamination in school drinking water.

Sec. 111. Indian reservation drinking water program.

Sec. 112. Advanced drinking water technologies.

Sec. 113. Cybersecurity support for public water systems.

Sec. 114. State response to contaminants.

Sec. 115. Annual study on boil water advisories.

TITLE II—CLEAN WATER

Sec. 201. Research, investigations, training, and information.

Sec. 202. Wastewater efficiency grant pilot program.

Sec. 203. Pilot program for alternative water source projects.

Sec. 204. Sewer overflow and stormwater reuse municipal grants.

Sec. 205. Clean water infrastructure resiliency and sustainability program.

Sec. 206. Small and medium publicly owned treatment works circuit rider program.

Sec. 207. Small publicly owned treatment works efficiency grant program.

Sec. 208. Grants for construction and refurbishing of individual household decentralized wastewater systems for individuals with low or moderate income.

Sec. 209. Connection to publicly owned treatment works.

Sec. 210. Clean water State revolving funds.

Sec. 211. Water infrastructure and workforce investment.

Sec. 212. Grants to Alaska to improve sanitation in rural and Native villages.

Sec. 213. Water data sharing pilot program.

Sec. 214. Final rating opinion letters.

Sec. 215. Water infrastructure financing reauthorization.
 Sec. 216. Small and disadvantaged community analysis.
 Sec. 217. Stormwater infrastructure technology.
 Sec. 218. Water Reuse Interagency Working Group.
 Sec. 219. Advanced clean water technologies study.
 Sec. 220. Clean watersheds needs survey.
 Sec. 221. Water Resources Research Act amendments.
 Sec. 222. Enhanced aquifer use and recharge.

1 **SEC. 2. DEFINITION OF ADMINISTRATOR.**

2 In this Act, the term “Administrator” means the Ad-
 3 ministrator of the Environmental Protection Agency.

4 **TITLE I—DRINKING WATER**

5 **SEC. 101. TECHNICAL ASSISTANCE AND GRANTS FOR EMER-**
 6 **GENCIES AFFECTING PUBLIC WATER SYS-**
 7 **TEMS.**

8 Section 1442 of the Safe Drinking Water Act (42
 9 U.S.C. 300j–1) is amended—

10 (1) in subsection (a), by adding at the end the
 11 following:

12 “(11) COMPLIANCE EVALUATION.—

13 “(A) IN GENERAL.—Not later than 1 year after
 14 the date of enactment of the Drinking Water and
 15 Wastewater Infrastructure Act of 2021, the Admin-
 16 istrator shall—

17 “(i) evaluate, based on the compliance data
 18 found in the Safe Drinking Water Information
 19 System of the Administrator, the compliance of
 20 community water systems and wastewater sys-
 21 tems with environmental, health, and safety re-

1 requirements under this title, including water
2 quality sampling, testing, and reporting require-
3 ments; and

4 “(ii) submit to Congress a report describ-
5 ing trends seen as a result of the evaluation
6 under clause (i), including trends that dem-
7 onstrate how the characteristics of community
8 water systems and wastewater systems correlate
9 to trends in compliance or noncompliance with
10 the requirements described in that clause.

11 “(B) REQUIREMENT.—To the extent prac-
12 ticable, in carrying out subparagraph (A), the Ad-
13 ministrator shall determine whether, in aggregate,
14 community water systems and wastewater systems
15 maintain asset management plans.”;

16 (2) in subsection (b), in the first sentence—

17 (A) by inserting “(including an emergency
18 situation resulting from a cybersecurity event)”
19 after “emergency situation”; and

20 (B) by inserting “, including a threat to
21 public health resulting from contaminants, such
22 as, but not limited to, heightened exposure to
23 lead in drinking water” after “public health”;

24 (3) by striking subsection (d) and inserting the
25 following:

1 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
2 is authorized to be appropriated to carry out subsection
3 (b) \$35,000,000 for each of fiscal years 2022 through
4 2026.”;

5 (4) in subsection (e), by striking paragraph (5)
6 and inserting the following:

7 “(5) AUTHORIZATION OF APPROPRIATIONS.—
8 There is authorized to be appropriated to the Ad-
9 ministrator to carry out this subsection \$15,000,000
10 for each of fiscal years 2022 through 2026.”;

11 (5) by redesignating subsection (f) as sub-
12 section (g); and

13 (6) by inserting after subsection (e) the fol-
14 lowing:

15 “(f) STATE-BASED NONPROFIT ORGANIZATIONS.—

16 “(1) IN GENERAL.—The Administrator may
17 provide technical assistance consistent with the au-
18 thority provided under subsection (e) to State-based
19 nonprofit organizations that are governed by com-
20 munity water systems.

21 “(2) COMMUNICATION.—Each State-based non-
22 profit organization that receives funding under para-
23 graph (1) shall, before using that funding to under-
24 take activities to carry out this subsection, consult

1 with the State in which the assistance is to be ex-
 2 pended or otherwise made available.”.

3 **SEC. 102. DRINKING WATER STATE REVOLVING LOAN**
 4 **FUNDS.**

5 (a) DRINKING WATER STATE REVOLVING FUNDS
 6 CAPITALIZATION GRANT REAUTHORIZATION.—Section
 7 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–
 8 12) is amended—

9 (1) in subsection (a)(4)(A), by striking “During
 10 fiscal years 2019 through 2023, funds” and insert-
 11 ing “Funds”;

12 (2) in subsection (m)(1) —

13 (A) in subparagraph (B), by striking
 14 “and”;

15 (B) in subparagraph (C), by striking the
 16 period at the end and inserting a semicolon;
 17 and

18 (C) by adding at the end the following:

19 “(D) \$2,400,000,000 for fiscal year 2022;

20 “(E) \$2,750,000,000 for fiscal year 2023;

21 “(F) \$3,000,000,000 for fiscal year 2024;

22 and

23 “(G) \$3,250,000,000 for each of fiscal
 24 years 2025 and 2026.”; and

1 (3) in subsection (q), by striking “2016 through
2 2021” and inserting “2022 through 2026”.

3 (b) ASSISTANCE FOR DISADVANTAGED COMMU-
4 NITIES.—Section 1452(d) of the Safe Drinking Water Act
5 (42 U.S.C. 300j–12(d)) is amended—

6 (1) in paragraph (1)—

7 (A) by striking “Notwithstanding any” and
8 inserting the following:

9 “(A) IN GENERAL.—Notwithstanding
10 any”;

11 (B) in subparagraph (A) (as so des-
12 ignated), by inserting “, grants, negative inter-
13 est loans, other loan forgiveness, and through
14 buying, refinancing, or restructuring debt”
15 after “forgiveness of principal”; and

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

17 “(B) EXCLUSION.—A loan from a State
18 loan fund with an interest rate equal to or
19 greater than 0 percent shall not be considered
20 additional subsidization for purposes of this
21 subsection.”; and

22 (2) in paragraph (2), by striking subparagraph
23 (B) and inserting the following:

24 “(B) to the extent that there are sufficient
25 applications for loans to communities described

1 in paragraph (1), may not be less than 12 per-
2 cent.”.

3 **SEC. 103. SOURCE WATER PETITION PROGRAM.**

4 Section 1454 of the Safe Drinking Water Act (42
5 U.S.C. 300j-14) is amended—

6 (1) in subsection (a)—

7 (A) in paragraph (1)(A), in the matter
8 preceding clause (i), by striking “political sub-
9 division of a State,” and inserting “political
10 subdivision of a State (including a county that
11 is designated by the State to act on behalf of
12 an unincorporated area within that county, with
13 the agreement of that unincorporated area),”;

14 (B) in paragraph (4)(D)(i), by inserting
15 “(including a county that is designated by the
16 State to act on behalf of an unincorporated
17 area within that county)” after “of the State”;
18 and

19 (C) by adding at the end the following:

20 “(5) SAVINGS PROVISION.—Unless otherwise
21 provided within the agreement, an agreement be-
22 tween an unincorporated area and a county for the
23 county to submit a petition under paragraph (1)(A)
24 on behalf of the unincorporated area shall not au-
25 thorize the county to act on behalf of the unincor-

1 porated area in any matter not within a program
2 under this section.”; and

3 (2) in subsection (e), in the first sentence, by
4 striking “2021” and inserting “2026”.

5 **SEC. 104. ASSISTANCE FOR SMALL AND DISADVANTAGED**
6 **COMMUNITIES.**

7 (a) **EXISTING PROGRAMS.**—Section 1459A of the
8 Safe Drinking Water Act (42 U.S.C. 300j–19a) is amend-
9 ed—

10 (1) in subsection (b)(2)—

11 (A) in subparagraph (B), by striking
12 “and” at the end;

13 (B) in subparagraph (C), by striking the
14 period at the end and inserting a semicolon;
15 and

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

17 “(D) the purchase of point-of-entry or
18 point-of-use filters and filtration systems that
19 are certified by a third party using science-
20 based test methods for the removal of contami-
21 nants of concern;

22 “(E) investments necessary for providing
23 accurate and current information about—

1 “(i) the need for filtration and filter
2 safety, including proper use and mainte-
3 nance practices; and

4 “(ii) the options for replacing lead
5 service lines (as defined section 1459B(a))
6 and removing other sources of lead in
7 water; and

8 “(F) entering into contracts, including con-
9 tracts with nonprofit organizations that have
10 water system technical expertise, to assist—

11 “(i) an eligible entity; or

12 “(ii) the State of an eligible entity, on
13 behalf of that eligible entity.”;

14 (2) in subsection (e), in the matter preceding
15 paragraph (1), by striking “An eligible entity” and
16 inserting “Except for purposes of subsections (j) and
17 (m), an eligible entity”;

18 (3) in subsection (g)(1), by striking “to pay not
19 less than 45 percent” and inserting “except as pro-
20 vided in subsection (l)(5) and subject to subsection
21 (h), to pay not less than 10 percent”;

22 (4) by striking subsection (k) and inserting the
23 following:

1 “(k) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out subsections
3 (a) through (j)—

4 “(1) \$70,000,000 for fiscal year 2022;

5 “(2) \$80,000,000 for fiscal year 2023;

6 “(3) \$100,000,000 for fiscal year 2024;

7 “(4) \$120,000,000 for fiscal year 2025; and

8 “(5) \$140,000,000 for fiscal year 2026.”; and

9 (5) in subsection (l)—

10 (A) in paragraph (2)—

11 (i) by striking “The Administrator
12 may” and inserting “The Administrator
13 shall”; and

14 (ii) by striking “fiscal years 2019 and
15 2020” and inserting “fiscal years 2022
16 through 2026”;

17 (B) in paragraph (5), by striking
18 “\$4,000,000 for each of fiscal years 2019 and
19 2020” and inserting “\$25,000,000 for each of
20 fiscal years 2022 through 2026”;

21 (C) by redesignating paragraph (5) as
22 paragraph (6); and

23 (D) by inserting after paragraph (4) the
24 following:

1 “(5) FEDERAL SHARE FOR SMALL, RURAL, AND
2 DISADVANTAGED COMMUNITIES.—

3 “(A) IN GENERAL.—Subject to subpara-
4 graph (B), with respect to a program or project
5 that serves an eligible entity and is carried out
6 using a grant under this subsection, the Fed-
7 eral share of the cost of the program or project
8 shall be 90 percent.

9 “(B) WAIVER.—The Administrator may
10 increase the Federal share under subparagraph
11 (A) to 100 percent if the Administrator deter-
12 mines that an eligible entity is unable to pay,
13 or would experience significant financial hard-
14 ship if required to pay, the non-Federal share.”.

15 (b) CONNECTION TO PUBLIC WATER SYSTEMS.—
16 Section 1459A of the Safe Drinking Water Act (42 U.S.C.
17 300j–19a) is amended by adding at the end the following:

18 “(m) CONNECTION TO PUBLIC WATER SYSTEMS.—

19 “(1) DEFINITIONS.—In this subsection:

20 “(A) ELIGIBLE ENTITY.—The term ‘eligi-
21 ble entity’ means—

22 “(i) an owner or operator of a public
23 water system that assists or is seeking to
24 assist eligible individuals with connecting

1 the household of the eligible individual to
2 the public water system; or

3 “(ii) a nonprofit entity that assists or
4 is seeking to assist eligible individuals with
5 the costs associated with connecting the
6 household of the eligible individual to a
7 public water system.

8 “(B) ELIGIBLE INDIVIDUAL.—The term
9 ‘eligible individual’ has the meaning given the
10 term in section 603(j) of the Federal Water
11 Pollution Control Act (33 U.S.C. 1383(j)).

12 “(C) PROGRAM.—The term ‘program’
13 means the competitive grant program estab-
14 lished under paragraph (2).

15 “(2) ESTABLISHMENT.—Subject to the avail-
16 ability of appropriations, the Administrator shall es-
17 tablish a competitive grant program for the purpose
18 of improving the general welfare under which the
19 Administrator awards grants to eligible entities to
20 provide funds to assist eligible individuals in cov-
21 ering the costs incurred by the eligible individual in
22 connecting the household of the eligible individual to
23 a public water system.

24 “(3) APPLICATION.—An eligible entity seeking
25 a grant under the program shall submit to the Ad-

1 administrator an application at such time, in such
2 manner, and containing such information as the Ad-
3 ministrator may require.

4 “(4) VOLUNTARY CONNECTION.—Before pro-
5 viding funds to an eligible individual for the costs
6 described in paragraph (2), an eligible entity shall
7 ensure and certify to the Administrator that—

8 “(A) the eligible individual is voluntarily
9 seeking connection to the public water system;

10 “(B) if the eligible entity is not the owner
11 or operator of the public water system to which
12 the eligible individual seeks to connect, the pub-
13 lic water system to which the eligible individual
14 seeks to connect has agreed to the connection;
15 and

16 “(C) the connection of the household of the
17 eligible individual to the public water system
18 meets all applicable local and State regulations,
19 requirements, and codes.

20 “(5) REPORT.—Not later than 3 years after the
21 date of enactment of the Drinking Water and
22 Wastewater Infrastructure Act of 2021, the Admin-
23 istrator shall submit to Congress a report that de-
24 scribes the implementation of the program, which

1 shall include a description of the use and deployment
2 of amounts made available under the program.

3 “(6) AUTHORIZATION OF APPROPRIATIONS.—
4 There is authorized to be appropriated to carry out
5 the program \$20,000,000 for each of fiscal years
6 2022 through 2026.”.

7 (c) COMPETITIVE GRANT PILOT PROGRAM.—Section
8 1459A of the Safe Drinking Water Act (42 U.S.C. 300j–
9 19a) (as amended by subsection (b)) is amended by adding
10 at the end the following:

11 “(n) STATE COMPETITIVE GRANTS FOR UNDER-
12 SERVED COMMUNITIES.—

13 “(1) IN GENERAL.—In addition to amounts au-
14 thorized to be appropriated under subsection (k),
15 there is authorized to be appropriated to carry out
16 subsections (a) through (j) \$50,000,000 for each of
17 fiscal years 2022 through 2026 in accordance with
18 paragraph (2).

19 “(2) COMPETITIVE GRANTS.—

20 “(A) IN GENERAL.—Notwithstanding any
21 other provision of this section, the Adminis-
22 trator shall distribute amounts made available
23 under paragraph (1) to States through a com-
24 petitive grant program.

1 “(B) APPLICATIONS.—To seek a grant
2 under the competitive grant program under
3 subparagraph (A), a State shall submit to the
4 Administrator an application at such time, in
5 such manner, and containing such information
6 as the Administrator may require.

7 “(C) CRITERIA.—In selecting recipients of
8 grants under the competitive grant program
9 under subparagraph (A), the Administrator
10 shall establish criteria that give priority to
11 States with a high proportion of underserved
12 communities that meet the condition described
13 in subsection (a)(2)(A).

14 “(3) REPORT.—Not later than 2 years after the
15 date of enactment of the Drinking Water and
16 Wastewater Infrastructure Act of 2021, the Admin-
17 istrator shall submit to Congress a report that de-
18 scribes the implementation of the competitive grant
19 program under paragraph (2)(A), which shall in-
20 clude a description of the use and deployment of
21 amounts made available under the competitive grant
22 program.

23 “(4) SAVINGS PROVISION.—Nothing in this
24 paragraph affects the distribution of amounts made
25 available under subsection (k), including any meth-

1 ods used by the Administrator for distribution of
2 amounts made available under that subsection as in
3 effect on the day before the date of enactment of
4 this subsection.”.

5 **SEC. 105. REDUCING LEAD IN DRINKING WATER.**

6 Section 1459B of the Safe Drinking Water Act (42
7 U.S.C. 300j–19b) is amended—

8 (1) in subsection (a)—

9 (A) in paragraph (1), by striking subpara-
10 graph (D) and inserting the following:

11 “(D) a qualified nonprofit organization
12 with experience in lead reduction, as determined
13 by the Administrator; and”;

14 (B) in paragraph (2)(A)—

15 (i) in clause (i), by striking “publicly
16 owned”; and

17 (ii) by striking clause (iii) and insert-
18 ing the following:

19 “(iii) providing assistance to eligible
20 entities to replace lead service lines, with
21 priority for disadvantaged communities
22 based on the affordability criteria estab-
23 lished by the applicable State under section
24 1452(d)(3), low-income homeowners, and

1 landlords or property owners providing
2 housing to low-income renters.”; and

3 (C) in paragraph (3), by striking “an indi-
4 vidual provided”;

5 (2) in subsection (b)—

6 (A) in paragraph (5)—

7 (i) in subparagraph (A), by striking
8 “to provide assistance” and all that follows
9 through the period at the end and insert-
10 ing “to replace lead service lines, with first
11 priority given to assisting disadvantaged
12 communities based on the affordability cri-
13 teria established by the applicable State
14 under section 1452(d)(3), low-income
15 homeowners, and landlords or property
16 owners providing housing to low-income
17 renters.”; and

18 (ii) in subparagraph (B), by striking
19 “line” and inserting “lines”; and

20 (B) in paragraph (6)—

21 (i) in subparagraph (A), by striking
22 “any publicly owned portion of”;

23 (ii) in subparagraph (C), in the mat-
24 ter preceding clause (i)—

1 (I) by striking “may” and insert-
2 ing “shall”;

3 (II) by inserting “and may, for
4 other homeowners,” after “low-income
5 homeowner,”; and

6 (III) by striking “a cost that”
7 and all that follows through the semi-
8 colon at the end of clause (ii) and in-
9 serting “no cost to the homeowner,”;
10 (iii) in subparagraph (D), by striking
11 “and” at the end;

12 (iv) in subparagraph (E), by striking
13 “other options” and all that follows
14 through the period at the end and insert-
15 ing “feasible alternatives for reducing the
16 concentration of lead in drinking water,
17 such as corrosion control; and”;

18 (v) by adding at the end the following:

19 “(F) shall notify the State of any planned
20 replacement of lead service lines under this pro-
21 gram and coordinate, where practicable, with
22 other relevant infrastructure projects.”;

23 (3) in subsection (d)—

24 (A) by inserting “(except for subsection
25 (d))” after “this section”; and

1 (B) by striking “\$60,000,000 for each of
2 fiscal years 2017 through 2021” and inserting
3 “\$100,000,000 for each of fiscal years 2022
4 through 2026”;

5 (4) by redesignating subsections (d) and (e) as
6 subsections (e) and (f), respectively; and

7 (5) by inserting after subsection (c) the fol-
8 lowing:

9 “(d) LEAD INVENTORYING UTILIZATION GRANT
10 PILOT PROGRAM.—

11 “(1) DEFINITIONS.—In this subsection:

12 “(A) ELIGIBLE ENTITY.—The term ‘eligi-
13 ble entity’ means a municipality that is served
14 by a community water system or a nontransient
15 noncommunity water system in which not less
16 than 30 percent of the service lines are known,
17 or suspected, to contain lead, based on available
18 data, information, or resources, including exist-
19 ing lead inventorying.

20 “(B) PILOT PROGRAM.—The term ‘pilot
21 program’ means the pilot program established
22 under paragraph (2).

23 “(2) ESTABLISHMENT.—The Administrator
24 shall establish a pilot program under which the Ad-
25 ministrator shall provide grants to eligible entities to

1 carry out lead reduction projects that are dem-
2 onstrated to exist or are suspected to exist, based on
3 available data, information, or resources, including
4 existing lead inventorying of those eligible entities.

5 “(3) SELECTION.—

6 “(A) APPLICATION.—To be eligible to re-
7 ceive a grant under the pilot program, an eligi-
8 ble entity shall submit to the Administrator an
9 application at such time, in such manner, and
10 containing such information as the Adminis-
11 trator may require.

12 “(B) PRIORITIZATION.—In selecting recipi-
13 ents under the pilot program, the Administrator
14 shall give priority to—

15 “(i) an eligible entity that meets the
16 affordability criteria of the applicable State
17 established under section 1452(d)(3); and

18 “(ii) an eligible entity that is located
19 in an area other than a State that has es-
20 tablished affordability criteria under sec-
21 tion 1452(d)(3).

22 “(4) REPORT.—Not later 2 years after the Ad-
23 ministrator first awards a grant under the pilot pro-
24 gram, the Administrator shall submit to the Com-
25 mittee on Environment and Public Works of the

1 Senate and the Committee on Energy and Com-
 2 merce of the House of Representatives a report de-
 3 scribing—

4 “(A) the recipients of grants under the
 5 pilot program;

6 “(B) the existing lead inventorying that
 7 was available to recipients of grants under the
 8 pilot program; and

9 “(C) how useful and accurate the lead
 10 inventorying described in subparagraph (B) was
 11 in locating lead service lines of the eligible enti-
 12 ty.

13 “(5) AUTHORIZATION OF APPROPRIATIONS.—
 14 There is authorized to be appropriated to carry out
 15 the pilot program \$10,000,000, to remain available
 16 until expended.”

17 **SEC. 106. OPERATIONAL SUSTAINABILITY OF SMALL PUB-**
 18 **LIC WATER SYSTEMS.**

19 Part E of the Safe Drinking Water Act (42 U.S.C.
 20 300j et seq.) is amended by adding at the end the fol-
 21 lowing:

22 **“SEC. 1459E. OPERATIONAL SUSTAINABILITY OF SMALL**
 23 **PUBLIC WATER SYSTEMS.**

24 “(a) DEFINITIONS.—In this section:

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

3 “(A) a State;

4 “(B) a unit of local government;

5 “(C) a public corporation established by a
6 unit of local government to provide water serv-
7 ice;

8 “(D) a nonprofit corporation, public trust,
9 or cooperative association that owns or operates
10 a public water system;

11 “(E) an Indian Tribe that owns or oper-
12 ates a public water system;

13 “(F) a nonprofit organization that provides
14 technical assistance to public water systems;
15 and

16 “(G) a Tribal consortium.

17 “(2) OPERATIONAL SUSTAINABILITY.—The
18 term ‘operational sustainability’ means the ability to
19 improve the operation of a small system through the
20 identification and prevention of potable water loss
21 due to leaks, breaks, and other metering or infra-
22 structure failures.

23 “(3) PROGRAM.—The term ‘program’ means
24 the grant program established under subsection (b).

1 “(4) SMALL SYSTEM.—The term ‘small system’,
2 for the purposes of this section, means a public
3 water system that—

4 “(A) serves fewer than 10,000 people; and

5 “(B) is owned or operated by—

6 “(i) a unit of local government;

7 “(ii) a public corporation;

8 “(iii) a nonprofit corporation;

9 “(iv) a public trust;

10 “(v) a cooperative association; or

11 “(vi) an Indian Tribe.

12 “(b) ESTABLISHMENT.—Subject to the availability of
13 appropriations, the Administrator shall establish a pro-
14 gram to award grants to eligible entities for the purpose
15 of improving the operational sustainability of 1 or more
16 small systems.

17 “(c) APPLICATIONS.—To be eligible to receive a grant
18 under the program, an eligible entity shall submit to the
19 Administrator an application at such time, in such man-
20 ner, and containing such information as the Administrator
21 may require, including—

22 “(1) a proposal of the project to be carried out
23 using grant funds under the program;

24 “(2) documentation provided by the eligible en-
25 tity describing the deficiencies or suspected defi-

1 ciencies in operational sustainability of 1 or more
2 small systems that are to be addressed through the
3 proposed project;

4 “(3) a description of how the proposed project
5 will improve the operational sustainability of 1 or
6 more small systems;

7 “(4) a description of how the improvements de-
8 scribed in paragraph (3) will be maintained beyond
9 the life of the proposed project, including a plan to
10 maintain and update any asset data collected as a
11 result of the proposed project; and

12 “(5) any additional information the Adminis-
13 trator may require.

14 “(d) ADDITIONAL REQUIRED INFORMATION.—Before
15 the award of funds for a grant under the program to a
16 grant recipient, the grant recipient shall submit to the Ad-
17 ministrators—

18 “(1) if the grant recipient is located in a State
19 that has established a State drinking water treat-
20 ment revolving loan fund under section 1452, a copy
21 of a written agreement between the grant recipient
22 and the State in which the grant recipient agrees to
23 provide a copy of any data collected under the pro-
24 posed project to the State agency administering the

1 State drinking water treatment revolving loan fund
2 (or a designee); or

3 “(2) if the grant recipient is located in an area
4 other than a State that has established a State
5 drinking water treatment revolving loan fund under
6 section 1452, a copy of a written agreement between
7 the grant recipient and the Administrator in which
8 the eligible entity agrees to provide a copy of any
9 data collected under the proposed project to the Ad-
10 ministrator (or a designee).

11 “(e) USE OF FUNDS.—An eligible entity that receives
12 a grant under the program shall use the grant funds to
13 carry out projects that improve the operational sustain-
14 ability of 1 or more small systems through—

15 “(1) the development of a detailed asset inven-
16 tory, which may include drinking water sources,
17 wells, storage, valves, treatment systems, distribu-
18 tion lines, hydrants, pumps, controls, and other es-
19 sential infrastructure;

20 “(2) the development of an infrastructure asset
21 map, including a map that uses technology such
22 as—

23 “(A) geographic information system soft-
24 ware; and

25 “(B) global positioning system software;

1 “(3) the deployment of leak detection tech-
2 nology;

3 “(4) the deployment of metering technology;

4 “(5) training in asset management strategies,
5 techniques, and technologies for appropriate staff
6 employed by—

7 “(A) the eligible entity; or

8 “(B) the small systems for which the grant
9 was received;

10 “(6) the deployment of strategies, techniques,
11 and technologies to enhance the operational sustain-
12 ability and effective use of water resources through
13 water reuse; and

14 “(7) the development or deployment of other
15 strategies, techniques, or technologies that the Ad-
16 ministrator may determine to be appropriate under
17 the program.

18 “(f) COST SHARE.—

19 “(1) IN GENERAL.—Subject to paragraph (2),
20 the Federal share of the cost of a project carried out
21 using a grant under the program shall be 90 percent
22 of the total cost of the project.

23 “(2) WAIVER.—The Administrator may in-
24 crease the Federal share under paragraph (1) to 100
25 percent.

1 “(g) REPORT.—Not later than 2 years after the date
 2 of enactment of the Drinking Water and Wastewater In-
 3 frastructure Act of 2021, the Administrator shall submit
 4 to Congress a report that describes the implementation of
 5 the program, which shall include a description of the use
 6 and deployment of amounts made available under the pro-
 7 gram.

8 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
 9 is authorized to be appropriated to carry out this section
 10 \$50,000,000 for each of fiscal years 2022 through 2026.”.

11 **SEC. 107. MIDSIZE AND LARGE DRINKING WATER SYSTEM**
 12 **INFRASTRUCTURE RESILIENCE AND SUS-**
 13 **TAINABILITY PROGRAM.**

14 Part E of the Safe Drinking Water Act (42 U.S.C.
 15 300j et seq.) (as amended by section 106) is amended by
 16 adding at the end the following:

17 **“SEC. 1459F. MIDSIZE AND LARGE DRINKING WATER SYS-**
 18 **TEM INFRASTRUCTURE RESILIENCE AND**
 19 **SUSTAINABILITY PROGRAM.**

20 “(a) DEFINITIONS.—In this section:

21 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
 22 tity’ means a public water system that serves a com-
 23 munity with a population of 10,000 or more.

1 “(2) NATURAL HAZARD; RESILIENCE.—The
2 terms ‘resilience’ and ‘natural hazard’ have the
3 meanings given those terms in section 1433(h).

4 “(3) RESILIENCE AND SUSTAINABILITY PRO-
5 GRAM.—The term ‘resilience and sustainability pro-
6 gram’ means the Midsize and Large Drinking Water
7 System Infrastructure Resilience and Sustainability
8 Program established under subsection (b).

9 “(b) ESTABLISHMENT.—The Administrator shall es-
10 tablish and carry out a program, to be known as the
11 ‘Midsize and Large Drinking Water System Infrastruc-
12 ture Resilience and Sustainability Program’, under which
13 the Administrator, subject to the availability of appropria-
14 tions for the resilience and sustainability program, shall
15 award grants to eligible entities for the purpose of—

16 “(1) increasing resilience to natural hazards
17 and extreme weather events; and

18 “(2) reducing cybersecurity vulnerabilities.

19 “(c) USE OF FUNDS.—An eligible entity may only
20 use grant funds received under the resilience and sustain-
21 ability program to assist in the planning, design, construc-
22 tion, implementation, operation, or maintenance of a pro-
23 gram or project that increases resilience to natural haz-
24 ards and extreme weather events, or reduces cybersecurity
25 vulnerabilities, through—

1 “(1) the conservation of water or the enhance-
2 ment of water-use efficiency;

3 “(2) the modification or relocation of existing
4 drinking water system infrastructure made, or that
5 is at risk of being, significantly impaired by natural
6 hazards or extreme weather events, including risks
7 to drinking water from flooding;

8 “(3) the design or construction of new or modi-
9 fied desalination facilities to serve existing commu-
10 nities;

11 “(4) the enhancement of water supply through
12 the use of watershed management and source water
13 protection;

14 “(5) the enhancement of energy efficiency or
15 the use and generation of renewable energy in the
16 conveyance or treatment of drinking water;

17 “(6) the development and implementation of
18 measures—

19 “(A) to increase the resilience of the eligi-
20 ble entity to natural hazards and extreme
21 weather events; or

22 “(B) to reduce cybersecurity
23 vulnerabilities;

1 “(7) the conservation of water or the enhance-
2 ment of a water supply through the implementation
3 of water reuse measures; or

4 “(8) the formation of regional water partner-
5 ships to collaboratively address documented water
6 shortages.

7 “(d) APPLICATION.—To seek a grant under the resil-
8 ience and sustainability program, an eligible entity shall
9 submit to the Administrator an application at such time,
10 in such manner, and containing such information as the
11 Administrator may require, including—

12 “(1) a proposal of the program or project to be
13 planned, designed, constructed, implemented, oper-
14 ated, or maintained by the eligible entity;

15 “(2) an identification of the natural hazard
16 risks, extreme weather events, or potential cyberse-
17 curity vulnerabilities, as applicable, to be addressed
18 by the proposed program or project;

19 “(3) documentation prepared by a Federal,
20 State, regional, or local government agency of the
21 natural hazard risk, potential cybersecurity vulner-
22 ability, or risk for extreme weather events to the
23 area where the proposed program or project is to be
24 located;

1 “(4) a description of any recent natural haz-
2 ards, cybersecurity events, or extreme weather
3 events that have affected the community water sys-
4 tem of the eligible entity;

5 “(5) a description of how the proposed program
6 or project would improve the performance of the
7 community water system of the eligible entity under
8 the anticipated natural hazards, cybersecurity
9 vulnerabilities, or extreme weather events; and

10 “(6) an explanation of how the proposed pro-
11 gram or project is expected—

12 “(A) to enhance the resilience of the com-
13 munity water system of the eligible entity to the
14 anticipated natural hazards or extreme weather
15 events; or

16 “(B) to reduce cybersecurity
17 vulnerabilities.

18 “(e) REPORT.—Not later than 2 years after the date
19 of enactment of the Drinking Water and Wastewater In-
20 frastructure Act of 2021, the Administrator shall submit
21 to Congress a report that describes the implementation of
22 the resilience and sustainability program, which shall in-
23 clude a description of the use and deployment of amounts
24 made available to carry out the resilience and sustain-
25 ability program.

1 “(f) AUTHORIZATION OF APPROPRIATIONS.—

2 “(1) IN GENERAL.—There is authorized to be
3 appropriated to carry out the resilience and sustain-
4 ability program \$50,000,000 for each of fiscal years
5 2022 through 2026.

6 “(2) USE OF FUNDS.—Of the amounts made
7 available under paragraph (1) for grants to eligible
8 entities under the resilience and sustainability pro-
9 gram—

10 “(A) 50 percent shall be used to provide
11 grants to eligible entities that serve a popu-
12 lation of—

13 “(i) equal to or greater than 10,000;

14 and

15 “(ii) fewer than 100,000; and

16 “(B) 50 percent shall be used to provide
17 grants to eligible entities that serve a popu-
18 lation equal to or greater than 100,000.

19 “(3) ADMINISTRATIVE COSTS.—Of the amounts
20 made available under paragraph (1), not more than
21 2 percent may be used by the Administrator for the
22 administrative costs of carrying out the resilience
23 and sustainability program.”.

1 **SEC. 108. NEEDS ASSESSMENT FOR NATIONWIDE RURAL**
2 **AND URBAN LOW-INCOME COMMUNITY**
3 **WATER ASSISTANCE.**

4 (a) DEFINITIONS.—In this section and section 109:

5 (1) COMMUNITY WATER SYSTEM.—The term
6 “community water system” has the meaning given
7 the term in section 1401 of the Safe Drinking Water
8 Act (42 U.S.C. 300f).

9 (2) LARGE WATER SERVICE PROVIDER.—The
10 term “large water service provider” means a commu-
11 nity water system, treatment works, or municipal
12 separate storm sewer system that serves more than
13 100,000 people.

14 (3) MEDIUM WATER SERVICE PROVIDER.—The
15 term “medium water service provider” means a com-
16 munity water system, treatment works, or municipal
17 separate storm sewer system that serves more than
18 10,000 people and not more than 100,000 people.

19 (4) NEED.—The term “need”, with respect to
20 a qualifying household, means the expenditure of a
21 disproportionate amount of household income on ac-
22 cess to public drinking water or wastewater services.

23 (5) QUALIFYING HOUSEHOLD.—The term
24 “qualifying household” means a household that—

25 (A) includes an individual who is—

1 (i) the holder of an account for drink-
2 ing water or wastewater service that is
3 provided to that household by a large
4 water service provider, a medium water
5 service provider, or a rural water service
6 provider; or

7 (ii) separately billed by a landlord
8 that holds an account with a large water
9 service provider, a medium water service
10 provider, or a rural water service provider
11 for the cost of drinking water or waste-
12 water service provided to that household by
13 the respective large water service provider,
14 medium water service provider, or rural
15 water service provider; and

16 (B) is determined—

17 (i) by a large water service provider,
18 a medium water service provider, or a
19 rural water service provider to be eligible
20 for assistance through a low-income rate-
21 payer assistance program;

22 (ii) by the Governor of the State in
23 which the household is located to be low-
24 income, based on the affordability criteria
25 established by the State under section

1 1452(d)(3) of the Safe Drinking Water
2 Act (42 U.S.C. 300j-12(d)(3));

3 (iii) by the Administrator to experi-
4 ence drinking water and wastewater service
5 costs that exceed the metrics of afford-
6 ability established in the most recent guid-
7 ance of the Administrator entitled “Finan-
8 cial Capability Assessment Guidance”; or

9 (iv) in the case of a household serv-
10 iced by a rural water service provider, by
11 the State in which the household is located
12 to have an annual income that does not ex-
13 ceed the greater of—

14 (I) an amount equal to 150 per-
15 cent of the poverty level of that State;
16 and

17 (II) an amount equal to 60 per-
18 cent of the State median income for
19 that State.

20 (6) RURAL WATER SERVICE PROVIDER.—The
21 term “rural water service provider” means a com-
22 munity water system, treatment works, or municipal
23 separate storm sewer system that serves not more
24 than 10,000 people.

1 (7) TREATMENT WORKS.—The term “treatment
2 works” has the meaning given the term in section
3 212 of the Federal Water Pollution Control Act (33
4 U.S.C. 1292).

5 (b) STUDY; REPORT.—

6 (1) IN GENERAL.—The Administrator shall con-
7 duct, and submit to Congress a report describing the
8 results of, a study that examines the prevalence
9 throughout the United States of municipalities, pub-
10 lic entities, or Tribal governments that—

11 (A) are serviced by rural water service pro-
12 viders, medium water service providers, or large
13 water service providers that service a dispropor-
14 tionate percentage, as determined by the Ad-
15 ministrator, of qualifying households with need;
16 or

17 (B) as determined by the Administrator,
18 have taken on an unsustainable level of debt
19 due to customer nonpayment for the services
20 provided by a large water service provider, a
21 medium water service provider, or a rural water
22 service provider.

23 (2) AFFORDABILITY INCLUSIONS.—The report
24 under paragraph (1) shall include—

1 (A) a definition of the term “affordable ac-
2 cess to water services”;

3 (B) a description of the criteria used in de-
4 fining “affordable access to water services”
5 under subparagraph (A);

6 (C) a definition of the term “lack of af-
7 fordable access to water services”;

8 (D) a description of the methodology and
9 criteria used in defining “lack of affordable ac-
10 cess to water services” under subparagraph (C);

11 (E) a determination of the prevalence of a
12 lack of affordable access to water services, as
13 defined under subparagraph (C);

14 (F) the methodology and criteria used to
15 determine the prevalence of a lack of affordable
16 access to water services under subparagraph
17 (E);

18 (G) any additional information with re-
19 spect to the affordable access to water services,
20 as defined under subparagraph (A), provided by
21 rural water service providers, medium water
22 service providers, and large water service pro-
23 viders;

1 (H) with respect to the development of the
 2 report, a consultation with all relevant stake-
 3 holders, including rural advocacy associations;

4 (I) recommendations of the Administrator
 5 regarding the best methods to reduce the preva-
 6 lence of a lack of affordable access to water
 7 services, as defined under subparagraph (C);
 8 and

9 (J) a description of the cost of each meth-
 10 od described in subparagraph (I).

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

14 **SEC. 109. RURAL AND LOW-INCOME WATER ASSISTANCE**
 15 **PILOT PROGRAM.**

16 (a) DEFINITIONS.—In this section:

17 (1) ELIGIBLE ENTITY.—The term “eligible enti-
 18 ty” means—

19 (A) a municipality, Tribal government, or
 20 other entity that—

21 (i) owns or operates a community
 22 water system, treatment works, or munic-
 23 ipal separate storm sewer system; or

24 (ii) as determined by the Adminis-
 25 trator, has taken on an unsustainable level

1 of debt due to customer nonpayment for
2 the services provided by a community
3 water system, treatment works, or munic-
4 ipal separate storm sewer system; and

5 (B) a State exercising primary enforce-
6 ment responsibility over a rural water service
7 provider under the Safe Drinking Water Act
8 (42 U.S.C. 300f et seq.) or the Federal Water
9 Pollution Control Act (33 U.S.C. 1251 et seq.),
10 as applicable.

11 (2) PILOT PROGRAM.—The term “pilot pro-
12 gram” means the pilot program established by the
13 Administrator under subsection (b)(1).

14 (3) WATER SERVICES NEEDS ASSESSMENT.—
15 The term “water services needs assessment” means
16 the report required under section 108(b)(1).

17 (b) ESTABLISHMENT.—

18 (1) IN GENERAL.—Not later than 2 years after
19 the date of enactment of this Act, the Administrator
20 shall establish a pilot program to award grants to el-
21 igible entities to develop and implement programs to
22 assist qualifying households with need in maintain-
23 ing access to drinking water and wastewater treat-
24 ment.

1 (2) REQUIREMENT.—In establishing the pilot
2 program, the Administrator shall ensure that data
3 from the water services needs assessment directly
4 contributes to the structure of the pilot program by
5 informing the types of assistance and criteria used
6 for priority consideration with the demonstrated
7 need from the study conducted under section
8 108(b)(1) and the water services needs assessment.

9 (3) USE OF FUNDS LIMITATIONS.—A grant
10 under the pilot program—

11 (A) shall not be used to replace funds for
12 any existing similar program; but

13 (B) may be used to supplement or enhance
14 an existing program, including a program that
15 receives assistance from other Federal grants.

16 (4) TERM.—The term of a grant awarded
17 under the pilot program shall be subject to the avail-
18 ability of appropriations.

19 (5) TYPES OF ASSISTANCE.—In establishing the
20 pilot program, the Administrator may include provi-
21 sions for—

22 (A) direct financial assistance;

23 (B) a lifeline rate;

24 (C) bill discounting;

25 (D) special hardship provisions;

1 (E) a percentage-of-income payment plan;

2 or

3 (F) debt relief for the eligible entity or the
4 community water system owned by the eligible
5 entity for debt that is due to customer non-
6 payment for the services provided by the eligible
7 entity or the community water system that is
8 determined by the Administrator to be in the
9 interest of public health.

10 (6) REQUIREMENT.—The Administrator shall
11 award not more than 40 grants under the pilot pro-
12 gram, of which—

13 (A) not more than 8 shall be to eligible en-
14 tities that own, operate, or exercise primary en-
15 forcement responsibility over a rural water serv-
16 ice provider under the Safe Drinking Water Act
17 (42 U.S.C. 300f et seq.) or the Federal Water
18 Pollution Control Act (33 U.S.C. 1251 et seq.),
19 as applicable;

20 (B) not more than 8 shall be to eligible en-
21 tities that own or operate a medium water serv-
22 ice provider;

23 (C) not more than 8 shall be to eligible en-
24 tities that own or operate a large water service

1 provider that serves not more than 500,000
2 people;

3 (D) not more than 8 shall be to eligible en-
4 tities that own or operate a large water service
5 provider that serves more than 500,000 people;
6 and

7 (E) not more than 8 shall be to eligible en-
8 tities that own or operate a community water
9 system, treatment works, or municipal separate
10 storm sewer system that services a disadvan-
11 taged community (consistent with the afford-
12 ability criteria established by the applicable
13 State under section 1452(d)(3) of the Safe
14 Drinking Water Act (42 U.S.C. 300j-12(d)(3))
15 or section 603(i)(2) of the Federal Water Pollu-
16 tion Control Act (33 U.S.C. 1383(i)(2)), as ap-
17 plicable).

18 (7) CRITERIA.—In addition to any priority cri-
19 teria established by the Administrator in response to
20 the findings in the water services needs assessment,
21 in awarding grants under the pilot program, the Ad-
22 ministrator shall give priority consideration to eligi-
23 ble entities that—

24 (A) serve a disproportionate percentage, as
25 determined by the Administrator, of qualifying

1 households with need, as identified in the water
2 services needs assessment;

3 (B) are subject to State or Federal en-
4 forcement actions relating to compliance with
5 the Federal Water Pollution Control Act (33
6 U.S.C. 1251 et seq.) or the Safe Drinking
7 Water Act (42 U.S.C. 300f et seq.); or

8 (C) maintain or participate in an existing
9 community assistance program with objectives
10 similar to the objectives of the pilot program, as
11 determined by the Administrator.

12 (8) REPORTING REQUIREMENTS.—

13 (A) IN GENERAL.—In addition to any
14 other applicable Federal or agency-specific
15 grant reporting requirements, as a condition of
16 receiving a grant under the pilot program, an
17 eligible entity (or a State, on behalf of an eligi-
18 ble entity) shall submit to the Administrator an
19 annual report that summarizes, in a manner de-
20 termined by the Administrator, the use of grant
21 funds by the eligible entity, including—

22 (i) key features of the assistance pro-
23 vided by the eligible entity;

24 (ii) sources of funding used to supple-
25 ment Federal funds; and

1 (iii) eligibility criteria.

2 (B) PUBLICATION.—The Administrator
3 shall publish each report submitted under sub-
4 paragraph (A).

5 (c) TECHNICAL ASSISTANCE.—The Administrator
6 shall provide technical assistance to each eligible entity,
7 and each State, on behalf of an eligible entity, that re-
8 ceives a grant under the pilot program to support imple-
9 mentation of the program.

10 (d) REPORT.—Not later than 2 years after the date
11 on which grant funds are first disbursed to an eligible enti-
12 ty (or a State, on behalf of an eligible entity) under the
13 program, and every year thereafter for the duration of the
14 terms of the grants, the Administrator shall submit to
15 Congress a report on the results of the pilot program.

16 **SEC. 110. LEAD CONTAMINATION IN SCHOOL DRINKING**
17 **WATER.**

18 Section 1464 of the Safe Drinking Water Act (42
19 U.S.C. 300j-24) is amended—

20 (1) in subsection (b)—

21 (A) in the first sentence, by inserting
22 “public water systems and” after “to assist”;
23 and

24 (B) in the third sentence, by inserting
25 “public water systems,” after “schools,”; and

1 (2) in subsection (d)—

2 (A) in the subsection heading, by inserting
3 “AND REDUCTION” after “LEAD TESTING”;

4 (B) in paragraph (2)—

5 (i) in subparagraph (A), by striking
6 “the Administrator” and all that follows
7 through the period at the end and insert-
8 ing the following: “the Administrator shall
9 establish a voluntary school and child care
10 program lead testing, compliance moni-
11 toring, and lead reduction grant program
12 to make grants available to—

13 “(i) States to assist local educational
14 agencies, public water systems that serve
15 schools and child care programs under the
16 jurisdiction of those local educational agen-
17 cies, and qualified nonprofit organizations
18 in voluntary testing or compliance moni-
19 toring for and remediation of lead contami-
20 nation in drinking water at schools and
21 child care programs under the jurisdiction
22 of those local educational agencies; and

23 “(ii) tribal consortia to assist tribal
24 education agencies (as defined in section 3
25 of the National Environmental Education

1 Act (20 U.S.C. 5502)), public water sys-
2 tems that serve schools and child care pro-
3 grams under the jurisdiction of those tribal
4 education agencies, and qualified nonprofit
5 organizations in voluntary testing or com-
6 pliance monitoring for and remediation of
7 lead contamination in drinking water at
8 schools and child care programs under the
9 jurisdiction of those tribal education agen-
10 cies.”; and

11 (ii) in subparagraph (B)—

12 (I) in the matter preceding clause
13 (i), by inserting “or compliance moni-
14 toring for or remediation of lead con-
15 tamination” after “voluntary testing”;

16 (II) in clause (i), by striking “or”
17 at the end;

18 (III) in clause (ii), by striking
19 the period at the end and inserting a
20 semicolon; and

21 (IV) by adding at the end the fol-
22 lowing:

23 “(iii) any public water system that is
24 located in a State that does not participate

1 in the voluntary grant program established
2 under subparagraph (A) that—

3 “(I) assists schools or child care
4 programs in lead testing;

5 “(II) assists schools or child care
6 programs with compliance monitoring;

7 “(III) assists schools with car-
8 rying out projects to remediate lead
9 contamination in drinking water; or

10 “(IV) provides technical assist-
11 ance to schools or child care programs
12 in carrying out lead testing; or

13 “(iv) a qualified nonprofit organiza-
14 tion, as determined by the Administrator.”;

15 (C) in paragraphs (3), (5), (6), and (7), by
16 striking “State or local educational agency”
17 each place it appears and inserting “State, local
18 educational agency, public water system, tribal
19 consortium, or qualified nonprofit organiza-
20 tion”;

21 (D) in paragraph (4)—

22 (i) by striking “States and local edu-
23 cational agencies” and inserting “States,
24 local educational agencies, public water

- 1 systems, tribal consortia, and qualified
2 nonprofit organizations”; and
- 3 (ii) by inserting “or the remediation
4 of” after “testing for”;
- 5 (E) in paragraph (6)—
- 6 (i) in the matter preceding subpara-
7 graph (A)—
- 8 (I) by striking “State or local
9 educational agency” and inserting
10 “State, local educational agency, pub-
11 lic water system, tribal consortium, or
12 qualified nonprofit agency”; and
- 13 (II) by inserting “, public water
14 system, tribal consortium, or qualified
15 nonprofit organization” after “each
16 local educational agency”;
- 17 (ii) in subparagraph (A)(ii)—
- 18 (I) by inserting “or tribal” after
19 “applicable State”; and
- 20 (II) by striking “reducing lead”
21 and inserting “voluntary testing or
22 compliance monitoring for and reme-
23 diation of lead contamination”; and

1 (iii) in subparagraph (B)(i), by insert-
 2 ing “applicable” before “local educational
 3 agency”;

4 (F) in paragraph (7), by striking “testing
 5 for” and inserting “testing or compliance moni-
 6 toring for or remediation of”; and

7 (G) by striking paragraph (8) and insert-
 8 ing the following:

9 “(8) AUTHORIZATION OF APPROPRIATIONS.—
 10 There are authorized to be appropriated to carry out
 11 this subsection—

12 “(A) \$30,000,000 for fiscal year 2022;

13 “(B) \$35,000,000 for fiscal year 2023;

14 “(C) \$40,000,000 for fiscal year 2024;

15 “(D) \$45,000,000 for fiscal year 2025;

16 and

17 “(E) \$50,000,000 for fiscal year 2026.”.

18 **SEC. 111. INDIAN RESERVATION DRINKING WATER PRO-**
 19 **GRAM.**

20 Section 2001 of the America’s Water Infrastructure
 21 Act of 2018 (42 U.S.C. 300j–3e note; Public Law 115–
 22 270) is amended—

23 (1) in subsection (a)—

24 (A) in the matter preceding paragraph (1),
 25 by striking “Subject to the availability of appro-

1 priations, the Administrator of the Environ-
2 mental Protection Agency” and inserting “The
3 Administrator of the Environmental Protection
4 Agency (referred to in this section as the ‘Ad-
5 ministrator’)”; and

6 (B) by striking “to implement” in the mat-
7 ter preceding paragraph (1) and all that follows
8 through the period at the end of paragraph (2)
9 and inserting “to implement eligible projects
10 described in subsection (b).”;

11 (2) in subsection (b), by striking paragraph (2)
12 and inserting the following:

13 “(2) that will—

14 “(A) improve water quality, water pres-
15 sure, or water services through means such as
16 connecting to, expanding, repairing, improving,
17 or obtaining water from a public water system
18 (as defined in section 1401 of the Safe Drink-
19 ing Water Act (42 U.S.C. 300f)); or

20 “(B) improve water quality or sanitation
21 or wastewater services at a treatment works (as
22 defined in section 212 of the Federal Water
23 Pollution Control Act (33 U.S.C. 1292)).”;

24 (3) by redesignating subsection (d) as sub-
25 section (g);

1 (4) by striking subsection (c) and inserting the
2 following:

3 “(c) REQUIRED PROJECTS.—

4 “(1) IN GENERAL.—If sufficient projects exist,
5 of the funds made available to carry out this section,
6 the Administrator shall use 50 percent to carry
7 out—

8 “(A) 10 eligible projects described in sub-
9 section (b) that are within the Upper Missouri
10 River Basin;

11 “(B) 10 eligible projects described in sub-
12 section (b) that are within the Upper Rio
13 Grande Basin;

14 “(C) 10 eligible projects described in sub-
15 section (b) that are within the Columbia River
16 Basin;

17 “(D) 10 eligible projects described in sub-
18 section (b) that are within the Lower Colorado
19 River Basin; and

20 “(E) 10 eligible projects described in sub-
21 section (b) that are within the Arkansas-White-
22 Red River Basin.

23 “(2) REQUIREMENT.—In carrying out para-
24 graph (1)(A), the Administrator shall select not
25 fewer than 2 eligible projects for a reservation that

1 serves more than 1 federally recognized Indian
2 Tribe.

3 “(d) PRIORITY.—In selecting projects to carry out
4 under this section, the Administrator shall give priority
5 to projects that—

6 “(1) respond to emergency situations occurring
7 due to or resulting in a lack of access to clean drink-
8 ing water that threatens the health of Tribal popu-
9 lations;

10 “(2) would serve a Tribal population that would
11 qualify as a disadvantaged community based on the
12 affordability criteria established by the applicable
13 State under section 1452(d)(3) of the Safe Drinking
14 Water Act (42 U.S.C. 300j–12(d)(3)); or

15 “(3) would address the underlying factors con-
16 tributing to—

17 “(A) an enforcement action commenced
18 pursuant to the Safe Drinking Water Act (42
19 U.S.C. 300f et seq.) against the applicable pub-
20 lic water system (as defined in section 1401 of
21 that Act (42 U.S.C. 300f)) as of the date of en-
22 actment of the Drinking Water and Wastewater
23 Infrastructure Act of 2021; or

24 “(B) an enforcement action commenced
25 pursuant to the Federal Water Pollution Con-

1 trol Act (33 U.S.C. 1251 et seq.) against the
2 applicable treatment works (as defined in sec-
3 tion 212 of that Act (33 U.S.C. 1292)) as of
4 the date of enactment of the Drinking Water
5 and Wastewater Infrastructure Act of 2021.

6 “(e) FEDERAL SHARE.—The Federal share of the
7 cost of a project carried out under this section shall be
8 100 percent.

9 “(f) REPORT.—Not later than 2 years after the date
10 of enactment of the Drinking Water and Wastewater In-
11 frastructure Act of 2021, the Administrator shall submit
12 to Congress a report that describes the implementation of
13 the program established under subsection (a), which shall
14 include a description of the use and deployment of
15 amounts made available under that program.”; and

16 (5) in subsection (g) (as so redesignated)—

17 (A) by striking “There is” and inserting
18 “There are”;

19 (B) by striking “subsection (a)
20 \$20,000,000” and inserting the following: “sub-
21 section (a)—

22 “(1) \$20,000,000”;

23 (C) in paragraph (1) (as so designated), by
24 striking “2022.” and inserting “2021; and”;
25 and

1 (D) by adding at the end the following:

2 “(2) \$50,000,000 for each of fiscal years 2022
3 through 2026.”.

4 **SEC. 112. ADVANCED DRINKING WATER TECHNOLOGIES.**

5 Part E of the Safe Drinking Water Act (42 U.S.C.
6 300j et seq.) (as amended by section 107) is amended by
7 adding at the end the following:

8 **“SEC. 1459G. ADVANCED DRINKING WATER TECHNOLOGIES.**

9 “(a) STUDY.—

10 “(1) IN GENERAL.—Subject to the availability
11 of appropriations, not later than 1 year after the
12 date of enactment of the Drinking Water and
13 Wastewater Infrastructure Act of 2021, the Admin-
14 istrator shall carry out a study that examines the
15 state of existing and potential future technology, in-
16 cluding technology that could address cybersecurity
17 vulnerabilities, that enhances or could enhance the
18 treatment, monitoring, affordability, efficiency, and
19 safety of drinking water provided by a public water
20 system.

21 “(2) REPORT.—The Administrator shall submit
22 to the Committee on Environment and Public Works
23 of the Senate and the Committee on Energy and
24 Commerce of the House of Representatives a report

1 that describes the results of the study under para-
2 graph (1).

3 “(b) **ADVANCED DRINKING WATER TECHNOLOGY**
4 **GRANT PROGRAM.**—

5 “(1) **DEFINITIONS.**—In this subsection:

6 “(A) **ELIGIBLE ENTITY.**—The term ‘eligi-
7 ble entity’ means the owner or operator of a
8 public water system that—

9 “(i) serves—

10 “(I) a population of not more
11 than 100,000 people; or

12 “(II) a community described in
13 section 1459A(c)(2);

14 “(ii) has plans to identify or has iden-
15 tified opportunities in the operations of the
16 public water system to employ new, exist-
17 ing, or emerging, yet proven, technologies,
18 including technology that could address cy-
19 bersecurity vulnerabilities, as determined
20 by the Administrator, that enhance treat-
21 ment, monitoring, affordability, efficiency,
22 or safety of the drinking water provided by
23 the public water system, including tech-
24 nologies not identified in the study con-
25 ducted under subsection (a)(1); and

1 “(iii) has expressed an interest in the
2 opportunities in the operation of the public
3 water system to employ new, existing, or
4 emerging, yet proven, technologies, includ-
5 ing technology that could address cyberse-
6 curity vulnerabilities, as determined by the
7 Administrator, that enhance treatment,
8 monitoring, affordability, efficiency, or
9 safety of the drinking water provided by
10 the public water system, including tech-
11 nologies not identified in the study con-
12 ducted under subsection (a)(1).

13 “(B) PROGRAM.—The term ‘program’
14 means the competitive grant program estab-
15 lished under paragraph (2).

16 “(C) UNDERSERVED COMMUNITY.—The
17 term ‘underserved community’ means a political
18 subdivision of a State that, as determined by
19 the Administrator, has an inadequate system
20 for obtaining drinking water.

21 “(2) ESTABLISHMENT.—The Administrator
22 shall establish a competitive grant program under
23 which the Administrator shall award grants to eligi-
24 ble entities for the purpose of identifying, deploying,

1 or identifying and deploying technologies described
2 in paragraph (1)(A)(ii).

3 “(3) REQUIREMENTS.—

4 “(A) APPLICATIONS.—To be eligible to re-
5 ceive a grant under the program, an eligible en-
6 tity shall submit to the Administrator an appli-
7 cation at such time, in such manner, and con-
8 taining such information as the Administrator
9 may require.

10 “(B) FEDERAL SHARE.—

11 “(i) IN GENERAL.—Subject to clause
12 (ii), the Federal share of the cost of a
13 project carried out using a grant under the
14 program shall not exceed 90 percent of the
15 total cost of the project.

16 “(ii) WAIVER.—The Administrator
17 may increase the Federal share under
18 clause (i) to 100 percent if the Adminis-
19 trator determines that an eligible entity is
20 unable to pay, or would experience signifi-
21 cant financial hardship if required to pay,
22 the non-Federal share.

23 “(4) REPORT.—Not later than 2 years after the
24 date on which the Administrator first awards a
25 grant under the program, and annually thereafter,

1 the Administrator shall submit to Congress a report
2 describing—

3 “(A) each recipient of a grant under the
4 program during the previous 1-year period; and

5 “(B) a summary of the activities carried
6 out using grants awarded under the program.

7 “(5) FUNDING.—

8 “(A) AUTHORIZATION OF APPROPRIA-
9 TIONS.—There is authorized to be appropriated
10 to carry out the program \$10,000,000 for each
11 of fiscal years 2022 through 2026, to remain
12 available until expended.

13 “(B) ADMINISTRATIVE COSTS.—Not more
14 than 2 percent of the amount made available
15 for a fiscal year under subparagraph (A) to
16 carry out the program may be used by the Ad-
17 ministrator for the administrative costs of car-
18 rying out the program.”.

19 **SEC. 113. CYBERSECURITY SUPPORT FOR PUBLIC WATER**
20 **SYSTEMS.**

21 Part B of the Safe Drinking Water Act (42 U.S.C.
22 300g et seq.) is amended by adding at the end the fol-
23 lowing:

1 **“SEC. 1420A. CYBERSECURITY SUPPORT FOR PUBLIC**
2 **WATER SYSTEMS.**

3 “(a) DEFINITIONS.—In this section:

4 “(1) APPROPRIATE CONGRESSIONAL COMMIT-
5 TEES.—The term ‘appropriate Congressional com-
6 mittees’ means—

7 “(A) the Committee on Environment and
8 Public Works of the Senate;

9 “(B) the Committee on Homeland Security
10 and Governmental Affairs of the Senate;

11 “(C) the Committee on Energy and Com-
12 merce of the House of Representatives; and

13 “(D) the Committee on Homeland Security
14 of the House of Representatives.

15 “(2) DIRECTOR.—The term ‘Director’ means
16 the Director of the Cybersecurity and Infrastructure
17 Security Agency.

18 “(3) INCIDENT.—The term ‘incident’ has the
19 meaning given the term in section 3552 of title 44,
20 United States Code.

21 “(4) PRIORITIZATION FRAMEWORK.—The term
22 ‘Prioritization Framework’ means the prioritization
23 framework developed by the Administrator under
24 subsection (b)(1)(A).

25 “(5) SUPPORT PLAN.—The term ‘Support Plan’
26 means the Technical Cybersecurity Support Plan de-

1 veloped by the Administrator under subsection
2 (b)(2)(A).

3 “(b) IDENTIFICATION OF AND SUPPORT FOR PUBLIC
4 WATER SYSTEMS.—

5 “(1) PRIORITIZATION FRAMEWORK.—

6 “(A) IN GENERAL.—Not later than 180
7 days after the date of enactment of the Drink-
8 ing Water and Wastewater Infrastructure Act
9 of 2021, the Administrator, in coordination
10 with the Director, shall develop a prioritization
11 framework to identify public water systems (in-
12 cluding sources of water for those public water
13 systems) that, if degraded or rendered inoper-
14 able due to an incident, would lead to signifi-
15 cant impacts on the health and safety of the
16 public.

17 “(B) CONSIDERATIONS.—In developing the
18 Prioritization Framework, to the extent prac-
19 ticable, the Administrator shall incorporate con-
20 sideration of—

21 “(i) whether cybersecurity
22 vulnerabilities for a public water system
23 have been identified under section 1433;

1 “(ii) the capacity of a public water
2 system to remediate a cybersecurity vulner-
3 ability without additional Federal support;

4 “(iii) whether a public water system
5 serves a defense installation or critical na-
6 tional security asset; and

7 “(iv) whether a public water system, if
8 degraded or rendered inoperable due to an
9 incident, would cause a cascading failure of
10 other critical infrastructure.

11 “(2) TECHNICAL CYBERSECURITY SUPPORT
12 PLAN.—

13 “(A) IN GENERAL.—Not later than 270
14 days after the date of enactment of the Drink-
15 ing Water and Wastewater Infrastructure Act
16 of 2021, the Administrator, in coordination
17 with the Director and using existing authorities
18 of the Administrator and the Director for pro-
19 viding voluntary support to public water sys-
20 tems and the Prioritization Framework, shall
21 develop a Technical Cybersecurity Support Plan
22 for public water systems.

23 “(B) REQUIREMENTS.—The Support
24 Plan—

1 “(i) shall establish a methodology for
2 identifying specific public water systems
3 for which cybersecurity support should be
4 prioritized;

5 “(ii) shall establish timelines for mak-
6 ing voluntary technical support for cyber-
7 security available to specific public water
8 systems;

9 “(iii) may include public water sys-
10 tems identified by the Administrator, in co-
11 ordination with the Director, as needing
12 technical support for cybersecurity;

13 “(iv) shall include specific capabilities
14 of the Administrator and the Director that
15 may be utilized to provide support to pub-
16 lic water systems under the Support Plan,
17 including—

18 “(I) site vulnerability and risk
19 assessments;

20 “(II) penetration tests; and

21 “(III) any additional support de-
22 termined to be appropriate by the Ad-
23 ministrator; and

1 “(v) shall only include plans for pro-
2 viding voluntary support to public water
3 systems.

4 “(3) CONSULTATION REQUIRED.—In developing
5 the Prioritization Framework pursuant to paragraph
6 (1) and the Support Plan pursuant to paragraph
7 (2), the Administrator shall consult with such Fed-
8 eral or non-Federal entities as determined to be ap-
9 propriate by the Administrator.

10 “(4) REPORTS REQUIRED.—

11 “(A) PRIORITIZATION FRAMEWORK.—Not
12 later than 190 days after the date of enactment
13 of the Drinking Water and Wastewater Infra-
14 structure Act of 2021, the Administrator shall
15 submit to the appropriate Congressional com-
16 mittees a report describing the Prioritization
17 Framework.

18 “(B) TECHNICAL CYBERSECURITY SUP-
19 PORT PLAN.—Not later than 280 days after the
20 date of enactment of the Drinking Water and
21 Wastewater Infrastructure Act of 2021, the Ad-
22 ministrator shall submit to the appropriate
23 Congressional committees—

24 “(i) the Support Plan; and

1 “(ii) a list describing any public water
2 systems identified by the Administrator, in
3 coordination with the Director, as needing
4 technical support for cybersecurity during
5 the development of the Support Plan.

6 “(c) **RULES OF CONSTRUCTION.**—Nothing in this
7 section—

8 “(1) alters the existing authorities of the Ad-
9 ministrator; or

10 “(2) compels a public water system to accept
11 technical support offered by the Administrator.”.

12 **SEC. 114. STATE RESPONSE TO CONTAMINANTS.**

13 Section 1459A(j)(1) of the Safe Drinking Water Act
14 (42 U.S.C. 300j–19a(j)(1)) is amended—

15 (1) in the matter preceding subparagraph (A),
16 by striking “an underserved community” and insert-
17 ing “a community described in subsection (c)(2)”;
18 and

19 (2) in subparagraph (A)(i), by striking “such
20 underserved” and inserting “that”.

21 **SEC. 115. ANNUAL STUDY ON BOIL WATER ADVISORIES.**

22 (a) **IN GENERAL.**—Not later than 1 year after the
23 date of enactment of this Act, and annually thereafter,
24 the Administrator shall conduct a study on the prevalence
25 of boil water advisories issued in the United States.

1 (b) REPORT.—

2 (1) IN GENERAL.—The Administrator shall
3 submit to Congress a report describing the results of
4 the most recent study conducted under subsection
5 (a) as part of the annual budget request transmitted
6 to Congress under section 1105(a) of title 31,
7 United States Code.

8 (2) REQUIREMENT.—In the annual report re-
9 quired under paragraph (1), the Administrator shall
10 include a description of the reasons for which boil
11 water advisories were issued during the year covered
12 by the report.

13 **TITLE II—CLEAN WATER**

14 **SEC. 201. RESEARCH, INVESTIGATIONS, TRAINING, AND IN-** 15 **FORMATION.**

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

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

20 and

21 (2) in paragraph (7)—

22 (A) by striking “2023” and inserting
23 “2021”; and

24 (B) by striking the period at the end and
25 inserting “; and (8) not to exceed \$75,000,000

1 **“SEC. 222. WASTEWATER EFFICIENCY GRANT PILOT PRO-**
2 **GRAM.**

3 “(a) ESTABLISHMENT.—Subject to the availability of
4 appropriations, the Administrator shall establish a waste-
5 water efficiency grant pilot program (referred to in this
6 section as the ‘pilot program’) to award grants to owners
7 or operators of publicly owned treatment works to carry
8 out projects that create or improve waste-to-energy sys-
9 tems.

10 “(b) SELECTION.—

11 “(1) APPLICATIONS.—To be eligible to receive a
12 grant under the pilot program, an owner or operator
13 of a treatment works shall submit to the Adminis-
14 trator an application at such time, in such manner,
15 and containing such information as the Adminis-
16 trator may require.

17 “(2) NUMBER OF RECIPIENTS.—The Adminis-
18 trator shall select not more than 15 recipients of
19 grants under the pilot program from applications
20 submitted under paragraph (1).

21 “(c) USE OF FUNDS.—

22 “(1) IN GENERAL.—Subject to paragraph (2), a
23 recipient of a grant under the pilot program may use
24 grant funds for—

25 “(A) sludge collection;

26 “(B) installation of anaerobic digesters;

1 “(C) methane capture;

2 “(D) methane transfer;

3 “(E) facility upgrades and retrofits nec-
4 essary to create or improve waste-to-energy sys-
5 tems; and

6 “(F) other new and emerging, but proven,
7 technologies that transform waste to energy.

8 “(2) LIMITATION.—A grant to a recipient
9 under the pilot program shall be not more than
10 \$4,000,000.

11 “(d) REPORTS.—

12 “(1) REPORT TO THE ADMINISTRATOR.—Not
13 later than 2 years after receiving a grant under the
14 pilot program and each year thereafter for which
15 amounts are made available for the pilot program
16 under subsection (e), the recipient of the grant shall
17 submit to the Administrator a report describing the
18 impact of that project on the communities within 3
19 miles of the treatment works.

20 “(2) REPORT TO CONGRESS.—Not later than 1
21 year after first awarding grants under the pilot pro-
22 gram and each year thereafter for which amounts
23 are made available for the pilot program under sub-
24 section (e), the Administrator shall submit to Con-
25 gress a report describing—

1 “(A) the applications received by the Ad-
2 ministrator for grants under the pilot program;
3 and

4 “(B) the projects for which grants were
5 awarded under the pilot program.

6 “(e) AUTHORIZATION OF APPROPRIATIONS.—

7 “(1) IN GENERAL.—There is authorized to be
8 appropriated to carry out the pilot program
9 \$20,000,000 for each of fiscal years 2022 through
10 2026, to remain available until expended.

11 “(2) LIMITATION ON USE OF FUNDS.—Of the
12 amounts made available for grants under paragraph
13 (1), not more than 2 percent may be used to pay the
14 administrative costs of the Administrator.”.

15 **SEC. 203. PILOT PROGRAM FOR ALTERNATIVE WATER**
16 **SOURCE PROJECTS.**

17 Section 220 of the Federal Water Pollution Control
18 Act (33 U.S.C. 1300) is amended—

19 (1) in subsection (b), in the heading, by strik-
20 ing “IN GENERAL” and inserting “ESTABLISH-
21 MENT”;

22 (2) in subsection (d)—

23 (A) in paragraph (1), by inserting “con-
24 struction” before “funds”;

25 (B) by striking paragraph (2); and

1 (C) by redesignating paragraph (3) as
2 paragraph (2);

3 (3) by striking subsection (e);

4 (4) in subsection (i)—

5 (A) in the matter preceding paragraph (1),
6 by striking “, the following definitions apply”;
7 and

8 (B) in paragraph (1), in the first sentence,
9 by striking “water or wastewater or by treating
10 wastewater” and inserting “water, wastewater,
11 or stormwater or by treating wastewater or
12 stormwater for groundwater recharge, potable
13 reuse, or other purposes”;

14 (5) in subsection (j)—

15 (A) in the first sentence, by striking
16 “There is” and inserting the following:

17 “(1) IN GENERAL.—There is”;

18 (B) in paragraph (1) (as so designated), by
19 striking “a total of \$75,000,000 for fiscal years
20 2002 through 2004. Such sums shall” and in-
21 serting “\$25,000,000 for each of fiscal years
22 2022 through 2026, to”; and

23 (C) by adding at the end the following:

24 “(2) LIMITATION ON USE OF FUNDS.—Of the
25 amounts made available for grants under paragraph

1 (1), not more than 2 percent may be used to pay the
2 administrative costs of the Administrator.”; and

3 (6) by redesignating subsections (b), (c), (d),
4 (i), and (j) as subsections (c), (d), (e), (b), and (i),
5 respectively, and moving those subsections so as to
6 appear in alphabetical order.

7 **SEC. 204. SEWER OVERFLOW AND STORMWATER REUSE**
8 **MUNICIPAL GRANTS.**

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

11 (1) in subsection (a)(1) —

12 (A) in subparagraph (A), by striking
13 “and” at the end;

14 (B) by redesignating subparagraph (B) as
15 subparagraph (C); and

16 (C) by inserting after subparagraph (A)
17 the following:

18 “(B) notification systems to inform the
19 public of combined sewer or sanitary overflows
20 that result in sewage being released into rivers
21 and other waters; and”;

22 (2) in subsection (d)—

23 (A) in the second sentence, by striking
24 “The non-Federal share of the cost” and insert-
25 ing the following:

1 “(3) TYPES OF NON-FEDERAL SHARE.—The
2 applicable non-Federal share of the cost under this
3 subsection”;

4 (B) in the first sentence, by striking “The
5 Federal” and inserting the following:

6 “(1) IN GENERAL.—The Federal”;

7 (C) by inserting after paragraph (1) (as so
8 designated) the following:

9 “(2) RURAL AND FINANCIALLY DISTRESSED
10 COMMUNITIES.—To the maximum extent practicable,
11 the Administrator shall work with States to prevent
12 the non-Federal share requirements under this sub-
13 section from being passed on to rural communities
14 and financially distressed communities (as those
15 terms are defined in subsection (f)(2)(B)(i)).”;

16 (3) in subsection (f)—

17 (A) by striking paragraph (1) and insert-
18 ing the following:

19 “(1) IN GENERAL.—There is authorized to be
20 appropriated to carry out this section \$280,000,000
21 for each of fiscal years 2022 through 2026.”; and

22 (B) in paragraph (2)—

23 (i) by striking “To the extent” and in-
24 serting the following:

1 “(A) GREEN PROJECTS.—To the extent”;

2 and

3 (ii) by adding at the end the fol-
4 lowing:

5 “(B) RURAL OR FINANCIALLY DISTRESSED
6 COMMUNITY ALLOCATION.—

7 “(i) DEFINITIONS.—In this subpara-
8 graph:

9 “(I) FINANCIALLY DISTRESSED
10 COMMUNITY.—The term ‘financially
11 distressed community’ has the mean-
12 ing given the term in subsection
13 (c)(1).

14 “(II) RURAL COMMUNITY.—The
15 term ‘rural community’ means a city,
16 town, or unincorporated area that has
17 a population of not more than 10,000
18 inhabitants.

19 “(ii) ALLOCATION.—

20 “(I) IN GENERAL.—To the extent
21 there are sufficient eligible project ap-
22 plications, the Administrator shall en-
23 sure that a State uses not less than
24 25 percent of the amount of the
25 grants made to the State under sub-

1 section (a) in a fiscal year to carry
2 out projects in rural communities or
3 financially distressed communities for
4 the purpose of planning, design, and
5 construction of—

6 “(aa) treatment works to
7 intercept, transport, control,
8 treat, or reuse municipal sewer
9 overflows, sanitary sewer over-
10 flows, or stormwater; or

11 “(bb) any other measures to
12 manage, reduce, treat, or recap-
13 ture stormwater or subsurface
14 drainage water eligible for assist-
15 ance under section 603(c).

16 “(II) RURAL COMMUNITIES.—Of
17 the funds allocated under subclause
18 (I) for the purposes described in that
19 subclause, to the extent there are suf-
20 ficient eligible project applications, the
21 Administrator shall ensure that a
22 State uses not less than 60 percent to
23 carry out projects in rural commu-
24 nities.”; and

25 (4) in subsection (i)—

1 (A) in the second sentence, by striking
2 “The recommended funding levels” and insert-
3 ing the following:

4 “(B) REQUIREMENT.—The funding levels
5 recommended under subparagraph (A)(i)”;

6 (B) in the first sentence, by striking “Not
7 later” and inserting the following:

8 “(1) PERIODIC REPORTS.—

9 “(A) IN GENERAL.—Not later”;

10 (C) in paragraph (1)(A) (as so des-
11 ignated)—

12 (i) by striking the period at the end
13 and inserting “; and”;

14 (ii) by striking “containing rec-
15 ommended” and inserting the following:

16 “containing—

17 “(i) recommended”; and

18 (iii) by adding at the end the fol-
19 lowing:

20 “(ii) a description of the extent to
21 which States pass costs associated with the
22 non-Federal share requirements under sub-
23 section (d) to local communities, with a
24 focus on rural communities and financially

1 distressed communities (as those terms are
 2 defined in subsection (f)(2)(B)(i)).”; and
 3 (D) by adding at the end the following:

4 “(2) USE OF FUNDS.—Not later than 2 years
 5 after the date of enactment of the Drinking Water
 6 and Wastewater Infrastructure Act of 2021, the Ad-
 7 ministrator shall submit to the Committee on Envi-
 8 ronment and Public Works of the Senate and the
 9 Committee on Transportation and Infrastructure of
 10 the House of Representatives a report that describes
 11 the implementation of the grant program under this
 12 section, which shall include a description of the
 13 grant recipients, sources of funds for non-Federal
 14 share requirements under subsection (d), and grant
 15 amounts made available under the program.”.

16 **SEC. 205. CLEAN WATER INFRASTRUCTURE RESILIENCY**
 17 **AND SUSTAINABILITY PROGRAM.**

18 Title II of the Federal Water Pollution Control Act
 19 (33 U.S.C. 1281 et seq.) (as amended by section 202) is
 20 amended by adding at the end the following:

21 **“SEC. 223. CLEAN WATER INFRASTRUCTURE RESILIENCY**
 22 **AND SUSTAINABILITY PROGRAM.**

23 “(a) DEFINITIONS.—In this section:

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

1 “(A) a municipality; or

2 “(B) an intermunicipal, interstate, or State
3 agency.

4 “(2) NATURAL HAZARD.—The term ‘natural
5 hazard’ means a hazard caused by natural forces, in-
6 cluding extreme weather events, sea-level rise, and
7 extreme drought conditions.

8 “(3) PROGRAM.—The term ‘program’ means
9 the clean water infrastructure resilience and sustain-
10 ability program established under subsection (b).

11 “(b) ESTABLISHMENT.—Subject to the availability of
12 appropriations, the Administrator shall establish a clean
13 water infrastructure resilience and sustainability program
14 under which the Administrator shall award grants to eligi-
15 ble entities for the purpose of increasing the resilience of
16 publicly owned treatment works to a natural hazard or cy-
17 bersecurity vulnerabilities.

18 “(c) USE OF FUNDS.—An eligible entity that receives
19 a grant under the program shall use the grant funds for
20 planning, designing, or constructing projects (on a system-
21 wide or area-wide basis) that increase the resilience of a
22 publicly owned treatment works to a natural hazard or cy-
23 bersecurity vulnerabilities through—

24 “(1) the conservation of water;

25 “(2) the enhancement of water use efficiency;

1 “(3) the enhancement of wastewater and
2 stormwater management by increasing watershed
3 preservation and protection, including through the
4 use of—

5 “(A) natural and engineered green infra-
6 structure; and

7 “(B) reclamation and reuse of wastewater
8 and stormwater, such as aquifer recharge zones;

9 “(4) the modification or relocation of an exist-
10 ing publicly owned treatment works, conveyance, or
11 discharge system component that is at risk of being
12 significantly impaired or damaged by a natural haz-
13 ard;

14 “(5) the development and implementation of
15 projects to increase the resilience of publicly owned
16 treatment works to a natural hazard or cybersecu-
17 rity vulnerabilities, as applicable; or

18 “(6) the enhancement of energy efficiency or
19 the use and generation of recovered or renewable en-
20 ergy in the management, treatment, or conveyance
21 of wastewater or stormwater.

22 “(d) APPLICATION.—To be eligible to receive a grant
23 under the program, an eligible entity shall submit to the
24 Administrator an application at such time, in such man-

1 ner, and containing such information as the Administrator
2 may require, including—

3 “(1) a proposal of the project to be planned, de-
4 signed, or constructed using funds under the pro-
5 gram;

6 “(2) an identification of the natural hazard risk
7 of the area where the proposed project is to be lo-
8 cated or potential cybersecurity vulnerability, as ap-
9 plicable, to be addressed by the proposed project;

10 “(3) documentation prepared by a Federal,
11 State, regional, or local government agency of the
12 natural hazard risk of the area where the proposed
13 project is to be located or potential cybersecurity
14 vulnerability, as applicable, of the area where the
15 proposed project is to be located;

16 “(4) a description of any recent natural hazard
17 risk of the area where the proposed project is to be
18 located or potential cybersecurity vulnerabilities that
19 have affected the publicly owned treatment works;

20 “(5) a description of how the proposed project
21 would improve the performance of the publicly
22 owned treatment works under an anticipated natural
23 hazard or natural hazard risk of the area where the
24 proposed project is to be located or a potential cy-
25 bersecurity vulnerability, as applicable; and

1 “(6) an explanation of how the proposed project
2 is expected to enhance the resilience of the publicly
3 owned treatment works to a natural hazard risk of
4 the area where the proposed project is to be located
5 or a potential cybersecurity vulnerability, as applica-
6 ble.

7 “(e) GRANT AMOUNT AND OTHER FEDERAL RE-
8 QUIREMENTS.—

9 “(1) COST SHARE.—Except as provided in
10 paragraph (2), a grant under the program shall not
11 exceed 75 percent of the total cost of the proposed
12 project.

13 “(2) EXCEPTION.—

14 “(A) IN GENERAL.—Except as provided in
15 subparagraph (B), a grant under the program
16 shall not exceed 90 percent of the total cost of
17 the proposed project if the project serves a com-
18 munity that—

19 “(i) has a population of fewer than
20 10,000 individuals; or

21 “(ii) meets the affordability criteria
22 established by the State in which the com-
23 munity is located under section 603(i)(2).

24 “(B) WAIVER.—At the discretion of the
25 Administrator, a grant for a project described

1 in subparagraph (A) may cover 100 percent of
2 the total cost of the proposed project.

3 “(3) REQUIREMENTS.—The requirements of
4 section 608 shall apply to a project funded with a
5 grant under the program.

6 “(f) REPORT.—Not later than 2 years after the date
7 of enactment of the Drinking Water and Wastewater In-
8 frastructure Act of 2021, the Administrator shall submit
9 to Congress a report that describes the implementation of
10 the program, which shall include an accounting of all
11 grants awarded under the program, including a descrip-
12 tion of each grant recipient and each project funded using
13 a grant under the program.

14 “(g) AUTHORIZATION OF APPROPRIATIONS.—

15 “(1) IN GENERAL.—There is authorized to be
16 appropriated to carry out this section \$25,000,000
17 for each of fiscal years 2022 through 2026.

18 “(2) LIMITATION ON USE OF FUNDS.—Of the
19 amounts made available for grants under paragraph
20 (1), not more than 2 percent may be used to pay the
21 administrative costs of the Administrator.”.

1 **SEC. 206. SMALL AND MEDIUM PUBLICLY OWNED TREAT-**
2 **MENT WORKS CIRCUIT RIDER PROGRAM.**

3 Title II of the Federal Water Pollution Control Act
4 (33 U.S.C. 1281 et seq.) (as amended by section 205) is
5 amended by adding at the end the following:

6 **“SEC. 224. SMALL AND MEDIUM PUBLICLY OWNED TREAT-**
7 **MENT WORKS CIRCUIT RIDER PROGRAM.**

8 “(a) ESTABLISHMENT.—Subject to the availability of
9 appropriations, not later than 180 days after the date of
10 enactment of this section, the Administrator shall estab-
11 lish a circuit rider program (referred to in this section as
12 the ‘circuit rider program’) under which the Administrator
13 shall award grants to qualified nonprofit entities, as deter-
14 mined by the Administrator, to provide assistance to own-
15 ers and operators of small and medium publicly owned
16 treatment works to carry out the activities described in
17 section 602(b)(13).

18 “(b) LIMITATION.—A grant provided under the cir-
19 cuit rider program shall be in an amount that is not more
20 than \$75,000.

21 “(c) PRIORITIZATION.—In selecting recipients of
22 grants under the circuit rider program, the Administrator
23 shall give priority to qualified nonprofit entities, as deter-
24 mined by the Administrator, that would serve a commu-
25 nity that—

1 “(1) has a history, for not less than the 10
2 years prior to the award of the grant, of unresolved
3 wastewater issues, stormwater issues, or a combina-
4 tion of wastewater and stormwater issues;

5 “(2) is considered financially distressed;

6 “(3) faces the cumulative burden of stormwater
7 and wastewater overflow issues; or

8 “(4) has previously failed to access Federal
9 technical assistance due to cost-sharing require-
10 ments.

11 “(d) COMMUNICATION.—Each qualified nonprofit en-
12 tity that receives funding under this section shall, before
13 using that funding to undertake activities to carry out this
14 section, consult with the State in which the assistance is
15 to be expended or otherwise made available.

16 “(e) REPORT.—Not later than 2 years after the date
17 on which the Administrator establishes the circuit rider
18 program, and every 2 years thereafter, the Administrator
19 shall submit to Congress a report describing—

20 “(1) each recipient of a grant under the circuit
21 rider program; and

22 “(2) a summary of the activities carried out
23 under the circuit rider program.

24 “(f) AUTHORIZATION OF APPROPRIATIONS.—

1 “(1) IN GENERAL.—There is authorized to be
2 appropriated to carry out this section \$10,000,000
3 for the period of fiscal years 2022 through 2026.

4 “(2) LIMITATION ON USE OF FUNDS.—Of the
5 amounts made available for grants under paragraph
6 (1), not more than 2 percent may be used to pay the
7 administrative costs of the Administrator.”.

8 **SEC. 207. SMALL PUBLICLY OWNED TREATMENT WORKS**
9 **EFFICIENCY GRANT PROGRAM.**

10 Title II of the Federal Water Pollution Control Act
11 (33 U.S.C. 1281 et seq.) (as amended by section 206) is
12 amended by adding at the end the following:

13 **“SEC. 225. SMALL PUBLICLY OWNED TREATMENT WORKS**
14 **EFFICIENCY GRANT PROGRAM.**

15 “(a) ESTABLISHMENT.—Subject to the availability of
16 appropriations, not later than 180 days after the date of
17 enactment of this section, the Administrator shall estab-
18 lish an efficiency grant program (referred to in this section
19 as the ‘efficiency grant program’) under which the Admin-
20 istrator shall award grants to eligible entities for the re-
21 placement or repair of equipment that improves water or
22 energy efficiency of small publicly owned treatment works,
23 as identified in an efficiency audit.

24 “(b) ELIGIBLE ENTITIES.—The Administrator may
25 award a grant under the efficiency grant program to—

1 “(1) an owner or operator of a small publicly
2 owned treatment works that serves—

3 “(A) a population of not more than 10,000
4 people; or

5 “(B) a disadvantaged community; or

6 “(2) a nonprofit organization that seeks to as-
7 sist a small publicly owned treatment works de-
8 scribed in paragraph (1) to carry out the activities
9 described in subsection (a).

10 “(c) REPORT.—Not later than 2 years after the date
11 on which the Administrator establishes the efficiency
12 grant program, and every 2 years thereafter, the Adminis-
13 trator shall submit to Congress a report describing—

14 “(1) each recipient of a grant under the effi-
15 ciency grant program; and

16 “(2) a summary of the activities carried out
17 under the efficiency grant program.

18 “(d) USE OF FUNDS.—

19 “(1) SMALL SYSTEMS.—Of the amounts made
20 available for grants under this section, to the extent
21 that there are sufficient applications, not less than
22 15 percent shall be used for grants to publicly owned
23 treatment works that serve fewer than 3,300 people.

24 “(2) LIMITATION ON USE OF FUNDS.—Of the
25 amounts made available for grants under this sec-

1 tion, not more than 2 percent may be used to pay
2 the administrative costs of the Administrator.”.

3 **SEC. 208. GRANTS FOR CONSTRUCTION AND REFUR-**
4 **BISHING OF INDIVIDUAL HOUSEHOLD DE-**
5 **CENTRALIZED WASTEWATER SYSTEMS FOR**
6 **INDIVIDUALS WITH LOW OR MODERATE IN-**
7 **COME.**

8 Title II of the Federal Water Pollution Control Act
9 (33 U.S.C. 1281 et seq.) (as amended by section 207) is
10 amended by adding at the end the following:

11 **“SEC. 226. GRANTS FOR CONSTRUCTION AND REFUR-**
12 **BISHING OF INDIVIDUAL HOUSEHOLD DE-**
13 **CENTRALIZED WASTEWATER SYSTEMS FOR**
14 **INDIVIDUALS WITH LOW OR MODERATE IN-**
15 **COME.**

16 “(a) DEFINITION OF ELIGIBLE INDIVIDUAL.—In this
17 section, the term ‘eligible individual’ means a member of
18 a low-income or moderate-income household, the members
19 of which have a combined income (for the most recent 12-
20 month period for which information is available) equal to
21 not more than 50 percent of the median nonmetropolitan
22 household income for the State or territory in which the
23 household is located, according to the most recent decen-
24 nial census.

25 “(b) GRANT PROGRAM.—

1 “(1) IN GENERAL.—Subject to the availability
2 of appropriations, the Administrator shall establish a
3 program under which the Administrator shall pro-
4 vide grants to private nonprofit organizations for the
5 purpose of improving general welfare by providing
6 assistance to eligible individuals—

7 “(A) for the construction, repair, or re-
8 placement of an individual household decentral-
9 ized wastewater treatment system; or

10 “(B) for the installation of a larger decen-
11 tralized wastewater system designed to provide
12 treatment for 2 or more households in which el-
13 igible individuals reside, if—

14 “(i) site conditions at the households
15 are unsuitable for the installation of an in-
16 dividually owned decentralized wastewater
17 system;

18 “(ii) multiple examples of unsuitable
19 site conditions exist in close geographic
20 proximity to each other; and

21 “(iii) a larger decentralized waste-
22 water system could be cost-effectively in-
23 stalled.

24 “(2) APPLICATION.—To be eligible to receive a
25 grant under this subsection, a private nonprofit or-

1 organization shall submit to the Administrator an ap-
2 plication at such time, in such manner, and con-
3 taining such information as the Administrator deter-
4 mines to be appropriate.

5 “(3) PRIORITY.—In awarding grants under this
6 subsection, the Administrator shall give priority to
7 applicants that have substantial expertise and expe-
8 rience in promoting the safe and effective use of in-
9 dividual household decentralized wastewater systems.

10 “(4) ADMINISTRATIVE EXPENSES.—A private
11 nonprofit organization may use amounts provided
12 under this subsection to pay the administrative ex-
13 penses associated with the provision of the services
14 described in paragraph (1), as the Administrator de-
15 termines to be appropriate.

16 “(c) GRANTS.—

17 “(1) IN GENERAL.—Subject to paragraph (2), a
18 private nonprofit organization shall use a grant pro-
19 vided under subsection (b) for the services described
20 in paragraph (1) of that subsection.

21 “(2) APPLICATION.—To be eligible to receive
22 the services described in subsection (b)(1), an eligi-
23 ble individual shall submit to the private nonprofit
24 organization serving the area in which the individual
25 household decentralized wastewater system of the el-

1 eligible individuals is, or is proposed to be, located an
2 application at such time, in such manner, and con-
3 taining such information as the private nonprofit or-
4 ganization determines to be appropriate.

5 “(3) PRIORITY.—In awarding grants under this
6 subsection, a private nonprofit organization shall
7 give priority to any eligible individual who does not
8 have access to a sanitary sewage disposal system.

9 “(d) REPORT.—Not later than 2 years after the date
10 of enactment of this section, the Administrator shall sub-
11 mit to the Committee on Environment and Public Works
12 of the Senate and the Committee on Transportation and
13 Infrastructure of the House of Representatives a report
14 describing the recipients of grants under the program
15 under this section and the results of the program under
16 this section.

17 “(e) AUTHORIZATION OF APPROPRIATIONS.—

18 “(1) IN GENERAL.—There is authorized to be
19 appropriated to the Administrator to carry out this
20 section \$50,000,000 for each of fiscal years 2022
21 through 2026.

22 “(2) LIMITATION ON USE OF FUNDS.—Of the
23 amounts made available for grants under paragraph
24 (1), not more than 2 percent may be used to pay the
25 administrative costs of the Administrator.”.

1 **SEC. 209. CONNECTION TO PUBLICLY OWNED TREATMENT**
2 **WORKS.**

3 Title II of the Federal Water Pollution Control Act
4 (33 U.S.C. 1281 et seq.) (as amended by section 208) is
5 amended by adding at the end the following:

6 **“SEC. 227. CONNECTION TO PUBLICLY OWNED TREATMENT**
7 **WORKS.**

8 “(a) DEFINITIONS.—In this section:

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

11 “(A) an owner or operator of a publicly
12 owned treatment works that assists or is seek-
13 ing to assist low-income or moderate-income in-
14 dividuals with connecting the household of the
15 individual to the publicly owned treatment
16 works; or

17 “(B) a nonprofit entity that assists low-in-
18 come or moderate-income individuals with the
19 costs associated with connecting the household
20 of the individual to a publicly owned treatment
21 works.

22 “(2) PROGRAM.—The term ‘program’ means
23 the competitive grant program established under
24 subsection (b).

1 “(3) QUALIFIED INDIVIDUAL.—The term ‘quali-
2 fied individual’ has the meaning given the term ‘eli-
3 gible individual’ in section 603(j).

4 “(b) ESTABLISHMENT.—Subject to the availability of
5 appropriations, the Administrator shall establish a com-
6 petitive grant program with the purpose of improving gen-
7 eral welfare, under which the Administrator awards grants
8 to eligible entities to provide funds to assist qualified indi-
9 viduals in covering the costs incurred by the qualified indi-
10 vidual in connecting the household of the qualified indi-
11 vidual to a publicly owned treatment works.

12 “(c) APPLICATION.—

13 “(1) IN GENERAL.—An eligible entity seeking a
14 grant under the program shall submit to the Admin-
15 istrator an application at such time, in such manner,
16 and containing such information as the Adminis-
17 trator may by regulation require.

18 “(2) REQUIREMENT.—Not later than 90 days
19 after the date on which the Administrator receives
20 an application from an eligible entity under para-
21 graph (1), the Administrator shall notify the eligible
22 entity of whether the Administrator will award a
23 grant to the eligible entity under the program.

1 “(d) SELECTION CRITERIA.—In selecting recipients
2 of grants under the program, the Administrator shall use
3 the following criteria:

4 “(1) Whether the eligible entity seeking a grant
5 provides services to, or works directly with, qualified
6 individuals.

7 “(2) Whether the eligible entity seeking a
8 grant—

9 “(A) has an existing program to assist in
10 covering the costs incurred in connecting a
11 household to a publicly owned treatment works;
12 or

13 “(B) seeks to create a program described
14 in subparagraph (A).

15 “(e) REQUIREMENTS.—

16 “(1) VOLUNTARY CONNECTION.—Before pro-
17 viding funds to a qualified individual for the costs
18 described in subsection (b), an eligible entity shall
19 ensure that—

20 “(A) the qualified individual has connected
21 to the publicly owned treatment works volun-
22 tarily; and

23 “(B) if the eligible entity is not the owner
24 or operator of the publicly owned treatment
25 works to which the qualified individual has con-

1 needed, the publicly owned treatment works to
2 which the qualified individual has connected has
3 agreed to the connection.

4 “(2) REIMBURSEMENTS FROM PUBLICLY
5 OWNED TREATMENT WORKS.—An eligible entity that
6 is an owner or operator of a publicly owned treat-
7 ment works may reimburse a qualified individual
8 that has already incurred the costs described in sub-
9 section (b) by—

10 “(A) reducing the amount otherwise owed
11 by the qualified individual to the owner or oper-
12 ator for wastewater or other services provided
13 by the owner or operator; or

14 “(B) providing a direct payment to the
15 qualified individual.

16 “(f) AUTHORIZATION OF APPROPRIATIONS.—

17 “(1) IN GENERAL.—There is authorized to be
18 appropriated to carry out the program \$40,000,000
19 for each of fiscal years 2022 through 2026.

20 “(2) LIMITATIONS ON USE OF FUNDS.—

21 “(A) SMALL SYSTEMS.—Of the amounts
22 made available for grants under paragraph (1),
23 to the extent that there are sufficient applica-
24 tions, not less than 15 percent shall be used to
25 make grants to—

1 “(i) eligible entities described in sub-
 2 section (a)(1)(A) that are owners and op-
 3 erators of publicly owned treatment works
 4 that serve fewer than 3,300 people; and

5 “(ii) eligible entities described in sub-
 6 section (a)(1)(B) that provide the assist-
 7 ance described in that subsection in areas
 8 that are served by publicly owned treat-
 9 ment works that serve fewer than 3,300
 10 people.

11 “(B) ADMINISTRATIVE COSTS.—Of the
 12 amounts made available for grants under para-
 13 graph (1), not more than 2 percent may be
 14 used to pay the administrative costs of the Ad-
 15 ministrator.”.

16 **SEC. 210. CLEAN WATER STATE REVOLVING FUNDS.**

17 (a) USE OF FUNDS.—

18 (1) IN GENERAL.—Section 603 of the Federal
 19 Water Pollution Control Act (33 U.S.C. 1383) is
 20 amended—

21 (A) in subsection (d), in the matter pre-
 22 ceding paragraph (1), by inserting “and pro-
 23 vided in subsection (k)” after “State law”;

24 (B) in subsection (i)—

1 (i) in paragraph (1), in the matter
2 preceding subparagraph (A), by striking “,
3 including forgiveness of principal and neg-
4 ative interest loans” and inserting “(in-
5 cluding forgiveness of principal, grants,
6 negative interest loans, other loan forgive-
7 ness, and through buying, refinancing, or
8 restructuring debt)”; and

9 (ii) in paragraph (3), by striking sub-
10 subparagraph (B) and inserting the following:

11 “(B) TOTAL AMOUNT OF SUBSIDIZA-
12 TION.—

13 “(i) IN GENERAL.—For each fiscal
14 year, of the amount of the capitalization
15 grant received by the State under this title,
16 the total amount of additional subsidiza-
17 tion made available by a State under para-
18 graph (1)—

19 “(I) may not exceed 30 percent;

20 and

21 “(II) to the extent that there are
22 sufficient applications for assistance
23 to communities described in that
24 paragraph, may not be less than 10
25 percent.

1 “(ii) EXCLUSION.—A loan from the
2 water pollution control revolving fund of a
3 State with an interest rate equal to or
4 greater than 0 percent shall not be consid-
5 ered additional subsidization for purposes
6 of this subparagraph.”; and

7 (C) by adding at the end the following:

8 “(k) ADDITIONAL USE OF FUNDS.—A State may use
9 an additional 2 percent of the funds annually awarded to
10 each State under this title for nonprofit organizations (as
11 defined in section 104(w)) or State, regional, interstate,
12 or municipal entities to provide technical assistance to
13 rural, small, and tribal publicly owned treatment works
14 (within the meaning of section 104(b)(8)(B)) in the
15 State.”.

16 (2) TECHNICAL AMENDMENT.—Section 104(w)
17 of the Federal Water Pollution Control Act (33
18 U.S.C. 1254(w)) is amended by striking “treatments
19 works” and inserting “treatment works”.

20 (b) CAPITALIZATION GRANT REAUTHORIZATION.—
21 Section 607 of the Federal Water Pollution Control Act
22 (33 U.S.C. 1387) is amended to read as follows:

23 “**SEC. 607. AUTHORIZATION OF APPROPRIATIONS.**

24 “There are authorized to be appropriated to carry out
25 the purposes of this title—

- 1 “(1) \$2,400,000,000 for fiscal year 2022;
 2 “(2) \$2,750,000,000 for fiscal year 2023;
 3 “(3) \$3,000,000,000 for fiscal year 2024; and
 4 “(4) \$3,250,000,000 for each of fiscal years
 5 2025 and 2026.”.

6 **SEC. 211. WATER INFRASTRUCTURE AND WORKFORCE IN-**
 7 **VESTMENT.**

8 Section 4304 of the America’s Water Infrastructure
 9 Act of 2018 (42 U.S.C. 300j–19e) is amended—

10 (1) in subsection (a)(3)—

11 (A) in subparagraph (A), by inserting
 12 “Tribal,” after “State,”; and

13 (B) in subparagraph (B), by striking
 14 “community-based organizations” and all that
 15 follows through the period at the end and in-
 16 serting the following: “community-based organi-
 17 zations and public works departments or agen-
 18 cies to align water and wastewater utility work-
 19 force recruitment efforts, training programs, re-
 20 tention efforts, and community resources with
 21 water and wastewater utilities—

22 “(i) to accelerate career pipelines;

23 “(ii) to ensure the sustainability of
 24 the water and wastewater utility workforce;

25 and

1 “(iii) to provide access to workforce
2 opportunities.”;

3 (2) in subsection (b)—

4 (A) in paragraph (1)—

5 (i) by striking subparagraph (B);

6 (ii) in subparagraph (A), by striking
7 “; and” at the end and inserting “, which
8 may include—”

9 (iii) in the matter preceding subpara-
10 graph (A), by striking “program—” and
11 all that follows through “to assist” in sub-
12 paragraph (A) and inserting “program to
13 assist”; and

14 (iv) by adding at the end the fol-
15 lowing:

16 “(A) expanding the use and availability of
17 activities and resources that relate to the re-
18 cruitment, including the promotion of diversity
19 within that recruitment, of individuals to ca-
20 reers in the water and wastewater utility sector;

21 “(B) expanding the availability of training
22 opportunities for—

23 “(i) individuals entering into the
24 water and wastewater utility sector; and

1 “(ii) individuals seeking to advance
2 careers within the water and wastewater
3 utility sector; and

4 “(C) expanding the use and availability of
5 activities and strategies, including the develop-
6 ment of innovative activities and strategies, that
7 relate to the maintenance and retention of a
8 sustainable workforce in the water and waste-
9 water utility sector.”;

10 (B) in paragraph (2)—

11 (i) in the matter preceding subpara-
12 graph (A), by striking “institutions—” and
13 inserting “institutions, or public works de-
14 partments and agencies—”; and

15 (ii) in subparagraph (A)—

16 (I) by striking clauses (ii) and
17 (iii);

18 (II) in clause (i), by adding “or”
19 at the end;

20 (III) by redesignating clause (i)
21 as clause (ii);

22 (IV) by inserting before clause
23 (ii) (as so redesignated) the following:

24 “(i) in the development of educational
25 or recruitment materials and activities, in-

1 cluding those materials and activities that
2 specifically promote diversity within re-
3 cruitment, for the water and wastewater
4 utility workforce;” and

5 (V) by adding at the end the fol-
6 lowing:

7 “(iii) developing activities and strate-
8 gies that relate to the maintenance and re-
9 tention of a sustainable workforce in the
10 water and wastewater utility sector; and”;

11 (C) in paragraph (3)—

12 (i) in subparagraph (D)(ii), by insert-
13 ing “or certification” after “training”; and

14 (ii) in subparagraph (E), by striking
15 “ensure that incumbent water and waste
16 water utilities workers” and inserting “are
17 designed to retain incumbent water and
18 wastewater utility workforce workers by
19 ensuring that those workers”; and

20 (D) by striking paragraph (4) and insert-
21 ing the following:

22 “(4) WORKING GROUP; REPORT.—

23 “(A) IN GENERAL.—The Administrator
24 shall establish and coordinate a Federal inter-
25 agency working group to address recruitment,

1 training, and retention challenges in the water
2 and wastewater utility workforce, which shall
3 include representatives from—

4 “(i) the Department of Education;

5 “(ii) the Department of Labor;

6 “(iii) the Department of Agriculture;

7 “(iv) the Department of Veterans Af-
8 fairs; and

9 “(v) other Federal agencies, as deter-
10 mined to be appropriate by the Adminis-
11 trator.

12 “(B) REPORT.—Not later than 2 years
13 after the date of enactment of the Drinking
14 Water and Wastewater Infrastructure Act of
15 2021, the Administrator, in coordination with
16 the working group established under subpara-
17 graph (A), shall submit to Congress a report
18 describing potential solutions to recruitment,
19 training, and retention challenges in the water
20 and wastewater utility workforce.

21 “(C) CONSULTATION.—In carrying out the
22 duties of the working group established under
23 subparagraph (A), the working group shall con-
24 sult with State operator certification programs.

1 “(5) AUTHORIZATION OF APPROPRIATIONS.—
2 There is authorized to be appropriated to carry out
3 this subsection \$5,000,000 for each of fiscal years
4 2022 through 2026.”;

5 (3) by redesignating subsections (a) and (b) as
6 subsection (b) and (c), respectively; and

7 (4) by inserting before subsection (b) (as so re-
8 designated) the following:

9 “(a) DEFINITION OF PUBLIC WORKS DEPARTMENT
10 OR AGENCY.—In this section, the term ‘public works de-
11 partment or agency’ means a political subdivision of a
12 local, county, or regional government that designs, builds,
13 operates, and maintains water infrastructure, sewage and
14 refuse disposal systems, and other public water systems
15 and facilities.”.

16 **SEC. 212. GRANTS TO ALASKA TO IMPROVE SANITATION IN**
17 **RURAL AND NATIVE VILLAGES.**

18 Section 303 of the Safe Drinking Water Act Amend-
19 ments of 1996 (33 U.S.C. 1263a) is amended—

20 (1) in subsection (b), by striking “50 percent”
21 and inserting “75 percent”; and

22 (2) in subsection (e), by striking “this section”
23 and all that follows through the period at the end
24 and inserting the following: “this section—

1 “(1) \$40,000,000 for each of fiscal years 2022
2 through 2024;

3 “(2) \$50,000,000 for fiscal year 2025; and

4 “(3) \$60,000,000 for fiscal year 2026.”.

5 **SEC. 213. WATER DATA SHARING PILOT PROGRAM.**

6 (a) ESTABLISHMENT.—

7 (1) IN GENERAL.—Subject to the availability of
8 appropriations, the Administrator shall establish a
9 competitive grant pilot program (referred to in this
10 section as the “pilot program”) under which the Ad-
11 ministrator may award grants to eligible entities
12 under subsection (b) to establish systems that im-
13 prove the sharing of information concerning water
14 quality, water infrastructure needs, and water tech-
15 nology, including cybersecurity technology, between
16 States or among counties and other units of local
17 government within a State, which may include—

18 (A) establishing a website or data hub to
19 exchange water data, including data on water
20 quality or water technology, including new and
21 emerging, but proven, water technology; and

22 (B) intercounty communications initiatives
23 related to water data.

24 (2) REQUIREMENTS.—

1 (A) DATA SHARING.—The Internet of
2 Water principles developed by the Nicholas In-
3 stitute for Environmental Policy Solutions shall,
4 to the extent practicable, guide any water data
5 sharing efforts under the pilot program.

6 (B) USE OF EXISTING DATA.—The recipi-
7 ent of a grant under the pilot program to estab-
8 lish a website or data hub described in para-
9 graph (1)(A) shall, to the extent practicable, le-
10 verage existing data sharing infrastructure.

11 (b) ELIGIBLE ENTITIES.—An entity eligible for a
12 grant under the pilot program is—

13 (1) a State, county, or other unit of local gov-
14 ernment that—

15 (A) has a coastal watershed with signifi-
16 cant pollution levels;

17 (B) has a water system with significant
18 pollution levels; or

19 (C) has significant individual water infra-
20 structure deficits; or

21 (2) a regional consortium established under
22 subsection (d).

23 (c) APPLICATIONS.—To be eligible to receive a grant
24 under the pilot program, an eligible entity under sub-
25 section (b) shall submit to the Administrator an applica-

1 tion at such time, in such manner, and containing such
2 information as the Administrator may require.

3 (d) REGIONAL CONSORTIA.—

4 (1) ESTABLISHMENT.—States may establish re-
5 gional consortia in accordance with this subsection.

6 (2) REQUIREMENTS.—A regional consortium
7 established under paragraph (1) shall—

8 (A) include not fewer than 2 States that
9 have entered into a memorandum of under-
10 standing—

11 (i) to exchange water data, including
12 data on water quality; or

13 (ii) to share information, protocols,
14 and procedures with respect to projects
15 that evaluate, demonstrate, or install new
16 and emerging, but proven, water tech-
17 nology;

18 (B) carry out projects—

19 (i) to exchange water data, including
20 data on water quality; or

21 (ii) that evaluate, demonstrate, or in-
22 stall new and emerging, but proven, water
23 technology; and

24 (C) develop a regional intended use plan,
25 in accordance with paragraph (3), to identify

1 projects to carry out, including projects using
2 grants received under this section.

3 (3) REGIONAL INTENDED USE PLAN.—A re-
4 gional intended use plan of a regional consortium es-
5 tablished under paragraph (1)—

6 (A) shall identify projects that the regional
7 consortium intends to carry out, including
8 projects that meet the requirements of para-
9 graph (2)(B); and

10 (B) may include—

11 (i) projects included in an intended
12 use plan of a State prepared under section
13 606(c) of the Federal Water Pollution
14 Control Act (33 U.S.C. 1386(c)) within the
15 regional consortium; and

16 (ii) projects not included in an in-
17 tended use plan of a State prepared under
18 section 606(c) of the Federal Water Pollu-
19 tion Control Act (33 U.S.C. 1386(c)) with-
20 in the regional consortium.

21 (e) REPORT.—Not later than 2 years after the date
22 of enactment of this Act, the Administrator shall submit
23 to Congress a report that describes the implementation of
24 the pilot program, which shall include—

1 (1) a description of the use and deployment of
2 amounts made available under the pilot program;
3 and

4 (2) an accounting of all grants awarded under
5 the program, including a description of each grant
6 recipient and each project funded using a grant
7 under the pilot program.

8 (f) FUNDING.—

9 (1) AUTHORIZATION OF APPROPRIATIONS.—

10 There is authorized to be appropriated to carry out
11 the pilot program \$15,000,000 for each of fiscal
12 years 2022 through 2026, to remain available until
13 expended.

14 (2) REQUIREMENT.—Of the funds made avail-
15 able under paragraph (1), not more than 35 percent
16 may be used to provide grants to regional consortia
17 established under subsection (d).

18 **SEC. 214. FINAL RATING OPINION LETTERS.**

19 Section 5028(a)(1)(D)(ii) of the Water Infrastruc-
20 ture Finance and Innovation Act of 2014 (33 U.S.C.
21 3907(a)(1)(D)(ii)) is amended by striking “final rating
22 opinion letters from at least 2 rating agencies” and insert-
23 ing “a final rating opinion letter from at least 1 rating
24 agency”.

1 **SEC. 215. WATER INFRASTRUCTURE FINANCING REAU-**
 2 **THORIZATION.**

3 (a) IN GENERAL.—Section 5033 of the Water Infra-
 4 structure Finance and Innovation Act of 2014 (33 U.S.C.
 5 3912) is amended—

6 (1) in subsection (a), by adding at the end the
 7 following:

8 “(3) FISCAL YEARS 2022 THROUGH 2026.—
 9 There is authorized to be appropriated to the Ad-
 10 ministrator to carry out this subtitle \$50,000,000
 11 for each of fiscal years 2022 through 2026, to re-
 12 main available until expended.”;

13 (2) in subsection (b)(2)—

14 (A) in the paragraph heading, by striking
 15 “2020 AND 2021” and inserting “AFTER 2019”;
 16 and

17 (B) by striking “2020 and 2021” and in-
 18 serting “2022 through 2026”; and

19 (3) in subsection (e)(1), by striking “2020 and
 20 2021” and inserting “2022 through 2026”.

21 (b) OUTREACH PLAN.—The Water Infrastructure Fi-
 22 nance and Innovation Act of 2014 (33 U.S.C. 3901 et
 23 seq.) is amended by adding at the end the following:

24 **“SEC. 5036. OUTREACH PLAN.**

25 “(a) DEFINITION OF RURAL COMMUNITY.—In this
 26 section, the term ‘rural community’ means a city, town,

1 or unincorporated area that has a population of not more
2 than 10,000 inhabitants.

3 “(b) **OUTREACH REQUIRED.**—Not later than 180
4 days after the date of enactment of this section, the Ad-
5 ministrator, in consultation with relevant Federal agen-
6 cies, shall develop and begin implementation of an out-
7 reach plan to promote financial assistance available under
8 this subtitle to small communities and rural commu-
9 nities.”.

10 **SEC. 216. SMALL AND DISADVANTAGED COMMUNITY ANAL-**
11 **YSIS.**

12 (a) **ANALYSIS.**—Not later than 2 years after the date
13 of enactment of this Act, using environmental justice data
14 of the Environmental Protection Agency, including data
15 from the environmental justice mapping and screening tool
16 of the Environmental Protection Agency, the Adminis-
17 trator shall carry out an analysis under which the Admin-
18 istrator shall assess the programs under title VI of the
19 Federal Water Pollution Control Act (33 U.S.C. 1381 et
20 seq.) and section 1452 of the Safe Drinking Water Act
21 (42 U.S.C. 300j–12) to identify historical distributions of
22 funds to small and disadvantaged communities and new
23 opportunities and methods to improve on the distribution
24 of funds under those programs to low-income commu-
25 nities, rural communities, minority communities, and com-

1 munities of indigenous peoples, in accordance with Execu-
2 tive Order 12898 (42 U.S.C. 4321 note; 60 Fed. Reg.
3 6381; relating to Federal actions to address environmental
4 justice in minority populations and low-income popu-
5 lations).

6 (b) REQUIREMENT.—The analysis under subsection
7 (a) shall include an analysis, to the extent practicable, of
8 communities in the United States that do not have access
9 to drinking water or wastewater services.

10 (c) REPORT.—On completion of the analysis under
11 subsection (a), the Administrator shall submit to the Com-
12 mittee on Environment and Public Works of the Senate
13 and the Committees on Energy and Commerce and Trans-
14 portation and Infrastructure of the House of Representa-
15 tives a report describing—

16 (1) the results of the analysis; and

17 (2) the criteria the Administrator used in car-
18 rying out the analysis.

19 **SEC. 217. STORMWATER INFRASTRUCTURE TECHNOLOGY.**

20 (a) DEFINITIONS.—In this section:

21 (1) CENTER.—The term “center” means a cen-
22 ter of excellence for stormwater control infrastruc-
23 ture established under subsection (b)(1).

24 (2) ELIGIBLE ENTITY.—The term “eligible enti-
25 ty” means—

1 (A) a State, Tribal, or local government; or

2 (B) a local, regional, or other public entity

3 that manages stormwater or wastewater re-

4 sources or other related water infrastructure.

5 (3) ELIGIBLE INSTITUTION.—The term “eligi-

6 ble institution” means an institution of higher edu-

7 cation, a research institution, or a nonprofit organi-

8 zation—

9 (A) that has demonstrated excellence in re-

10 searching and developing new and emerging

11 stormwater control infrastructure technologies;

12 and

13 (B) with respect to a nonprofit organiza-

14 tion, the core mission of which includes water

15 management, as determined by the Adminis-

16 trator.

17 (b) CENTERS OF EXCELLENCE FOR STORMWATER

18 CONTROL INFRASTRUCTURE TECHNOLOGIES.—

19 (1) ESTABLISHMENT OF CENTERS.—

20 (A) IN GENERAL.—Subject to the avail-

21 ability of appropriations, the Administrator

22 shall provide grants, on a competitive basis, to

23 eligible institutions to establish and maintain

24 not less than 3, and not more than 5, centers

25 of excellence for new and emerging stormwater

1 control infrastructure technologies, to be lo-
2 cated in various regions throughout the United
3 States.

4 (B) GENERAL OPERATION.—Each center
5 shall—

6 (i) conduct research on new and
7 emerging stormwater control infrastructure
8 technologies that are relevant to the geo-
9 graphical region in which the center is lo-
10 cated, including stormwater and sewer
11 overflow reduction, other approaches to
12 water resource enhancement, alternative
13 funding approaches, and other environ-
14 mental, economic, and social benefits, with
15 the goal of improving the effectiveness,
16 cost efficiency, and protection of public
17 safety and water quality;

18 (ii) maintain a listing of—

19 (I) stormwater control infrastruc-
20 ture needs; and

21 (II) an analysis of new and
22 emerging stormwater control infra-
23 structure technologies that are avail-
24 able;

1 (iii) analyze whether additional finan-
2 cial programs for the implementation of
3 new and emerging, but proven, stormwater
4 control infrastructure technologies would
5 be useful;

6 (iv) provide information regarding re-
7 search conducted under clause (i) to the
8 national electronic clearinghouse center for
9 publication on the Internet website estab-
10 lished under paragraph (3)(B)(i) to pro-
11 vide to the Federal Government and State,
12 Tribal, and local governments and the pri-
13 vate sector information regarding new and
14 emerging, but proven, stormwater control
15 infrastructure technologies;

16 (v) provide technical assistance to
17 State, Tribal, and local governments to as-
18 sist with the design, construction, oper-
19 ation, and maintenance of stormwater con-
20 trol infrastructure projects that use inno-
21 vative technologies;

22 (vi) collaborate with institutions of
23 higher education and private and public or-
24 ganizations, including community-based
25 public-private partnerships and other

1 stakeholders, in the geographical region in
2 which the center is located; and

3 (vii) coordinate with the other centers
4 to avoid duplication of efforts.

5 (2) APPLICATION.—To be eligible to receive a
6 grant under this subsection, an eligible institution
7 shall prepare and submit to the Administrator an
8 application at such time, in such form, and con-
9 taining such information as the Administrator may
10 require.

11 (3) NATIONAL ELECTRONIC CLEARINGHOUSE
12 CENTER.—Of the centers established under para-
13 graph (1)(A), 1 shall—

14 (A) be designated as the “national elec-
15 tronic clearinghouse center”; and

16 (B) in addition to the other functions of
17 that center—

18 (i) develop, operate, and maintain an
19 Internet website and a public database
20 that contains information relating to new
21 and emerging, but proven, stormwater con-
22 trol infrastructure technologies; and

23 (ii) post to the website information
24 from all centers.

25 (4) AUTHORIZATION OF APPROPRIATIONS.—

1 (A) IN GENERAL.—There is authorized to
2 be appropriated to carry out this subsection
3 \$5,000,000 for each of fiscal years 2022
4 through 2026.

5 (B) LIMITATION ON USE OF FUNDS.—Of
6 the amounts made available for grants under
7 subparagraph (A), not more than 2 percent
8 may be used to pay the administrative costs of
9 the Administrator.

10 (c) STORMWATER CONTROL INFRASTRUCTURE
11 PROJECT GRANTS.—

12 (1) GRANT AUTHORITY.—Subject to the avail-
13 ability of appropriations, the Administrator shall
14 provide grants, on a competitive basis, to eligible en-
15 tities to carry out stormwater control infrastructure
16 projects that incorporate new and emerging, but
17 proven, stormwater control technologies in accord-
18 ance with this subsection.

19 (2) STORMWATER CONTROL INFRASTRUCTURE
20 PROJECTS.—

21 (A) PLANNING AND DEVELOPMENT
22 GRANTS.—The Administrator may make plan-
23 ning and development grants under this sub-
24 section for the following projects:

1 (i) Planning and designing
2 stormwater control infrastructure projects
3 that incorporate new and emerging, but
4 proven, stormwater control technologies,
5 including engineering surveys, landscape
6 plans, maps, long-term operations and
7 maintenance plans, and implementation
8 plans.

9 (ii) Identifying and developing stand-
10 ards necessary to accommodate stormwater
11 control infrastructure projects, including
12 those projects that incorporate new and
13 emerging, but proven, stormwater control
14 technologies.

15 (iii) Identifying and developing fee
16 structures to provide financial support for
17 design, installation, and operations and
18 maintenance of stormwater control infra-
19 structure, including new and emerging, but
20 proven, stormwater control infrastructure
21 technologies.

22 (iv) Developing approaches for com-
23 munity-based public-private partnerships
24 for the financing and construction of
25 stormwater control infrastructure tech-

1 nologies, including feasibility studies,
2 stakeholder outreach, and needs assess-
3 ments.

4 (v) Developing and delivering training
5 and educational materials regarding new
6 and emerging, but proven, stormwater con-
7 trol infrastructure technologies for dis-
8 tribution to—

9 (I) individuals and entities with
10 applicable technical knowledge; and

11 (II) the public.

12 (B) IMPLEMENTATION GRANTS.—The Ad-
13 ministrator may make implementation grants
14 under this subsection for the following projects:

15 (i) Installing new and emerging, but
16 proven, stormwater control infrastructure
17 technologies.

18 (ii) Protecting or restoring inter-
19 connected networks of natural areas that
20 protect water quality.

21 (iii) Monitoring and evaluating the en-
22 vironmental, economic, or social benefits of
23 stormwater control infrastructure tech-
24 nologies that incorporate new and emerg-

1 ing, but proven, stormwater control tech-
2 nology.

3 (iv) Implementing a best practices
4 standard for stormwater control infrastruc-
5 ture programs.

6 (3) APPLICATION.—Except as otherwise pro-
7 vided in this section, to be eligible to receive a grant
8 under this subsection, an eligible entity shall prepare
9 and submit to the Administrator an application at
10 such time, in such form, and containing such infor-
11 mation as the Administrator may require, including,
12 as applicable—

13 (A) a description of the stormwater control
14 infrastructure project that incorporates new
15 and emerging, but proven, technologies;

16 (B) a plan for monitoring the impacts and
17 pollutant load reductions associated with the
18 stormwater control infrastructure project on the
19 water quality and quantity;

20 (C) an evaluation of other environmental,
21 economic, and social benefits of the stormwater
22 control infrastructure project; and

23 (D) a plan for the long-term operation and
24 maintenance of the stormwater control infra-

1 structure project and a tracking system, such
2 as asset management practices.

3 (4) PRIORITY.—In making grants under this
4 subsection, the Administrator shall give priority to
5 applications submitted on behalf of—

6 (A) a community that—

7 (i) has municipal combined storm and
8 sanitary sewers in the collection system of
9 the community; or

10 (ii) is a small, rural, or disadvantaged
11 community, as determined by the Adminis-
12 trator; or

13 (B) an eligible entity that will use not less
14 than 15 percent of the grant to provide service
15 to a small, rural, or disadvantaged community,
16 as determined by the Administrator.

17 (5) MAXIMUM AMOUNTS.—

18 (A) PLANNING AND DEVELOPMENT
19 GRANTS.—

20 (i) SINGLE GRANT.—The amount of a
21 single planning and development grant
22 provided under this subsection shall be not
23 more than \$200,000.

24 (ii) AGGREGATE AMOUNT.—The total
25 amount of all planning and development

1 grants provided under this subsection for a
2 fiscal year shall be not more than $\frac{1}{3}$ of the
3 total amount made available to carry out
4 this subsection.

5 (B) IMPLEMENTATION GRANTS.—

6 (i) SINGLE GRANT.—The amount of a
7 single implementation grant provided
8 under this subsection shall be not more
9 than \$2,000,000.

10 (ii) AGGREGATE AMOUNT.—The total
11 amount of all implementation grants pro-
12 vided under this subsection for a fiscal
13 year shall be not more than $\frac{2}{3}$ of the total
14 amount made available to carry out this
15 subsection.

16 (6) FEDERAL SHARE.—

17 (A) IN GENERAL.—Except as provided in
18 subparagraph (C), the Federal share of a grant
19 provided under this subsection shall not exceed
20 80 percent of the total project cost.

21 (B) CREDIT FOR IMPLEMENTATION
22 GRANTS.—The Administrator shall credit to-
23 ward the non-Federal share of the cost of an
24 implementation project carried out under this
25 subsection the cost of planning, design, and

1 construction work completed for the project
2 using funds other than funds provided under
3 this section.

4 (C) EXCEPTION.—The Administrator may
5 waive the Federal share limitation under sub-
6 paragraph (A) for an eligible entity that has
7 adequately demonstrated financial need.

8 (d) REPORT TO CONGRESS.—Not later than 2 years
9 after the date on which the Administrator first awards a
10 grant under this section, the Administrator shall submit
11 to Congress a report that includes, with respect to the pe-
12 riod covered by the report—

13 (1) a description of all grants provided under
14 this section;

15 (2) a detailed description of—

16 (A) the projects supported by those grants;

17 and

18 (B) the outcomes of those projects;

19 (3) a description of the improvements in tech-
20 nology, environmental benefits, resources conserved,
21 efficiencies, and other benefits of the projects funded
22 under this section;

23 (4) recommendations for improvements to pro-
24 mote and support new and emerging, but proven,
25 stormwater control infrastructure, including research

1 into new and emerging technologies, for the centers,
2 grants, and activities under this section; and

3 (5) a description of existing challenges con-
4 cerning the use of new and emerging, but proven,
5 stormwater control infrastructure.

6 (e) AUTHORIZATION OF APPROPRIATIONS.—

7 (1) IN GENERAL.—There is authorized to be
8 appropriated to carry out this section (except for
9 subsection (b)) \$10,000,000 for each of fiscal years
10 2022 through 2026.

11 (2) LIMITATION ON USE OF FUNDS.—Of the
12 amounts made available for grants under paragraph
13 (1), not more than 2 percent may be used to pay the
14 administrative costs of the Administrator.

15 **SEC. 218. WATER REUSE INTERAGENCY WORKING GROUP.**

16 (a) IN GENERAL.—Not later than 180 days after the
17 date of enactment of this Act, the Administrator shall es-
18 tablish a Water Reuse Interagency Working Group (re-
19 ferred to in this section as the “Working Group”).

20 (b) PURPOSE.—The purpose of the Working Group
21 is to develop and coordinate actions, tools, and resources
22 to advance water reuse across the United States, including
23 through the implementation of the February 2020 Na-
24 tional Water Reuse Action Plan, which creates opportuni-
25 ties for water reuse in the mission areas of each of the

1 Federal agencies included in the Working Group under
2 subsection (c) (referred to in this section as the “Action
3 Plan”).

4 (c) CHAIRPERSON; MEMBERSHIP.—The Working
5 Group shall be—

6 (1) chaired by the Administrator; and

7 (2) comprised of senior representatives from
8 such Federal agencies as the Administrator deter-
9 mines to be appropriate.

10 (d) DUTIES OF THE WORKING GROUP.—In carrying
11 out this section, the Working Group shall—

12 (1) with respect to water reuse, leverage the ex-
13 pertise of industry, the research community, non-
14 governmental organizations, and government;

15 (2) seek to foster water reuse as an important
16 component of integrated water resources manage-
17 ment;

18 (3) conduct an assessment of new opportunities
19 to advance water reuse and annually update the Ac-
20 tion Plan with new actions, as necessary, to pursue
21 those opportunities;

22 (4) seek to coordinate Federal programs and
23 policies to support the adoption of water reuse;

24 (5) consider how each Federal agency can ex-
25 plore and identify opportunities to support water

1 reuse through the programs and activities of that
2 Federal agency; and

3 (6) consult, on a regular basis, with representa-
4 tives of relevant industries, the research community,
5 and nongovernmental organizations.

6 (e) REPORT.—Not less frequently than once every 2
7 years, the Administrator shall submit to Congress a report
8 on the activities and findings of the Working Group.

9 (f) SUNSET.—

10 (1) IN GENERAL.—Subject to paragraph (2),
11 the Working Group shall terminate on the date that
12 is 6 years after the date of enactment of this Act.

13 (2) EXTENSION.—The Administrator may ex-
14 tend the date of termination of the Working Group
15 under paragraph (1).

16 **SEC. 219. ADVANCED CLEAN WATER TECHNOLOGIES**
17 **STUDY.**

18 (a) IN GENERAL.—Subject to the availability of ap-
19 propriations, not later than 2 years after the date of enact-
20 ment of this Act, the Administrator shall carry out a study
21 that examines the state of existing and potential future
22 technology, including technology that could address cyber-
23 security vulnerabilities, that enhances or could enhance
24 the treatment, monitoring, affordability, efficiency, and
25 safety of wastewater services provided by a treatment

1 works (as defined in section 212 of the Federal Water Pol-
2 lution Control Act (33 U.S.C. 1292)).

3 (b) REPORT.—The Administrator shall submit to the
4 Committee on Environment and Public Works of the Sen-
5 ate and the Committee on Energy and Commerce of the
6 House of Representatives a report that describes the re-
7 sults of the study under subsection (a).

8 **SEC. 220. CLEAN WATERSHEDS NEEDS SURVEY.**

9 Title VI of the Federal Water Pollution Control Act
10 (33 U.S.C. 1381 et seq.) is amended by adding at the end
11 the following:

12 **“SEC. 609. CLEAN WATERSHEDS NEEDS SURVEY.**

13 “(a) REQUIREMENT.—Not later than 2 years after
14 the date of enactment of the Drinking Water and Waste-
15 water Infrastructure Act of 2021, and not less frequently
16 than once every 4 years thereafter, the Administrator
17 shall—

18 “(1) conduct and complete an assessment of
19 capital improvement needs for all projects that are
20 eligible under section 603(c) for assistance from
21 State water pollution control revolving funds; and

22 “(2) submit to Congress a report describing the
23 results of the assessment completed under para-
24 graph (1).

1 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
2 is authorized to be appropriated to carry out the initial
3 needs survey under subsection (a) \$5,000,000, to remain
4 available until expended.”.

5 **SEC. 221. WATER RESOURCES RESEARCH ACT AMEND-**
6 **MENTS.**

7 (a) CLARIFICATION OF RESEARCH ACTIVITIES.—Sec-
8 tion 104(b)(1) of the Water Resources Research Act of
9 1984 (42 U.S.C. 10303(b)(1)) is amended—

10 (1) in subparagraph (B)(ii), by striking “water-
11 related phenomena” and inserting “water re-
12 sources”; and

13 (2) in subparagraph (D), by striking the period
14 at the end and inserting “; and”.

15 (b) COMPLIANCE REPORT.—Section 104 of the
16 Water Resources Research Act of 1984 (42 U.S.C. 10303)
17 is amended by striking subsection (c) and inserting the
18 following:

19 “(c) GRANTS.—

20 “(1) IN GENERAL.—From the sums appro-
21 priated pursuant to subsection (f), the Secretary
22 shall make grants to each institute to be matched on
23 a basis of no less than 1 non-Federal dollar for
24 every 1 Federal dollar.

1 “(2) REPORT.—Not later than December 31 of
2 each fiscal year, the Secretary shall submit to the
3 Committee on Environment and Public Works of the
4 Senate, the Committee on the Budget of the Senate,
5 the Committee on Transportation and Infrastructure
6 of the House of Representatives, and the Committee
7 on the Budget of the House of Representatives a re-
8 port regarding the compliance of each funding re-
9 cipient with this subsection for the immediately pre-
10 ceding fiscal year.”.

11 (c) EVALUATION OF WATER RESOURCES RESEARCH
12 PROGRAM.—Section 104 of the Water Resources Research
13 Act of 1984 (42 U.S.C. 10303) is amended by striking
14 subsection (e) and inserting the following:

15 “(e) EVALUATION OF WATER RESOURCES RESEARCH
16 PROGRAM.—

17 “(1) IN GENERAL.—The Secretary shall con-
18 duct a careful and detailed evaluation of each insti-
19 tute at least once every 5 years to determine—

20 “(A) the quality and relevance of the water
21 resources research of the institute;

22 “(B) the effectiveness of the institute at
23 producing measured results and applied water
24 supply research; and

1 “(C) whether the effectiveness of the insti-
2 tute as an institution for planning, conducting,
3 and arranging for research warrants continued
4 support under this section.

5 “(2) PROHIBITION ON FURTHER SUPPORT.—If,
6 as a result of an evaluation under paragraph (1), the
7 Secretary determines that an institute does not qual-
8 ify for further support under this section, no further
9 grants to the institute may be provided until the
10 qualifications of the institute are reestablished to the
11 satisfaction of the Secretary.”.

12 (d) AUTHORIZATION OF APPROPRIATIONS.—Section
13 104(f)(1) of the Water Resources Research Act of 1984
14 (42 U.S.C. 10303(f)(1)) is amended by striking “fiscal
15 years 2007 through 2011” and inserting “fiscal years
16 2022 through 2025”.

17 (e) ADDITIONAL APPROPRIATIONS WHERE RE-
18 SEARCH FOCUSED ON WATER PROBLEMS OF INTERSTATE
19 NATURE.—Section 104(g)(1) of the Water Resources Re-
20 search Act of 1984 (42 U.S.C. 10303(g)(1)) is amended
21 in the first sentence by striking “\$6,000,000 for each of
22 fiscal years 2007 through 2011” and inserting
23 “\$3,000,000 for each of fiscal years 2022 through 2025”.

1 **SEC. 222. ENHANCED AQUIFER USE AND RECHARGE.**

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

5 **“SEC. 124. ENHANCED AQUIFER USE AND RECHARGE.**

6 “(a) IN GENERAL.—Subject to the availability of ap-
7 propriations, the Administrator shall provide funding to
8 carry out groundwater research on enhanced aquifer use
9 and recharge in support of sole-source aquifers, of
10 which—

11 “(1) not less than 50 percent shall be used to
12 provide 1 grant to a State, unit of local government,
13 or Indian Tribe to carry out activities that would di-
14 rectly support that research; and

15 “(2) the remainder shall be provided to 1 ap-
16 propriate research center.

17 “(b) COORDINATION.—As a condition of accepting
18 funds under subsection (a), the State, unit of local govern-
19 ment, or Indian Tribe and the appropriate research center
20 that receive funds under that subsection shall establish a
21 formal research relationship for the purpose of coordi-
22 nating efforts under this section.

23 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
24 is authorized to be appropriated to the Administrator to

- 1 carry out this section \$5,000,000 for each of fiscal years
- 2 2022 through 2026.”.

Passed the Senate April 29, 2021.

Attest:

Secretary.

117TH CONGRESS
1ST SESSION

S. 914

AN ACT

To amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes.