

## Calendar No. 452

116TH CONGRESS  
2D SESSION

# S. 3590

To amend the Safe Drinking Water Act to reauthorize certain provisions,  
and for other purposes.

---

### IN THE SENATE OF THE UNITED STATES

MAY 4, 2020

Mr. BARRASSO (for himself, Mr. CARPER, Ms. DUCKWORTH, and Mr. CRAMER) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

MAY 11, 2020

Reported by Mr. BARRASSO, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

---

## A BILL

To amend the Safe Drinking Water Act to reauthorize  
certain provisions, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Drinking Water Infra-  
5 structure Act of 2020”.

1 **SEC. 2. HOST COMMUNITIES.**

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

4 (1) in paragraph (1)—

5 (A) by striking the period at the end and  
6 inserting “; or”;

7 (B) by striking “for the purpose of in-  
8 creasing” and inserting the following: “for the  
9 purpose of—

10 “(A) increasing”; and

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

12 “(B) increasing the capacity of the com-  
13 munity water system to adapt to an increase in  
14 population served by the community water sys-  
15 tem that is primarily caused by a natural haz-  
16 ard or a malevolent act in another community  
17 or State.”;

18 (2) in paragraph (5)—

19 (A) in the heading, by striking “SMALL”  
20 and inserting “SMALL, RURAL, AND DISADVAN-  
21 TAGED”;

22 (B) by striking “a population of less than  
23 3,300 persons” and inserting “disadvantaged  
24 communities or populations of fewer than  
25 10,000 persons”; and

26 (C) by striking “of this section”; and

1           ~~(3)~~ in paragraph (6), by striking “fiscal years  
2       2020 and 2021” and inserting “fiscal years 2021  
3       and 2022”.

4 **SEC. 3. TECHNICAL ASSISTANCE AND GRANTS FOR EMER-**  
5 **GENCIES AFFECTING PUBLIC WATER SYS-**  
6 **TEMS.**

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

9           ~~(1)~~ in subsection ~~(b)~~, in the first sentence, by  
10       inserting “, including a threat to public health re-  
11       sulting from contaminants, such as, but not limited  
12       to, heightened exposure to lead in drinking water”  
13       after “public health”;

14           ~~(2)~~ by striking subsection ~~(d)~~ and inserting the  
15       following:

16       “(d) **AUTHORIZATION OF APPROPRIATIONS.**—There  
17       is authorized to be appropriated to carry out subsection  
18       ~~(b)~~ \$35,000,000 for each of fiscal years 2021 through  
19       2024.”; and

20           ~~(3)~~ in subsection ~~(e)~~(5), by striking “2015  
21       through 2020” and inserting “2021 through 2024”.

22 **SEC. 4. DRINKING WATER STATE REVOLVING LOAN FUNDS.**

23       (a) **DRINKING WATER RELIEF FOR SMALL, RURAL,**  
24 **AND DISADVANTAGED COMMUNITIES.**—Section 1452 of

1 the Safe Drinking Water Act (42 U.S.C. 300j-12) is  
 2 amended—

3       (1) in subsection (a)—

4               (A) in paragraph (2), by adding at the end  
 5 the following:

6               “(H) REQUIRED SUBSIDIES FOR PUBLIC  
 7 WATER SYSTEMS.—

8               “(i) IN GENERAL.—Notwithstanding  
 9 any other provision of this paragraph and  
 10 to the extent that there are sufficient ap-  
 11 plications from public water systems, a  
 12 State shall use not less than 14 percent of  
 13 a capitalization grant to the State under  
 14 this section to provide the additional sub-  
 15 sidies described in clause (ii) to public  
 16 water systems if the additional subsidies  
 17 described in that clause are used—

18               “(I) as initial financing for the  
 19 public water system; or

20               “(II) to buy, refinance, or re-  
 21 structure the debt obligations of the  
 22 public water system, if—

23               “(aa) the debt obligation  
 24 was incurred on or after the date

1 of enactment of this subpara-  
2 graph; or

3 “(bb) for a debt obligation  
4 that was incurred before the date  
5 of enactment of this subpara-  
6 graph—

7 “(AA) the State, with  
8 the concurrence of the Ad-  
9 ministrator, determines that  
10 the additional subsidies de-  
11 scribed in clause (ii) would  
12 help the public water system  
13 address a threat to public  
14 health from heightened ex-  
15 posure to contaminants (in-  
16 cluding lead) in drinking  
17 water; or

18 “(BB) before the date  
19 of enactment of this sub-  
20 paragraph, an emergency  
21 has been declared by the  
22 President under section 501  
23 of the Robert T. Stafford  
24 Disaster Relief and Emer-  
25 gency Assistance Act (42

1 U.S.C. 5191) or a State  
 2 emergency declaration has  
 3 been issued due to a threat  
 4 to public health, including a  
 5 threat from heightened ex-  
 6 posure to lead, in the munic-  
 7 ipal drinking water supply of  
 8 the public water system.

9 “(ii) ~~ADDITIONAL SUBSIDIES DE-~~  
 10 ~~SCRIBED.~~—The additional subsidies re-  
 11 ferred to in clause (i) are—

12 “(I) forgiveness of principal of  
 13 loans owed to the State loan fund of  
 14 the State;

15 “(II) negative interest loans;

16 “(III) grants; or

17 “(IV) a combination of the sub-  
 18 sidies described in subclauses (I)  
 19 through (III).”; and

20 (B) in paragraph (4)(A), by striking “Dur-  
 21 ing fiscal years 2019 through 2023, funds” and  
 22 inserting “Funds”; and

23 (2) in subsection (c), by striking “2016 through  
 24 2021” and inserting “2021 through 2024”.

1       (b) REMEDIATION OF CONTAMINATION.—Section  
 2 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–  
 3 12) is amended—

4           (1) in subsection (a)(2)(G)—

5               (A) in clause (i)—

6                   (i) by striking “only”; and

7                   (ii) by striking the clause designation  
 8 and heading and all that follows through  
 9 “clause (ii),” and inserting the following:

10               “(i) DRINKING WATER.—

11                   “(I) IN GENERAL.—Notwith-  
 12 standing any other provision of law  
 13 and subject to subclause (H),”;

14               (B) in clause (ii)—

15                   (i) in subclause (I)—

16                       (I) in the matter preceding item  
 17 (aa), by striking “amounts described  
 18 in clause (i)” and inserting “amounts  
 19 made available to carry out this  
 20 clause”; and

21                       (H) by redesignating items (aa)  
 22 and (bb) as subitems (AA) and (BB),  
 23 respectively, and indenting appro-  
 24 priately;

(ii) in subclause (II), by striking “amounts described in clause (i)” and inserting “amounts made available to carry out this clause”; and

(iii) by redesignating subclauses (I) and (II) as items (aa) and (bb), respectively, and indenting appropriately;

(C) by redesignating clause (ii) as subclause (II) and indenting appropriately; and

(D) by inserting before clause (iii) the following:

“(ii) REMEDIATION OF CONTAMINATION OF GROUNDWATER.—

“(I) DEFINITION OF ELIGIBLE SITE.—In this clause, the term ‘eligible site’ means a site at which an emerging contaminant is present in, or has the potential to enter, a public water system or an underground source of drinking water.

“(II) GRANTS.—Notwithstanding any other provision of law and subject to subclause (III), amounts deposited under subsection (t) in a State loan fund established under this section



1 may be used to provide grants to ad-  
 2 dress contamination of groundwater  
 3 at an eligible site, with a focus on  
 4 perfluoroalkyl and polyfluoroalkyl sub-  
 5 stances.

6 ~~“(III) REQUIREMENTS.—~~

7 ~~“(aa) PRIORITIES.—In se-~~  
 8 ~~lecting the recipient of a grant~~  
 9 ~~using amounts made available to~~  
 10 ~~carry out this clause, a State~~  
 11 ~~shall use the priorities described~~  
 12 ~~in subsection (b)(3)(A).~~

13 ~~“(bb) CLEANUP STAND-~~  
 14 ~~ARDS.—Any detection, treatment,~~  
 15 ~~and remediation of groundwater~~  
 16 ~~carried out using amounts made~~  
 17 ~~available to carry out this clause~~  
 18 ~~shall be carried out in accordance~~  
 19 ~~with applicable State toxicity val-~~  
 20 ~~ues, standards, and regulations~~  
 21 ~~of the State in which the detec-~~  
 22 ~~tion, treatment, or remediation is~~  
 23 ~~being carried out.”; and~~

24 ~~(2) in subsection (t)(2), by striking~~  
 25 ~~“\$100,000,000 for each of fiscal years 2020” and~~

1 inserting “\$200,000,000 for each of fiscal years  
2 2021”.

3 **SEC. 5. 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 “2024”.

5   **SEC. 6. 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 that are independently cer-  
19               tified using science-based test methods for the  
20               removal of contaminants of concern;

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

23                                       “(i) the need for filtration, filter safe-  
24               ty, and proper maintenance practices; and

1                   “(ii) the options for replacing lead  
 2                   service lines (as defined in section  
 3                   ~~1459B(a)~~) and removing other sources of  
 4                   lead in water; and

5                   “(F) entering into contracts with nonprofit  
 6                   organizations that have water system technical  
 7                   expertise to assist underserved communities.

8                   “(3) CONTRACTING PARTIES.—A contract de-  
 9                   scribed in paragraph (2)(F) may be between a non-  
 10                  profit organization described in that paragraph  
 11                  and—

12                  “(A) an eligible entity; or

13                  “(B) the State of an eligible entity, on be-  
 14                  half of that eligible entity.”;

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

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

23                  (4) by striking subsection (h) and inserting the  
 24                  following:

1       “(h) WAIVER.—The Administrator may waive the re-  
2       quirement under subsection (g)(1).”;

3               (5) by striking subsection (k) and inserting the  
4       following:

5       “(k) AUTHORIZATION OF APPROPRIATIONS.—There  
6       are authorized to be appropriated to carry out subsections  
7       (a) through (j)—

8               “(1) \$60,000,000 for fiscal year 2021; and

9               “(2) \$100,000,000 for each of fiscal years 2022  
10       through 2024.”; and

11              (6) in subsection (l)—

12                      (A) in paragraph (2)—

13                              (i) by striking “The Administrator  
14                              may” and inserting “The Administrator  
15                              shall”; and

16                              (ii) by striking “fiscal years 2019 and  
17                              2020” and inserting “fiscal years 2021  
18                              through 2024”;

19                      (B) in paragraph (5), by striking  
20                      “\$4,000,000 for each of fiscal years 2019 and  
21                      2020” and inserting “\$10,000,000 for each of  
22                      fiscal years 2021 through 2024”;

23                      (C) by redesignating paragraph (5) as  
24                      paragraph (6); and

1           ~~(D)~~ by inserting after paragraph (4) the  
 2           following:

3           ~~“(5) FEDERAL SHARE FOR UNDERSERVED COM-~~  
 4           ~~MUNITIES.—~~

5           ~~“(A) IN GENERAL.—~~Subject to subpara-  
 6           graph (B), with respect to a program or project  
 7           that serves an underserved community and is  
 8           carried out using a grant under this subsection,  
 9           the Federal share of the cost of the program or  
 10          project shall be 90 percent.

11          ~~“(B) WAIVER.—~~The Administrator may  
 12          increase the Federal share under subparagraph  
 13          ~~(A)(ii) to 100 percent.”.~~

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

17          ~~“(m) CONNECTION TO PUBLIC WATER SYSTEMS.—~~

18          ~~“(1) DEFINITIONS.—~~In this subsection:

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

21                 ~~“(i) an owner or operator of a public~~  
 22                 water system that assists or is seeking to  
 23                 assist eligible individuals with connecting  
 24                 the household of the eligible individual to  
 25                 the public water system; or

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

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

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

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

21                  “(3) APPLICATION.—An eligible entity seeking  
 22                  a grant under the program shall submit to the Ad-  
 23                  ministrator an application at such time, in such  
 24                  manner, and containing such information as the Ad-  
 25                  ministrator may require.

1           “(4) VOLUNTARY CONNECTION.—Before pro-  
 2       viding funds to an eligible individual for the costs  
 3       described in paragraph (2), an eligible entity shall  
 4       ensure that—

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

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

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

17          “(5) AUTHORIZATION OF APPROPRIATIONS.—  
 18      There is authorized to be appropriated to carry out  
 19      the program \$20,000,000 for each of fiscal years  
 20      2021 and 2022.”.

21          “(c) COMPETITIVE GRANT PILOT PROGRAM.—Section  
 22      1459A of the Safe Drinking Water Act (42 U.S.C. 300j-  
 23      19a) (as amended by subsection (b)) is amended by adding  
 24      at the end the following:



1       ~~“(n) STATE COMPETITIVE GRANTS FOR UNDER-~~  
2 ~~SERVED COMMUNITIES.—~~

3           ~~“(1) IN GENERAL.—~~In addition to amounts au-  
4       thorized to be appropriated under subsection (k);  
5       there is authorized to be appropriated to carry out  
6       subsections (a) through (j) \$50,000,000 for each of  
7       fiscal years 2021 through 2024 in accordance with  
8       paragraph (2).

9           ~~“(2) COMPETITIVE GRANTS.—~~

10           ~~“(A) IN GENERAL.—~~Notwithstanding any  
11       other provision of this section, the Adminis-  
12       trator shall distribute amounts made available  
13       under paragraph (1) to States through a com-  
14       petitive grant program.

15           ~~“(B) APPLICATIONS.—~~To seek a grant  
16       under the competitive grant program under  
17       subparagraph (A), a State shall submit to the  
18       Administrator an application at such time, in  
19       such manner, and containing such information  
20       as the Administrator may require.

21           ~~“(C) PRIORITIZATION.—~~In selecting recipi-  
22       ents of grants under the competitive grant pro-  
23       gram under subparagraph (A), the Adminis-  
24       trator shall give priority to States with a high  
25       proportion of underserved communities that

1           meet the condition described in subsection  
2           (a)(2)(A).

3           ~~“(3) SAVINGS PROVISION.—Nothing in this~~  
4           paragraph affects the distribution of amounts made  
5           available under subsection (k), including any meth-  
6           ods used by the Administrator for distribution of  
7           amounts made available under that subsection as in  
8           effect on the day before the date of enactment of  
9           this subsection.”.

10 **SEC. 7. REDUCING LEAD IN DRINKING WATER.**

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

13           (1) in subsection (d)—

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

16                   (B) by striking “2021” and inserting  
17                   “2022”;

18           (2) by redesignating subsections (d) and (e) as  
19           subsections (e) and (f), respectively; and

20           (3) by inserting after subsection (e) the fol-  
21           lowing:

22           ~~“(d) LEAD MAPPING UTILIZATION GRANT PILOT~~  
23 ~~PROGRAM.—~~

24           ~~“(1) DEFINITIONS.—In this subsection:~~

1           “(A) ELIGIBLE ENTITY.—The term ‘eligi-  
2           ble entity’ means a municipality that is served  
3           by a community water system or a nontransient  
4           noncommunity water system in which not less  
5           than 30 percent of the service lines are known,  
6           or likely to contain, lead service lines.

7           “(B) PILOT PROGRAM.—The term ‘pilot  
8           program’ means the pilot program established  
9           under paragraph (2).

10          “(2) ESTABLISHMENT.—The Administrator  
11          shall establish a pilot program under which the Ad-  
12          ministrator shall provide grants to eligible entities to  
13          carry out lead reduction projects that are dem-  
14          onstrated to exist based on existing lead mapping of  
15          those eligible entities.

16          “(3) SELECTION.—

17               “(A) APPLICATION.—To be eligible to re-  
18               ceive a grant under the pilot program, an eligi-  
19               ble entity shall submit to the Administrator an  
20               application at such time, in such manner, and  
21               containing such information as the Adminis-  
22               trator may require.

23               “(B) PRIORITIZATION.—In selecting recipi-  
24               ents under the pilot program, the Administrator  
25               shall give priority to an eligible entity that

1           meets the affordability criteria established by  
2           the applicable State.

3           ~~“(4) REPORT.—~~Not later 2 years after the Ad-  
4           ministrators first awards a grant under the pilot pro-  
5           gram, the Administrator shall submit to the Com-  
6           mittee on Environment and Public Works of the  
7           Senate and the Committee on Energy and Com-  
8           merce of the House of Representatives a report de-  
9           scribing—

10           ~~“(A) the recipients of grants under the~~  
11           pilot program;

12           ~~“(B) the existing lead mapping that was~~  
13           available to recipients of grants under the pilot  
14           program; and

15           ~~“(C) how useful and accurate the lead~~  
16           mapping described in subparagraph (B) was in  
17           locating lead contaminants of the eligible entity.

18           ~~“(5) AUTHORIZATION OF APPROPRIATIONS.—~~  
19           There is authorized to be appropriated to carry out  
20           the pilot program \$10,000,000, to remain available  
21           until expended.”.

1 **SEC. 8. OPERATIONAL SUSTAINABILITY OF SMALL PUBLIC**  
 2 **WATER SYSTEMS.**

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

6 **“SEC. 1459E. OPERATIONAL SUSTAINABILITY OF SMALL**  
 7 **PUBLIC WATER SYSTEMS.**

8 “(a) **DEFINITIONS.**—In this section:

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

11 “(A) a municipality; or

12 “(B) an owner or operator of a public  
 13 water system.

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

20 “(3) **PROGRAM.**—The term ‘program’ means  
 21 the grant program established under subsection (b).

22 “(4) **SMALL SYSTEM.**—The term ‘small system’  
 23 means a public water system that—

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

25 “(B) is owned or operated by—

26 “(i) a unit of local government;

- 1                   ~~“(ii) a public corporation;~~
- 2                   ~~“(iii) a nonprofit corporation;~~
- 3                   ~~“(iv) a public trust; or~~
- 4                   ~~“(v) a cooperative association.~~

5           ~~“(b) ESTABLISHMENT.—Subject to the availability of~~  
6 ~~appropriations, the Administrator shall establish a pro-~~  
7 ~~gram to award grants to eligible entities for the purpose~~  
8 ~~of improving the operational sustainability of 1 or more~~  
9 ~~small systems.~~

10          ~~“(c) APPLICATIONS.—To be eligible to receive a grant~~  
11 ~~under the program, an eligible entity shall submit to the~~  
12 ~~Administrator an application at such time, in such man-~~  
13 ~~ner, and containing such information as the Administrator~~  
14 ~~may require, including—~~

15               ~~“(1) a proposal of the project to be carried out~~  
16 ~~using grant funds under the program;~~

17               ~~“(2) documentation prepared by the eligible en-~~  
18 ~~tity describing the deficiencies or suspected defi-~~  
19 ~~ciencies in operational sustainability of 1 or more~~  
20 ~~small systems that are to be addressed through the~~  
21 ~~proposed project;~~

22               ~~“(3) a description of how the proposed project~~  
23 ~~will improve the operational sustainability of 1 or~~  
24 ~~more small systems;~~

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

6           “(5)(A) if the eligible entity is located in a  
7       State that has established a State drinking water  
8       treatment revolving loan fund under section 1452, a  
9       copy of a written agreement between the eligible en-  
10      tity and the State in which the eligible entity agrees  
11      to provide a copy of any data collected under the  
12      proposed project to the State agency administering  
13      the State drinking water treatment revolving loan  
14      fund (or a designee); or

15          “(B) if the eligible entity is located in an area  
16      other than a State that has established a State  
17      drinking water treatment revolving loan fund under  
18      section 1452, a copy of a written agreement between  
19      the eligible entity and the Administrator in which  
20      the eligible entity agrees to provide a copy of any  
21      data collected under the proposed project to the Ad-  
22      ministrator (or a designee); and

23          “(6) any additional information the Adminis-  
24      trator may require.

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

5           “(1) the development of a detailed asset inven-  
 6 tory, which may include drinking water sources,  
 7 wells, storage, valves, treatment systems, distribu-  
 8 tion lines, hydrants, pumps, controls, and other es-  
 9 sential infrastructure;

10          “(2) the development of an infrastructure asset  
 11 map, including a map that uses technology such  
 12 as—

13           “(A) geographic information system soft-  
 14 ware; and

15           “(B) global positioning system software;

16          “(3) the deployment of leak detection tech-  
 17 nology;

18          “(4) the deployment of metering technology;

19          “(5) training in asset management strategies,  
 20 techniques, and technologies appropriate staff em-  
 21 ployed by—

22           “(A) the eligible entity; or

23           “(B) the small systems for which the grant  
 24 was received; and



1           “(6) the development or deployment of other  
2 strategies, techniques, or technologies that the Ad-  
3 ministrator may determine to be appropriate under  
4 the program.

5           “(e) COST SHARE.—

6           “(1) IN GENERAL.—Subject to paragraph (2),  
7 the Federal share of the cost of a project carried out  
8 using a grant under the program shall be 90 percent  
9 of the total cost of the project.

10          “(2) WAIVER.—The Administrator may in-  
11 crease the Federal share under paragraph (1) to 100  
12 percent.

13          “(f) AUTHORIZATION OF APPROPRIATIONS.—There  
14 is authorized to be appropriated to carry out this section  
15 \$10,000,000 for each of fiscal years 2021 through 2024.”.

16 **SEC. 9. MIDSIZE DRINKING WATER SYSTEM INFRASTRUC-**  
17 **TURE RESILIENCE AND SUSTAINABILITY**  
18 **PROGRAM.**

19          Part E of the Safe Drinking Water Act (42 U.S.C.  
20 300j et seq.) (as amended by section 8) is amended by  
21 adding at the end the following:

22 **“SEC. 1459F. MIDSIZE DRINKING WATER SYSTEM INFRA-**  
23 **STRUCTURE RESILIENCE AND SUSTAIN-**  
24 **ABILITY PROGRAM.**

25          “(a) DEFINITIONS.—In this section:

1           ~~“(1) ELIGIBLE ENTITY.—The term ‘eligible en-~~  
 2           ~~tity’ means a public water system that serves a com-~~  
 3           ~~munity with a population of—~~

4                     ~~“(A) greater than 10,000; and~~

5                     ~~“(B) fewer than 100,000.~~

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

9           ~~“(3) RESILIENCE AND SUSTAINABILITY PRO-~~  
 10          ~~GRAM.—The term ‘resilience and sustainability pro-~~  
 11          ~~gram’ means Midsize Drinking Water System Infra-~~  
 12          ~~structure Resilience and Sustainability Program es-~~  
 13          ~~tablished under subsection (b).~~

14          ~~“(b) ESTABLISHMENT.—The Administrator shall es-~~  
 15          ~~tablish and carry out a program, to be known as the~~  
 16          ~~‘Midsize Drinking Water System Infrastructure Resilience~~  
 17          ~~and Sustainability Program’, under which the Adminis-~~  
 18          ~~trator, subject to the availability of appropriations for the~~  
 19          ~~resilience and sustainability program, shall award grants~~  
 20          ~~to eligible entities for the purpose of increasing resilience~~  
 21          ~~to natural hazards.~~

22          ~~“(c) USE OF FUNDS.—An eligible entity may only~~  
 23          ~~use grant funds received under the resilience and sustain-~~  
 24          ~~ability program to assist in the planning, design, construc-~~  
 25          ~~tion, implementation, operation, or maintenance of a pro-~~

1 gram or project that increases resilience to natural haz-  
2 ards through—

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

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

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

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

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

19           “(6) the development and implementation of  
20 measures to increase the resilience of the eligible en-  
21 tity to natural hazards.

22           “(d) APPLICATION.—To seek a grant under the resil-  
23 ience and sustainability program; an eligible entity shall  
24 submit to the Administrator an application at such time;

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

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

6       “(2) an identification of the natural hazard risk  
 7 to be addressed by the proposed program or project;

8       “(3) documentation prepared by a Federal,  
 9 State, regional, or local government agency of the  
 10 natural hazard risk to the area where the proposed  
 11 program or project is to be located;

12       “(4) a description of any recent natural hazard  
 13 events that have affected the community water sys-  
 14 tem of the eligible entity;

15       “(5) a description of how the proposed program  
 16 or project would improve the performance of the  
 17 community water system of the eligible entity under  
 18 the anticipated natural hazards; and

19       “(6) an explanation of how the proposed pro-  
 20 gram or project is expected to enhance the resilience  
 21 of the community water system of the eligible entity  
 22 to the anticipated natural hazards.

23       “(e) AUTHORIZATION OF APPROPRIATIONS.—There  
 24 is authorized to be appropriated to carry out the resilience

1 and sustainability program \$5,000,000 for each of fiscal  
 2 years 2021 through 2024.”.

3 **SEC. 10. NEEDS ASSESSMENT FOR NATIONWIDE RURAL**  
 4 **AND URBAN LOW-INCOME COMMUNITY**  
 5 **WATER ASSISTANCE.**

6 Part E of the Safe Drinking Water Act (42 U.S.C.  
 7 300j et seq.) (as amended by section 9) is amended by  
 8 adding at the end the following:

9 **“SEC. 1459G. NEEDS ASSESSMENT FOR NATIONWIDE RURAL**  
 10 **AND URBAN LOW-INCOME COMMUNITY**  
 11 **WATER ASSISTANCE.**

12 **“(a) DEFINITION OF LOW-INCOME HOUSEHOLD.—**In  
 13 this section, the term ‘low-income household’ means a  
 14 household that has an income that, as determined by the  
 15 State in which the household is located, does not exceed  
 16 the greater of—

17 **“(1)** an amount equal to 150 percent of the  
 18 poverty level of that State; and

19 **“(2)** an amount equal to 60 percent of the  
 20 State median income for that State.

21 **“(b) STUDY; REPORT.—**

22 **“(1) IN GENERAL.—**Subject to the availability  
 23 of appropriations, not later than 2 years after the  
 24 date of enactment of this section, the Administrator  
 25 shall conduct, and submit to Congress a report de-

1 scribing the results of, a study regarding the preva-  
 2 lence throughout the United States of low-income  
 3 households, including low-income renters, that do  
 4 not have access to affordable public drinking water  
 5 services to meet household needs.

6 “(2) INCLUSIONS.—The report under para-  
 7 graph (1) shall include—

8 “(A) recommendations of the Adminis-  
 9 trator regarding the best methods to increase  
 10 access to affordable and reliable drinking water  
 11 services;

12 “(B) a description of the cost of each  
 13 method described in subparagraph (A); and

14 “(C) with respect to the development of  
 15 the report, a consultation with all relevant  
 16 stakeholders.

17 “(3) AGREEMENTS.—The Administrator may  
 18 enter into an agreement with another Federal agen-  
 19 cy to carry out the study under paragraph (1).

20 “(e) AUTHORIZATION OF APPROPRIATIONS.—There  
 21 is authorized to be appropriated to carry out this section  
 22 \$5,000,000, to remain available until expended.”.

1 **SEC. 11. LEAD CONTAMINATION IN SCHOOL DRINKING**  
 2 **WATER.**

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

5 (1) in subsection (b)—

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

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

10 (C) in the sixth sentence, by striking  
 11 “within 100 days after the enactment of this  
 12 section” and inserting “not later than 100 days  
 13 after the date of enactment of the Drinking  
 14 Water Infrastructure Act of 2020”; and

15 (2) in subsection (d)—

16 (A) in paragraph (2)—

17 (i) in subparagraph (A)—

18 (I) by inserting “, public water  
 19 systems that serve schools and child  
 20 care programs under the jurisdiction  
 21 of those local educational agencies,  
 22 and qualified nonprofit organizations”  
 23 before “in voluntary”;

24 (II) by striking the period at the  
 25 end and inserting “; and”;

1                   (III) by striking “grants avail-  
 2                   able to States” and inserting the fol-  
 3                   lowing: “grants available to—  
 4                   “(i) States”; and

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

7                   “(ii) tribal consortia to assist tribal  
 8                   education agencies (as defined in section 3  
 9                   of the National Environmental Education  
 10                  Act (20 U.S.C. 5502) in voluntary testing  
 11                  for lead contamination in drinking water at  
 12                  schools and child care programs under the  
 13                  jurisdiction of the tribal education agen-  
 14                  cy.”; and

15                  (ii) in subparagraph (B)—

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

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

21                   (III) by adding at the end the  
 22                   following:

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



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

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

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

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

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

(C) in paragraph (4), by striking “States  
and local educational agencies” and inserting  
“States, local educational agencies, public water  
systems, tribal consortia, and qualified non-  
profit organizations”;

(D) in paragraph (6)—

(i) in the matter preceding subpara-  
graph (A), by inserting “, public water sys-  
tem, tribal consortium, or qualified non-

profit organization” after “each local educational agency”;

(ii) in subparagraph (A)(ii), by inserting “or tribal” after “applicable State”; and

(iii) in subparagraph (B)(i), by inserting “applicable” before “local educational agency”; and

(E) in paragraph (8), by striking “2020 and 2021” and inserting “2021 and 2022”.

**SEC. 12. INDIAN RESERVATION DRINKING WATER PROGRAM.**

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

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “Subject to the availability of appropriations, the Administrator of the Environmental Protection Agency” and inserting “The Administrator of the Environmental Protection Agency (referred to in this section as the ‘Administrator’)”; and

(B) by striking “to implement” in the matter preceding paragraph (1) and all that follows

1 through the period at the end of paragraph (2)  
 2 and inserting “to implement eligible projects  
 3 described in subsection (b).”;

4 (2) by redesignating subsection (d) as sub-  
 5 section (e);

6 (3) by striking subsection (e) and inserting the  
 7 following:

8 “(e) REQUIRED PROJECTS.—

9 “(1) IN GENERAL.—If sufficient applications  
 10 exist, of the funds made available to carry out this  
 11 section, the Administrator shall use 50 percent to  
 12 carry out—

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

16 “(B) 10 eligible projects described in sub-  
 17 section (b) that are within the Upper Rio  
 18 Grande Basin; and

19 “(C) 10 eligible projects described in sub-  
 20 section (b) that are within the Columbia River  
 21 Basin.

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

1 serves more than 1 federally recognized Indian  
2 Tribe.

3 ~~“(d) FEDERAL SHARE.—The Federal share of the~~  
4 ~~cost of a project carried out under this section shall be~~  
5 ~~100 percent.”; and~~

6 (4) in subsection (e) (as so redesignated)—

7 (A) by striking “There is” and inserting  
8 “There are”;

9 (B) by striking “subsection (a)  
10 \$20,000,000” and inserting the following: “sub-  
11 section (a)—

12 ~~“(1) \$20,000,000”;~~

13 (C) in paragraph (1) (as so designated), by  
14 striking “2022.” and inserting “2020; and”;  
15 and

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

17 ~~“(2) \$50,000,000 for each of fiscal years 2021~~  
18 ~~through 2024.”.~~

19 **SEC. 13. ADVANCED DRINKING WATER TECHNOLOGIES.**

20 (a) STUDY.—

21 (1) IN GENERAL.—Subject to the availability of  
22 appropriations, not later than 1 year after the date  
23 of enactment of this Act, the Administrator of the  
24 Environmental Protection Agency (referred to in  
25 this section as the “Administrator”) shall carry out

1 a study that examines the state of existing and po-  
 2 tential future technology that enhances or could en-  
 3 hance the treatment, monitoring, affordability, effi-  
 4 ciency, and safety of drinking water provided by a  
 5 public water system (as defined in section 1401 of  
 6 the Safe Drinking Water Act (42 U.S.C. 300f)).

7 (2) REPORT.—The Administrator shall submit  
 8 to the Committee on Environment and Public Works  
 9 of the Senate and the Committee on Energy and  
 10 Commerce of the House of Representatives a report  
 11 that describes the results of the study under para-  
 12 graph (1).

13 (b) ADVANCED DRINKING WATER TECHNOLOGY  
 14 GRANT PROGRAM.—

15 (1) DEFINITIONS.—In this subsection:

16 (A) ELIGIBLE ENTITY.—The term “eligible  
 17 entity” means the owner or operator of a public  
 18 water system that—

19 (i) serves—

20 (I) a population of not more than  
 21 100,000 people; or

22 (II) an underserved community;  
 23 and

24 (ii) has plans to identify or has identi-  
 25 fied opportunities in the operations of the

public water system to employ new or emerging, yet proven, technologies, as determined by the Administrator, that enhance treatment, monitoring, affordability, efficiency, or safety of the drinking water provided by the public water system, including technologies not identified in the study conducted under subsection (a)(1).

(B) PROGRAM.—The term “program” means the competitive grant program established under paragraph (2).

(C) PUBLIC WATER SYSTEM.—The term “public water system” has the meaning given the term in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f).

(D) UNDERSERVED COMMUNITY.—The term “underserved community” means a political subdivision of a State that, as determined by the Administrator, has an inadequate system for obtaining drinking water.

(2) ESTABLISHMENT.—The Administrator shall establish a competitive grant program under which the Administrator shall award grants to eligible entities for the purpose of deploying technologies described in paragraph (1)(A)(ii).

1           (3) REQUIREMENTS.—

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

8           (B) LIMITATION.—A grant provided under  
 9           the program shall be in an amount that is not  
 10          more than \$500,000.

11          (C) FEDERAL SHARE.—

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

17           (ii) WAIVER.—The Administrator may  
 18           increase the Federal share under clause (i)  
 19           to 100 percent.

20          (4) REPORT.—Not later than 1 year after the  
 21          date on which Administrator first awards a grant  
 22          under the program, and annually thereafter, the Ad-  
 23          ministrator shall submit to Congress a report de-  
 24          scribing—

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

3           (B) a summary of the activities carried out  
4           using grants awarded under the program.

5           (5) FUNDING.—

6           (A) AUTHORIZATION OF APPROPRIA-  
7           TIONS.—There is authorized to be appropriated  
8           to carry out the program \$10,000,000 for each  
9           of fiscal years 2021 through 2024, to remain  
10          available until expended.

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

17   **SEC. 14. DRINKING WATER INFRASTRUCTURE DISCRE-**  
18                           **TIONARY GRANT PROGRAM.**

19          (a) ESTABLISHMENT.—Not later than 1 year after  
20          the date of enactment of this Act, the Administrator of  
21          the Environmental Protection Agency (referred to in this  
22          section as the “Administrator”) shall establish a drinking  
23          water discretionary grant program (referred to in this sec-  
24          tion as the “program”) to provide grants, on a competitive



1 basis, to eligible entities described in subsection (b) for  
 2 investments in drinking water infrastructure projects.

3 (b) ~~ELIGIBLE ENTITIES.~~—An entity eligible to re-  
 4 ceive a grant under the program is—

5 (1) a State, interstate, intermunicipal, or local  
 6 governmental entity, agency, or instrumentality;

7 (2) a Tribal government or consortium of Trib-  
 8 al governments;

9 (3) a State infrastructure financing authority;  
 10 and

11 (4) a community water system or nonprofit  
 12 nonecommunity water system (as those terms are de-  
 13 fined in section 1401 of the Safe Drinking Water  
 14 Act (42 U.S.C. 300f)).

15 (c) ~~ELIGIBLE PROJECTS.~~—

16 (1) ~~IN GENERAL.~~—A project eligible to be ear-  
 17 ried out with funds under the program includes—

18 (A) ~~1 or more activities described in sub-~~  
 19 ~~paragraphs (B) through (E) of section~~  
 20 ~~1452(a)(2) of the Safe Drinking Water Act (42~~  
 21 ~~U.S.C. 300j-12(a)(2)); and~~

22 (B) any other drinking water infrastruc-  
 23 ture project that the Administrator determines  
 24 to appropriate.

1           (2) OTHER FEDERAL FUNDS.—Notwithstanding  
 2           any other provision of law, a project otherwise eligi-  
 3           ble under paragraph (1) shall not be ineligible for  
 4           funding because the project also received assist-  
 5           ance—

6                   (A) from a State drinking water treatment  
 7           revolving loan fund established under section  
 8           1452 of the Safe Drinking Water Act (42  
 9           U.S.C. 300j-12);

10                   (B) from a State water pollution control  
 11           revolving fund established under title VI of the  
 12           Federal Water Pollution Control Act (33 U.S.C.  
 13           1381 et seq.); or

14                   (C) under the Water Infrastructure Fi-  
 15           nance and Innovation Act of 2014 (33 U.S.C.  
 16           3901 et seq.).

17           (d) APPLICATION.—

18                   (1) IN GENERAL.—To be eligible to receive a  
 19           grant under the program, an eligible entity shall  
 20           submit to the Administrator an application in such  
 21           manner and containing such information as the Ad-  
 22           ministrator may require.

23                   (2) BUNDLING OF PROJECTS.—An eligible enti-  
 24           ty may include more than 1 project in a single appli-  
 25           cation.

1           ~~(2) DEADLINE.~~—An application shall be sub-  
 2           mitted to the Administrator not later than 180 days  
 3           after the date on which the notice of funding oppor-  
 4           tunity and the selection criteria are issued under  
 5           subsection (c)(1)(B).

6           ~~(c) SELECTION.~~—

7           ~~(1) CRITERIA.~~—

8                   (A) IN GENERAL.—The Administrator  
 9           shall establish criteria in accordance with this  
 10          subsection to use in selecting projects to receive  
 11          a grant under the program.

12                  (B) PUBLICATION.—Not later than 90  
 13          days after the date on which funds are made  
 14          available to carry out the program for each fis-  
 15          cal year, the Administrator shall—

16                   (i) issue a notice of funding oppor-  
 17                  tunity for the program; and

18                   (ii) include in the notice the selection  
 19                  criteria established under subparagraph

20                  (A).

21           ~~(2) PRIORITY.~~—In selecting projects to receive  
 22          a grant under the program, the Administrator shall  
 23          give priority to projects—

1           (A) for which a Federal grant would assist  
 2           in completing an overall financing package for  
 3           the project; and

4           (B) that would help bring public water sys-  
 5           tems (as defined in section 1401 of the Safe  
 6           Drinking Water Act (42 U.S.C. 300f)) into  
 7           compliance with the Safe Drinking Water Act  
 8           (42 U.S.C. 300f et seq.).

9           ~~(3) GEOGRAPHICAL DISTRIBUTION.—~~For each  
 10          fiscal year, in providing grants under the program,  
 11          the Administrator shall ensure that the funds are  
 12          distributed—

13                 (A) on an equitable geographical basis; and

14                 (B) in a manner that balances the needs of  
 15          urban, suburban, and rural communities.

16          ~~(4) DEADLINE.—~~Not later than 18 months  
 17          after the date on which funds are made available to  
 18          carry out the program for each fiscal year, the Ad-  
 19          ministrator shall select projects to receive grants  
 20          under the program.

21          ~~(f) REQUIREMENTS.—~~

22                 ~~(1) TOTAL STATE LIMIT.—~~For each fiscal year,  
 23          the total amount provided under the program for  
 24          projects in a single State shall not exceed 20 percent

1 of the total amount made available to carry out the  
 2 program.

3 ~~(2) NON-FEDERAL SHARE.—~~

4 ~~(A) IN GENERAL.—~~The non-Federal share  
 5 of the cost of a project carried out with a grant  
 6 under the program shall be not less than 20  
 7 percent.

8 ~~(B) OTHER FEDERAL SOURCES.—~~An eligi-  
 9 ble entity receiving a grant under the program  
 10 may use funds provided from other Federal  
 11 sources to meet the non-Federal share require-  
 12 ment under subparagraph (A).

13 ~~(g) REGULATIONS.—~~The Administrator may promul-  
 14 gate such regulations as may be necessary to carry out  
 15 this section.

16 ~~(h) LABOR STANDARDS.—~~Notwithstanding any other  
 17 provision of law, the Administrator may not provide a  
 18 grant under the program for a project unless the project  
 19 meets the requirements described in section 1450(e) of the  
 20 Safe Drinking Water Act (42 U.S.C. 300j–9(e)).

21 ~~(i) REPORTS.—~~Not later than 2 years after the date  
 22 of enactment of this Act, the Administrator shall submit  
 23 to Congress and make publicly available a report on the  
 24 implementation of the program.

25 ~~(j) FUNDING.—~~

1           ~~(1) AUTHORIZATION OF APPROPRIATIONS.—~~

2           There is authorized to be appropriated to carry out  
3           ~~this section \$50,000,000 for each of fiscal years~~  
4           ~~2022 through 2024.~~

5           ~~(2) AVAILABILITY.—~~Funds made available to  
6           carry out this section shall be available until ex-  
7           ~~pended.~~

8           ~~(3) ADMINISTRATIVE COSTS.—~~Not more than 2  
9           percent of the amount made available for a fiscal  
10          year under paragraph ~~(1)~~ may be used by the Ad-  
11          ministrator for the administrative costs of carrying  
12          out the program.

13   **SECTION 1. SHORT TITLE.**

14          *This Act may be cited as the “Drinking Water Infra-*  
15          *structure Act of 2020”.*

16   **SEC. 2. HOST COMMUNITIES.**

17          *Section 1433(g) of the Safe Drinking Water Act (42*  
18          *U.S.C. 300i–2(g)) is amended—*

19                 *(1) in paragraph (1)—*

20                         *(A) by striking the period at the end and*  
21                         *inserting “; or”;*

22                         *(B) by striking “for the purpose of increas-*  
23                         *ing” and inserting the following: “for the pur-*  
24                         *pose of—*

25                                 *“(A) increasing”; and*

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

2 “(B) increasing the capacity of the commu-  
3 nity water system to adapt to an increase in  
4 population served by the community water sys-  
5 tem that is primarily caused by a natural haz-  
6 ard or a malevolent act in another community  
7 or State.”;

8 (2) in paragraph (5)—

9 (A) in the heading, by striking “SMALL”  
10 and inserting “SMALL, RURAL, AND DISADVAN-  
11 TAGED”;

12 (B) by striking “a population of less than  
13 3,300 persons” and inserting “disadvantaged  
14 communities or populations of fewer than 10,000  
15 persons”; and

16 (C) by striking “of this section”; and

17 (3) in paragraph (6), by striking “fiscal years  
18 2020 and 2021” and inserting “fiscal years 2021 and  
19 2022”.

20 **SEC. 3. TECHNICAL ASSISTANCE AND GRANTS FOR EMER-**  
21 **GENCIES AFFECTING PUBLIC WATER SYS-**  
22 **TEMS.**

23 Section 1442 of the Safe Drinking Water Act (42  
24 U.S.C. 300j-1) is amended—

1           (1) *in subsection (b), in the first sentence, by in-*  
 2           *serting “, including a threat to public health resulting*  
 3           *from contaminants, such as, but not limited to,*  
 4           *heightened exposure to lead in drinking water” after*  
 5           *“public health”;*

6           (2) *by striking subsection (d) and inserting the*  
 7           *following:*

8           “(d) *AUTHORIZATION OF APPROPRIATIONS.—There is*  
 9           *authorized to be appropriated to carry out subsection (b)*  
 10           *\$35,000,000 for each of fiscal years 2021 through 2024.”;*

11           (3) *in subsection (e)(5), by striking “2015*  
 12           *through 2020” and inserting “2021 through 2024”;*

13           (4) *by redesignating subsection (f) as subsection*  
 14           *(g); and*

15           (5) *by inserting after subsection (e) the following:*

16           “(f) *STATE-BASED NONPROFIT ORGANIZATIONS.—The*  
 17           *Administrator may provide technical assistance consistent*  
 18           *with the authority provided under subsection (e) to State-*  
 19           *based nonprofit organizations that are governed by commu-*  
 20           *nity water systems.”.*

21   **SEC. 4. DRINKING WATER STATE REVOLVING LOAN FUNDS.**

22           (a) *DRINKING WATER RELIEF FOR SMALL, RURAL,*  
 23           *AND DISADVANTAGED COMMUNITIES.—Section 1452 of the*  
 24           *Safe Drinking Water Act (42 U.S.C. 300j–12) is amend-*  
 25           *ed—*



1           (1) in subsection (a)—

2                   (A) in paragraph (2), by adding at the end  
3           the following:

4                   “(H) *REQUIRED SUBSIDIES FOR PUBLIC*  
5           *WATER SYSTEMS.*—

6                           “(i) *IN GENERAL.*—Notwithstanding  
7                   any other provision of this paragraph and  
8                   to the extent that there are sufficient appli-  
9                   cations from public water systems, a State  
10                  shall use not less than 14 percent of a cap-  
11                  italization grant to the State under this sec-  
12                  tion to provide the additional subsidies de-  
13                  scribed in clause (ii) to public water sys-  
14                  tems if the additional subsidies described in  
15                  that clause are used—

16                                  “(I) as initial financing for the  
17                   public water system; or

18                                  “(II) to buy, refinance, or restruc-  
19                   ture the debt obligations of the public  
20                   water system, if—

21    “(aa) the debt obligation was  
22                   incurred on or after the date of  
23                   enactment of this subparagraph;  
24                   or

1                   “(bb) for a debt obligation  
2                   that was incurred before the date  
3                   of enactment of this subpara-  
4                   graph—

5                   “(AA) the State, with  
6                   the concurrence of the Ad-  
7                   ministrator, determines that  
8                   the additional subsidies de-  
9                   scribed in clause (ii) would  
10                  help the public water system  
11                  address a threat to public  
12                  health from heightened expo-  
13                  sure to contaminants (in-  
14                  cluding lead) in drinking  
15                  water; or

16                  “(BB) before the date of  
17                  enactment of this subpara-  
18                  graph, an emergency has  
19                  been declared by the Presi-  
20                  dent under section 501 of the  
21                  Robert T. Stafford Disaster  
22                  Relief and Emergency Assist-  
23                  ance Act (42 U.S.C. 5191) or  
24                  a State emergency declara-  
25                  tion has been issued due to a

1                                    *threat to public health, in-*  
 2                                    *cluding a threat from height-*  
 3                                    *ened exposure to lead, in the*  
 4                                    *municipal drinking water*  
 5                                    *supply of the public water*  
 6                                    *system.*

7                                    “(ii) *ADDITIONAL SUBSIDIES DE-*  
 8                                    *SCRIBED.—The additional subsidies referred*  
 9                                    *to in clause (i) are—*

10                                    “(I) *forgiveness of principal of*  
 11                                    *loans owed to the State loan fund of*  
 12                                    *the State;*

13                                    “(II) *negative interest loans;*

14                                    “(III) *grants; or*

15                                    “(IV) *a combination of the sub-*  
 16                                    *sidies described in subclauses (I)*  
 17                                    *through (III).”;* and

18                                    (B) *in paragraph (4)(A), by striking “Dur-*  
 19                                    *ing fiscal years 2019 through 2023, funds” and*  
 20                                    *inserting “Funds”;* and

21                                    (2) *in subsection (q), by striking “2016 through*  
 22                                    *2021” and inserting “2021 through 2024”.*

23                                    (b) *REMEDATION OF CONTAMINATION.—Section 1452*  
 24                                    *of the Safe Drinking Water Act (42 U.S.C. 300j–12) is*  
 25                                    *amended—*

1           (1) *in subsection (a)(2)(G)—*

2                *(A) in clause (i)—*

3                   *(i) by striking “only”; and*

4                   *(ii) by striking the clause designation*

5                   *and heading and all that follows through*

6                   *“clause (ii),” and inserting the following:*

7                        *“(i) DRINKING WATER.—*

8                            *“(I)     IN     GENERAL.—Notwith-*

9                            *standing any other provision of law*

10                          *and subject to subclause (II),”;*

11           *(B) in clause (ii)—*

12                *(i) in subclause (I)—*

13                   *(I) in the matter preceding item*

14                   *(aa), by striking “amounts described*

15                   *in clause (i)” and inserting “amounts*

16                   *made available to carry out this*

17                   *clause”; and*

18                   *(II) by redesignating items (aa)*

19                   *and (bb) as subitems (AA) and (BB),*

20                   *respectively, and indenting appro-*

21                   *priately;*

22                   *(ii) in subclause (II), by striking*

23                   *“amounts described in clause (i)” and in-*

24                   *serting “amounts made available to carry*

25                   *out this clause”; and*

(iii) by redesignating subclauses (I) and (II) as items (aa) and (bb), respectively, and indenting appropriately;

(C) by redesignating clause (ii) as subclause (II) and indenting appropriately; and

(D) by inserting before clause (iii) the following:

“(ii) *REMEDICATION OF CONTAMINATION OF GROUNDWATER.*—

“(I) *DEFINITION OF ELIGIBLE SITE.*—In this clause, the term ‘eligible site’ means a site at which an emerging contaminant is present in, or has the potential to enter, a public water system or an underground source of drinking water.

“(II) *GRANTS.*—Notwithstanding any other provision of law and subject to subclause (III), amounts deposited under subsection (t) in a State loan fund established under this section may only be used to provide grants to address contamination of groundwater at an eligible site, with a focus on

1                    *perfluoroalkyl and polyfluoroalkyl sub-*  
 2                    *stances.*

3                    “(III) *REQUIREMENTS.*—

4                    “(aa) *PRIORITIES.*—*In se-*  
 5                    *lecting the recipient of a grant*  
 6                    *using amounts made available to*  
 7                    *carry out this clause, a State shall*  
 8                    *use the priorities described in sub-*  
 9                    *section (b)(3)(A).*

10                    “(bb) *CLEANUP STAND-*  
 11                    *ARDS.*—*Any detection, treatment,*  
 12                    *and remediation of groundwater*  
 13                    *carried out using amounts made*  
 14                    *available to carry out this clause*  
 15                    *shall be carried out in accordance*  
 16                    *with applicable State toxicity val-*  
 17                    *ues, standards, and regulations of*  
 18                    *the State in which the detection,*  
 19                    *treatment, or remediation is being*  
 20                    *carried out.”; and*

21                    (2)    *in subsection (t)(2), by striking*  
 22                    *“\$100,000,000 for each of fiscal years 2020” and in-*  
 23                    *serting “\$300,000,000 for each of fiscal years 2021”.*

1 **SEC. 5. SOURCE WATER PETITION PROGRAM.**

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

4 *(1) in subsection (a)—*

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

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

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

17 *“(5) SAVINGS PROVISION.—Unless otherwise pro-*  
 18 *vided within the agreement, an agreement between an*  
 19 *unincorporated area and a county for the county to*  
 20 *submit a petition under paragraph (1)(A) on behalf*  
 21 *of the unincorporated area shall not authorize the*  
 22 *county to act on behalf of the unincorporated area in*  
 23 *any matter not within a program under this sec-*  
 24 *tion.”; and*

25 *(2) in subsection (e), in the first sentence, by*  
 26 *striking “2021” and inserting “2024”.*

1 **SEC. 6. ASSISTANCE FOR SMALL AND DISADVANTAGED**  
 2 **COMMUNITIES.**

3 (a) *EXISTING PROGRAMS.*—Section 1459A of the Safe  
 4 *Drinking Water Act* (42 U.S.C. 300j–19a) is amended—

5 (1) in subsection (b)(2)—

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

8 (B) in subparagraph (C), by striking the  
 9 period at the end and inserting a semicolon; and

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

11 “(D) the purchase of point-of-entry or  
 12 point-of-use filters that are independently cer-  
 13 tified using science-based test methods for the re-  
 14 moval of contaminants of concern;

15 “(E) investments necessary for providing  
 16 accurate and current information about—

17 “(i) the need for filtration, filter safety,  
 18 and proper maintenance practices; and

19 “(ii) the options for replacing lead  
 20 service lines (as defined section 1459B(a))  
 21 and removing other sources of lead in water;  
 22 and

23 “(F) entering into contracts with nonprofit  
 24 organizations that have water system technical  
 25 expertise to assist underserved communities.



1           “(3) *CONTRACTING PARTIES.*—A contract de-  
 2       scribed in paragraph (2)(F) may be between a non-  
 3       profit organization described in that paragraph  
 4       and—

5                       “(A) an eligible entity; or

6                       “(B) the State of an eligible entity, on be-  
 7       half of that eligible entity.”;

8       (2) in subsection (c), in the matter preceding  
 9       paragraph (1), by striking “An eligible entity” and  
 10      inserting “Except for purposes of subsections (j) and  
 11      (m), an eligible entity”;

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

16      (4) by striking subsection (h) and inserting the  
 17      following:

18           “(h) *WAIVER.*—The Administrator may waive the re-  
 19      quirement under subsection (g)(1).”;

20      (5) by striking subsection (k) and inserting the  
 21      following:

22           “(k) *AUTHORIZATION OF APPROPRIATIONS.*—There  
 23      are authorized to be appropriated to carry out subsections  
 24      (a) through (j)—

25                       “(1) \$60,000,000 for fiscal year 2021; and

1           “(2) \$100,000,000 for each of fiscal years 2022  
2           through 2024.”; and

3           (6) in subsection (l)—

4           (A) in paragraph (2)—

5           (i) by striking “The Administrator  
6           may” and inserting “The Administrator  
7           shall”; and

8           (ii) by striking “fiscal years 2019 and  
9           2020” and inserting “fiscal years 2021  
10          through 2024”;

11          (B) in paragraph (5), by striking  
12          “\$4,000,000 for each of fiscal years 2019 and  
13          2020” and inserting “\$10,000,000 for each of fis-  
14          cal years 2021 through 2024”;

15          (C) by redesignating paragraph (5) as  
16          paragraph (6); and

17          (D) by inserting after paragraph (4) the fol-  
18          lowing:

19          “(5) *FEDERAL SHARE FOR UNDERSERVED COM-*  
20          *MUNITIES.*—

21               “(A) *IN GENERAL.*—Subject to subpara-  
22               graph (B), with respect to a program or project  
23               that serves an underserved community and is  
24               carried out using a grant under this subsection,

1           *the Federal share of the cost of the program or*  
 2           *project shall be 90 percent.*

3           “(B) *WAIVER.—The Administrator may in-*  
 4           *crease the Federal share under subparagraph*  
 5           *(A)(ii) to 100 percent.”.*

6           **(b) CONNECTION TO PUBLIC WATER SYSTEMS.—***Sec-*  
 7           *tion 1459A of the Safe Drinking Water Act (42 U.S.C.*  
 8           *300j–19a) is amended by adding at the end the following:*

9           **“(m) CONNECTION TO PUBLIC WATER SYSTEMS.—**

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

11           **“(A) ELIGIBLE ENTITY.—The term ‘eligible**  
 12           **entity’ means—**

13           **“(i) an owner or operator of a public**  
 14           **water system that assists or is seeking to as-**  
 15           **sist eligible individuals with connecting the**  
 16           **household of the eligible individual to the**  
 17           **public water system; or**

18           **“(ii) a nonprofit entity that assists or**  
 19           **is seeking to assist eligible individuals with**  
 20           **the costs associated with connecting the**  
 21           **household of the eligible individual to a**  
 22           **public water system.**

23           **“(B) ELIGIBLE INDIVIDUAL.—The term ‘eli-**  
 24           **gible individual’ has the meaning given the term**

1           *in section 603(j) of the Federal Water Pollution*  
 2           *Control Act (33 U.S.C. 1383(j)).*

3           “(C) *PROGRAM.*—*The term ‘program’*  
 4           *means the competitive grant program established*  
 5           *under paragraph (2).*

6           “(2) *ESTABLISHMENT.*—*Subject to the avail-*  
 7           *ability of appropriations, the Administrator shall es-*  
 8           *tablish a competitive grant program under which the*  
 9           *Administrator awards grants to eligible entities to*  
 10          *provide funds to assist eligible individuals in covering*  
 11          *the costs incurred by the eligible individual in con-*  
 12          *necting the household of the eligible individual to a*  
 13          *public water system.*

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

19          “(4) *VOLUNTARY CONNECTION.*—*Before pro-*  
 20          *viding funds to an eligible individual for the costs de-*  
 21          *scribed in paragraph (2), an eligible entity shall en-*  
 22          *sure that—*

23                 “(A) *the eligible individual is voluntarily*  
 24                 *seeking connection to the public water system;*

1           “(B) if the eligible entity is not the owner  
 2           or operator of the public water system to which  
 3           the eligible individual seeks to connect, the public  
 4           water system to which the eligible individual  
 5           seeks to connect has agreed to the connection;  
 6           and

7           “(C) the connection of the household of the  
 8           eligible individual to the public water system  
 9           meets all applicable local and State regulations,  
 10          requirements, and codes.

11          “(5) *AUTHORIZATION OF APPROPRIATIONS.*—  
 12          There is authorized to be appropriated to carry out  
 13          the program \$20,000,000 for each of fiscal years 2021  
 14          and 2022.”.

15          (c) *COMPETITIVE GRANT PILOT PROGRAM.*—Section  
 16          1459A of the Safe Drinking Water Act (42 U.S.C. 300j–  
 17          19a) (as amended by subsection (b)) is amended by adding  
 18          at the end the following:

19          “(n) *STATE COMPETITIVE GRANTS FOR UNDER-*  
 20          *SERVED COMMUNITIES.*—

21          “(1) *IN GENERAL.*—In addition to amounts au-  
 22          thorized to be appropriated under subsection (k), there  
 23          is authorized to be appropriated to carry out sub-  
 24          sections (a) through (j) \$50,000,000 for each of fiscal

1       *years 2021 through 2024 in accordance with para-*  
2       *graph (2).*

3               “(2) *COMPETITIVE GRANTS.*—

4                       “(A) *IN GENERAL.*—*Notwithstanding any*  
5                       *other provision of this section, the Administrator*  
6                       *shall distribute amounts made available under*  
7                       *paragraph (1) to States through a competitive*  
8                       *grant program.*

9                       “(B) *APPLICATIONS.*—*To seek a grant*  
10                      *under the competitive grant program under sub-*  
11                      *paragraph (A), a State shall submit to the Ad-*  
12                      *ministrator an application at such time, in such*  
13                      *manner, and containing such information as the*  
14                      *Administrator may require.*

15                      “(C) *PRIORITIZATION.*—*In selecting recipi-*  
16                      *ents of grants under the competitive grant pro-*  
17                      *gram under subparagraph (A), the Adminis-*  
18                      *trator shall give priority to States with a high*  
19                      *proportion of underserved communities that meet*  
20                      *the condition described in subsection (a)(2)(A).*

21               “(3) *SAVINGS PROVISION.*—*Nothing in this para-*  
22       *graph affects the distribution of amounts made avail-*  
23       *able under subsection (k), including any methods used*  
24       *by the Administrator for distribution of amounts*  
25       *made available under that subsection as in effect on*

1       *the day before the date of enactment of this sub-*  
 2       *section.”.*

3   **SEC. 7. REDUCING LEAD IN DRINKING WATER.**

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

6               *(1) in subsection (d)—*

7                       *(A) by inserting “(except for subsection*  
 8                       *(d))” after “this section”; and*

9                       *(B) by striking “2021” and inserting*  
 10                      *“2022”;*

11               *(2) by redesignating subsections (d) and (e) as*  
 12       *subsections (e) and (f), respectively; and*

13               *(3) by inserting after subsection (c) the fol-*  
 14       *lowing:*

15       *“(d) LEAD MAPPING UTILIZATION GRANT PILOT PRO-*  
 16   *GRAM.—*

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

18                       *“(A) ELIGIBLE ENTITY.—The term ‘eligible*  
 19                       *entity’ means a municipality that is served by*  
 20                       *a community water system or a nontransient*  
 21                       *noncommunity water system in which not less*  
 22                       *than 30 percent of the service lines are known,*  
 23                       *or likely to contain, lead service lines.*

1           “(B) *PILOT PROGRAM.*—The term ‘pilot  
2           program’ means the pilot program established  
3           under paragraph (2).

4           “(2) *ESTABLISHMENT.*—The Administrator shall  
5           establish a pilot program under which the Adminis-  
6           trator shall provide grants to eligible entities to carry  
7           out lead reduction projects that are demonstrated to  
8           exist based on existing lead mapping of those eligible  
9           entities.

10          “(3) *SELECTION.*—

11               “(A) *APPLICATION.*—To be eligible to re-  
12           ceive a grant under the pilot program, an eligi-  
13           ble entity shall submit to the Administrator an  
14           application at such time, in such manner, and  
15           containing such information as the Adminis-  
16           trator may require.

17               “(B) *PRIORITIZATION.*—In selecting recipi-  
18           ents under the pilot program, the Administrator  
19           shall give priority to an eligible entity that  
20           meets the affordability criteria established by the  
21           applicable State.

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 Sen-



1        *ate and the Committee on Energy and Commerce of*  
 2        *the House of Representatives a report describing—*

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

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

8                *“(C) how useful and accurate the lead map-*  
 9                *ping described in subparagraph (B) was in lo-*  
 10               *cating lead contaminants of the eligible entity.*

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

15        **SEC. 8. OPERATIONAL SUSTAINABILITY OF SMALL PUBLIC**  
 16                **WATER SYSTEMS.**

17               *Part E of the Safe Drinking Water Act (42 U.S.C. 300j*  
 18               *et seq.) is amended by adding at the end the following:*

19        **“SEC. 1459E. OPERATIONAL SUSTAINABILITY OF SMALL**  
 20                **PUBLIC WATER SYSTEMS.**

21               *“(a) DEFINITIONS.—In this section:*

22               *“(1) ELIGIBLE ENTITY.—The term ‘eligible enti-*  
 23               *ty’ means—*

24               *“(A) a unit of local government;*

1           “(B) a public corporation established by a  
2           unit of local government to provide water service;

3           “(C) a nonprofit corporation, public trust,  
4           or cooperative association that owns or operates  
5           a public water system; and

6           “(D) an Indian Tribe that owns or operates  
7           a public water system.

8           “(2) *OPERATIONAL SUSTAINABILITY*.—The term  
9           ‘operational sustainability’ means the ability to im-  
10          prove the operation of a small system through the  
11          identification and prevention of potable water loss  
12          due to leaks, breaks, and other metering or infrastruc-  
13          ture failures.

14          “(3) *PROGRAM*.—The term ‘program’ means the  
15          grant program established under subsection (b).

16          “(4) *SMALL SYSTEM*.—The term ‘small system’  
17          means a public water system that—

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

19               “(B) is owned or operated by—

20                   “(i) a unit of local government;

21                   “(ii) a public corporation;

22                   “(iii) a nonprofit corporation;

23                   “(iv) a public trust;

24                   “(v) a cooperative association; or

25                   “(vi) an Indian Tribe.

1       “(b) *ESTABLISHMENT.*—Subject to the availability of  
2   appropriations, the Administrator shall establish a pro-  
3   gram to award grants to eligible entities for the purpose  
4   of improving the operational sustainability of 1 or more  
5   small systems.

6       “(c) *APPLICATIONS.*—To be eligible to receive a grant  
7   under the program, an eligible entity shall submit to the  
8   Administrator an application at such time, in such man-  
9   ner, and containing such information as the Administrator  
10   may require, including—

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

13           “(2) documentation prepared by the eligible enti-  
14       ty describing the deficiencies or suspected deficiencies  
15       in operational sustainability of 1 or more small sys-  
16       tems that are to be addressed through the proposed  
17       project;

18           “(3) a description of how the proposed project  
19       will improve the operational sustainability of 1 or  
20       more small systems;

21           “(4) a description of how the improvements de-  
22       scribed in paragraph (3) will be maintained beyond  
23       the life of the proposed project, including a plan to  
24       maintain and update any asset data collected as a re-  
25       sult of the proposed project;

1           “(5)(A) if the eligible entity is located in a State  
 2           that has established a State drinking water treatment  
 3           revolving loan fund under section 1452, a copy of a  
 4           written agreement between the eligible entity and the  
 5           State in which the eligible entity agrees to provide a  
 6           copy of any data collected under the proposed project  
 7           to the State agency administering the State drinking  
 8           water treatment revolving loan fund (or a designee);  
 9           or

10           “(B) if the eligible entity is located in an area  
 11           other than a State that has established a State drink-  
 12           ing water treatment revolving loan fund under section  
 13           1452, a copy of a written agreement between the eligi-  
 14           ble entity and the Administrator in which the eligible  
 15           entity agrees to provide a copy of any data collected  
 16           under the proposed project to the Administrator (or a  
 17           designee); and

18           “(6) any additional information the Adminis-  
 19           trator may require.

20           “(d) *USE OF FUNDS.*—An eligible entity that receives  
 21           a grant under the program shall use the grant funds to  
 22           carry out projects that improve the operational sustain-  
 23           ability of 1 or more small systems through—

24           “(1) the development of a detailed asset inven-  
 25           tory, which may include drinking water sources,

1        *wells, storage, valves, treatment systems, distribution*  
 2        *lines, hydrants, pumps, controls, and other essential*  
 3        *infrastructure;*

4                *“(2) the development of an infrastructure asset*  
 5        *map, including a map that uses technology such as—*

6                        *“(A) geographic information system soft-*  
 7        *ware; and*

8                        *“(B) global positioning system software;*

9                *“(3) the deployment of leak detection technology;*

10                *“(4) the deployment of metering technology;*

11                *“(5) training in asset management strategies,*  
 12        *techniques, and technologies appropriate staff em-*  
 13        *ployed by—*

14                        *“(A) the eligible entity; or*

15                        *“(B) the small systems for which the grant*  
 16        *was received; and*

17                *“(6) the development or deployment of other*  
 18        *strategies, techniques, or technologies that the Admin-*  
 19        *istrator may determine to be appropriate under the*  
 20        *program.*

21        *“(e) COST SHARE.—*

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

1           “(2) *WAIVER.*—*The Administrator may increase*  
 2           *the Federal share under paragraph (1) to 100 percent.*

3           “(f) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*  
 4           *authorized to be appropriated to carry out this section*  
 5           *\$10,000,000 for each of fiscal years 2021 through 2024.”.*

6   **SEC. 9. MIDSIZE DRINKING WATER SYSTEM INFRASTRUC-**  
 7                           **TURE RESILIENCE AND SUSTAINABILITY PRO-**  
 8                           **GRAM.**

9           *Part E of the Safe Drinking Water Act (42 U.S.C. 300j*  
 10          *et seq.) (as amended by section 8) is amended by adding*  
 11          *at the end the following:*

12   **“SEC. 1459F. MIDSIZE DRINKING WATER SYSTEM INFRA-**  
 13                           **STRUCTURE RESILIENCE AND SUSTAIN-**  
 14                           **ABILITY PROGRAM.**

15          “(a) *DEFINITIONS.*—*In this section:*

16               “(1) *ELIGIBLE ENTITY.*—*The term ‘eligible enti-*  
 17               *ty’ means a public water system that serves a commu-*  
 18               *nity with a population of—*

19                       “(A) *greater than 10,000; and*

20                       “(B) *fewer than 100,000.*

21               “(2) *NATURAL HAZARD; RESILIENCE.*—*The*  
 22               *terms ‘resilience’ and ‘natural hazard’ have the mean-*  
 23               *ings given those terms in section 1433(h).*

24               “(3) *RESILIENCE AND SUSTAINABILITY PRO-*  
 25               *GRAM.*—*The term ‘resilience and sustainability pro-*

1        *gram’ means the Midsize Drinking Water System In-*  
 2        *frastructure Resilience and Sustainability Program*  
 3        *established under subsection (b).*

4        “(b) *ESTABLISHMENT.*—*The Administrator shall es-*  
 5        *tablish and carry out a program, to be known as the*  
 6        *‘Midsize Drinking Water System Infrastructure Resilience*  
 7        *and Sustainability Program’, under which the Adminis-*  
 8        *trator, subject to the availability of appropriations for the*  
 9        *resilience and sustainability program, shall award grants*  
 10       *to eligible entities for the purpose of increasing resilience*  
 11       *to natural hazards.*

12       “(c) *USE OF FUNDS.*—*An eligible entity may only use*  
 13       *grant funds received under the resilience and sustainability*  
 14       *program to assist in the planning, design, construction, im-*  
 15       *plementation, operation, or maintenance of a program or*  
 16       *project that increases resilience to natural hazards*  
 17       *through—*

18                “(1) *the conservation of water or the enhance-*  
 19        *ment of water-use efficiency;*

20                “(2) *the modification or relocation of existing*  
 21        *drinking water system infrastructure made, or that is*  
 22        *at risk of being, significantly impaired by natural*  
 23        *hazards, including risks to drinking water from flood-*  
 24        *ing;*

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

4           “(4) the enhancement of water supply through  
5       the use of watershed management and source water  
6       protection;

7           “(5) the enhancement of energy efficiency or the  
8       use and generation of renewable energy in the convey-  
9       ance or treatment of drinking water; or

10          “(6) the development and implementation of  
11       measures to increase the resilience of the eligible enti-  
12       ty to natural hazards.

13          “(d) APPLICATION.—To seek a grant under the resil-  
14       ience and sustainability program, an eligible entity shall  
15       submit to the Administrator an application at such time,  
16       in such manner, and containing such information as the  
17       Administrator may require, including—

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

21           “(2) an identification of the natural hazard risk  
22       to be addressed by the proposed program or project;

23           “(3) documentation prepared by a Federal,  
24       State, regional, or local government agency of the nat-



1        *ural hazard risk to the area where the proposed pro-*  
 2        *gram or project is to be located;*

3                *“(4) a description of any recent natural hazard*  
 4        *events that have affected the community water system*  
 5        *of the eligible entity;*

6                *“(5) a description of how the proposed program*  
 7        *or project would improve the performance of the com-*  
 8        *munity water system of the eligible entity under the*  
 9        *anticipated natural hazards; and*

10               *“(6) an explanation of how the proposed pro-*  
 11        *gram or project is expected to enhance the resilience*  
 12        *of the community water system of the eligible entity*  
 13        *to the anticipated natural hazards.*

14        *“(e) AUTHORIZATION OF APPROPRIATIONS.—There is*  
 15        *authorized to be appropriated to carry out the resilience*  
 16        *and sustainability program \$10,000,000 for each of fiscal*  
 17        *years 2021 through 2024.”.*

18        **SEC. 10. NEEDS ASSESSMENT FOR NATIONWIDE RURAL AND**  
 19                        **URBAN LOW-INCOME COMMUNITY WATER AS-**  
 20                        **SISTANCE.**

21        *Part E of the Safe Drinking Water Act (42 U.S.C. 300j*  
 22        *et seq.) (as amended by section 9) is amended by adding*  
 23        *at the end the following:*

1 **“SEC. 1459G. NEEDS ASSESSMENT FOR NATIONWIDE RURAL**  
 2 **AND URBAN LOW-INCOME COMMUNITY**  
 3 **WATER ASSISTANCE.**

4 *“(a) DEFINITION OF LOW-INCOME HOUSEHOLD.—In*  
 5 *this section, the term ‘low-income household’ means a house-*  
 6 *hold that has an income that, as determined by the State*  
 7 *in which the household is located, does not exceed the greater*  
 8 *of—*

9 *“(1) an amount equal to 150 percent of the pov-*  
 10 *erty level of that State; and*

11 *“(2) an amount equal to 60 percent of the State*  
 12 *median income for that State.*

13 *“(b) STUDY; REPORT.—*

14 *“(1) IN GENERAL.—Subject to the availability of*  
 15 *appropriations, not later than 2 years after the date*  
 16 *of enactment of this section, the Administrator shall*  
 17 *conduct, and submit to Congress a report describing*  
 18 *the results of, a study regarding the prevalence*  
 19 *throughout the United States of low-income house-*  
 20 *holds, including low-income renters, that do not have*  
 21 *access to affordable public drinking water services to*  
 22 *meet household needs.*

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

1           “(A) recommendations of the Administrator  
2           regarding the best methods to increase access to  
3           affordable and reliable drinking water services;

4           “(B) a description of the cost of each meth-  
5           od described in subparagraph (A); and

6           “(C) with respect to the development of the  
7           report, a consultation with all relevant stake-  
8           holders.

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

12          “(c) AUTHORIZATION OF APPROPRIATIONS.—There is  
13          authorized to be appropriated to carry out this section  
14          \$5,000,000, to remain available until expended.”.

15       **SEC. 11. LEAD CONTAMINATION IN SCHOOL DRINKING**  
16       **WATER.**

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

19               (1) in subsection (b)—

20                       (A) in the first sentence, by inserting “pub-  
21                       lic water systems and” after “to assist”;

22                       (B) in the third sentence, by inserting “pub-  
23                       lic water systems,” after “schools,”; and

24                       (C) in the sixth sentence, by striking “with-  
25                       in 100 days after the enactment of this section”

1           *and inserting “not later than 100 days after the*  
2           *date of enactment of the Drinking Water Infra-*  
3           *structure Act of 2020”; and*

4           *(2) in subsection (d)—*

5                 *(A) in paragraph (2)—*

6                     *(i) in subparagraph (A)—*

7                             *(I) by inserting “, public water*  
8                             *systems that serve schools and child*  
9                             *care programs under the jurisdiction of*  
10                            *those local educational agencies, and*  
11                            *qualified nonprofit organizations” be-*  
12                            *fore “in voluntary”;*

13                            *(II) by striking the period at the*  
14                            *end and inserting “; and”;*

15                            *(III) by striking “grants available*  
16                            *to States” and inserting the following:*  
17                            *“grants available to—*

18                                 *“(i) States”; and*

19                                 *(IV) by adding at the end the fol-*  
20                                 *lowing:*

21                                     *“(ii) tribal consortia to assist tribal*  
22                                     *education agencies (as defined in section 3*  
23                                     *of the National Environmental Education*  
24                                     *Act (20 U.S.C. 5502) in voluntary testing*  
25                                     *for lead contamination in drinking water*

1           *at schools and child care programs under*  
 2           *the jurisdiction of the tribal education agen-*  
 3           *cy.”;*

4           *(ii) in subparagraph (B)—*

5                 *(I) in clause (i), by striking “or”*  
 6                 *at the end;*

7                 *(II) in clause (ii), by striking the*  
 8                 *period at the end and inserting a semi-*  
 9                 *colon; and*

10                *(III) by adding at the end the fol-*  
 11                *lowing:*

12                *“(iii) any public water system that is*  
 13                *located in a State that does not participate*  
 14                *in the voluntary grant program established*  
 15                *under subparagraph (A) that—*

16                    *“(I) assists schools or child care*  
 17                    *programs in lead testing; or*

18                    *“(II) provides technical assistance*  
 19                    *to schools or child care programs in*  
 20                    *carrying out lead testing; or*

21                    *“(iv) a qualified nonprofit organiza-*  
 22                    *tion, as determined by the Administrator.”;*

23                *(B) in paragraphs (3), (5), (6), and (7), by*  
 24                *striking “State or local educational agency” each*  
 25                *place it appears and inserting “State, local edu-*

1        *cational agency, public water system, tribal con-*  
 2        *sortium, or qualified nonprofit organization”;*

3            *(C) in paragraph (4), by striking “States*  
 4        *and local educational agencies” and inserting*  
 5        *“States, local educational agencies, public water*  
 6        *systems, tribal consortia, and qualified nonprofit*  
 7        *organizations”;*

8            *(D) in paragraph (6)—*

9            *(i) in the matter preceding subpara-*  
 10        *graph (A), by inserting “, public water sys-*  
 11        *tem, tribal consortium, or qualified non-*  
 12        *profit organization” after “each local edu-*  
 13        *cational agency”;*

14            *(ii) in subparagraph (A)(ii), by insert-*  
 15        *ing “or tribal” after “applicable State”;*  
 16        *and*

17            *(iii) in subparagraph (B)(i), by insert-*  
 18        *ing “applicable” before “local educational*  
 19        *agency”; and*

20            *(E) in paragraph (8), by striking “2020*  
 21        *and 2021” and inserting “2021 and 2022”.*

1 **SEC. 12. INDIAN RESERVATION DRINKING WATER PRO-**  
 2 **GRAM.**

3 *Section 2001 of the America's Water Infrastructure*  
 4 *Act of 2018 (42 U.S.C. 300j–3c note; Public Law 115–270)*  
 5 *is amended—*

6 *(1) in subsection (a)—*

7 *(A) in the matter preceding paragraph (1),*  
 8 *by striking “Subject to the availability of appro-*  
 9 *priations, the Administrator of the Environ-*  
 10 *mental Protection Agency” and inserting “The*  
 11 *Administrator of the Environmental Protection*  
 12 *Agency (referred to in this section as the ‘Ad-*  
 13 *ministrator’); and*

14 *(B) by striking “to implement” in the mat-*  
 15 *ter preceding paragraph (1) and all that follows*  
 16 *through the period at the end of paragraph (2)*  
 17 *and inserting “to implement eligible projects de-*  
 18 *scribed in subsection (b).”;*

19 *(2) by redesignating subsection (d) as subsection*  
 20 *(e);*

21 *(3) by striking subsection (c) and inserting the*  
 22 *following:*

23 *“(c) REQUIRED PROJECTS.—*

24 *“(1) IN GENERAL.—If sufficient applications*  
 25 *exist, of the funds made available to carry out this*

1        *section, the Administrator shall use 50 percent to*  
 2        *carry out—*

3                *“(A) 10 eligible projects described in sub-*  
 4                *section (b) that are within the Upper Missouri*  
 5                *River Basin;*

6                *“(B) 10 eligible projects described in sub-*  
 7                *section (b) that are within the Upper Rio*  
 8                *Grande Basin; and*

9                *“(C) 10 eligible projects described in sub-*  
 10                *section (b) that are within the Columbia River*  
 11                *Basin.*

12                *“(2) REQUIREMENT.—In carrying out para-*  
 13                *graph (1)(A), the Administrator shall select not fewer*  
 14                *than 2 eligible projects for a reservation that serves*  
 15                *more than 1 federally recognized Indian Tribe.*

16                *“(d) FEDERAL SHARE.—The Federal share of the cost*  
 17                *of a project carried out under this section shall be 100 per-*  
 18                *cent.”; and*

19                *(4) in subsection (e) (as so redesignated)—*

20                        *(A) by striking “There is” and inserting*  
 21                        *“There are”;*

22                        *(B) by striking “subsection (a)*  
 23                        *\$20,000,000” and inserting the following: “sub-*  
 24                        *section (a)—*

25                        *“(1) \$20,000,000”;*



1 (C) in paragraph (1) (as so designated), by  
 2 striking “2022.” and inserting “2020; and”; and

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

4 “(2) \$50,000,000 for each of fiscal years 2021  
 5 through 2024.”.

6 **SEC. 13. ADVANCED DRINKING WATER TECHNOLOGIES.**

7 (a) *STUDY.*—

8 (1) *IN GENERAL.*—Subject to the availability of  
 9 appropriations, not later than 1 year after the date  
 10 of enactment of this Act, the Administrator of the En-  
 11 vironmental Protection Agency (referred to in this  
 12 section as the “Administrator”) shall carry out a  
 13 study that examines the state of existing and poten-  
 14 tial future technology that enhances or could enhance  
 15 the treatment, monitoring, affordability, efficiency,  
 16 and safety of drinking water provided by a public  
 17 water system (as defined in section 1401 of the Safe  
 18 Drinking Water Act (42 U.S.C. 300f)).

19 (2) *REPORT.*—The Administrator shall submit to  
 20 the Committee on Environment and Public Works of  
 21 the Senate and the Committee on Energy and Com-  
 22 merce of the House of Representatives a report that  
 23 describes the results of the study under paragraph (1).

24 (b) *ADVANCED DRINKING WATER TECHNOLOGY GRANT*  
 25 *PROGRAM.*—

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

2                   (A) *ELIGIBLE ENTITY.—The term “eligible*  
3 *entity” means the owner or operator of a public*  
4 *water system that—*

5                           (i) *serves—*

6                                   (I) *a population of not more than*  
7 *100,000 people; or*

8                                   (II) *an underserved community;*

9                           (ii) *has plans to identify or has identi-*  
10 *fied opportunities in the operations of the*  
11 *public water system to employ new or*  
12 *emerging, yet proven, technologies, as deter-*  
13 *mined by the Administrator, that enhance*  
14 *treatment, monitoring, affordability, effi-*  
15 *ciency, or safety of the drinking water pro-*  
16 *vided by the public water system, including*  
17 *technologies not identified in the study con-*  
18 *ducted under subsection (a)(1); and*

19                           (iii) *has expressed an interest in the*  
20 *opportunities in the operation of the public*  
21 *water system to employ new or emerging,*  
22 *yet proven, technologies, as determined by*  
23 *the Administrator, that enhance treatment,*  
24 *monitoring, affordability, efficiency, or safe-*  
25 *ty of the drinking water provided by the*

1           *public water system, including technologies*  
 2           *not identified in the study conducted under*  
 3           *subsection (a)(1).*

4           (B) *PROGRAM.*—*The term “program”*  
 5           *means the competitive grant program established*  
 6           *under paragraph (2).*

7           (C) *PUBLIC WATER SYSTEM.*—*The term*  
 8           *“public water system” has the meaning given the*  
 9           *term in section 1401 of the Safe Drinking Water*  
 10          *Act (42 U.S.C. 300f).*

11          (D) *UNDERSERVED COMMUNITY.*—*The term*  
 12          *“underserved community” means a political sub-*  
 13          *division of a State that, as determined by the*  
 14          *Administrator, has an inadequate system for ob-*  
 15          *taining drinking water.*

16          (2) *ESTABLISHMENT.*—*The Administrator shall*  
 17          *establish a competitive grant program under which*  
 18          *the Administrator shall award grants to eligible enti-*  
 19          *ties for the purpose of identifying, deploying, or iden-*  
 20          *tifying and deploying technologies described in para-*  
 21          *graph (1)(A)(ii).*

22          (3) *REQUIREMENTS.*—

23               (A) *APPLICATIONS.*—*To be eligible to re-*  
 24               *ceive a grant under the program, an eligible en-*  
 25               *tity shall submit to the Administrator an appli-*

1        *cation at such time, in such manner, and con-*  
 2        *taining such information as the Administrator*  
 3        *may require.*

4                *(B) FEDERAL SHARE.—*

5                    *(i) IN GENERAL.—Subject to clause*  
 6                    *(ii), the Federal share of the cost of a*  
 7                    *project carried out using a grant under the*  
 8                    *program shall not exceed 90 percent of the*  
 9                    *total cost of the project.*

10                   *(ii) WAIVER.—The Administrator may*  
 11                   *increase the Federal share under clause (i)*  
 12                   *to 100 percent.*

13                *(4) REPORT.—Not later than 1 year after the*  
 14                *date on which Administrator first awards a grant*  
 15                *under the program, and annually thereafter, the Ad-*  
 16                *ministrator shall submit to Congress a report describ-*  
 17                *ing—*

18                   *(A) each recipient of a grant under the pro-*  
 19                   *gram during the previous 1-year period; and*

20                   *(B) a summary of the activities carried out*  
 21                   *using grants awarded under the program.*

22                *(5) FUNDING.—*

23                   *(A) AUTHORIZATION OF APPROPRIA-*  
 24                   *TIONS.—There is authorized to be appropriated*  
 25                   *to carry out the program \$10,000,000 for each of*

1       *fiscal years 2021 through 2024, to remain avail-*  
 2       *able until expended.*

3               *(B) ADMINISTRATIVE COSTS.—Not more*  
 4       *than 2 percent of the amount made available for*  
 5       *a fiscal year under subparagraph (A) to carry*  
 6       *out the program may be used by the Adminis-*  
 7       *trator for the administrative costs of carrying*  
 8       *out the program.*

9   **SEC. 14. DRINKING WATER INFRASTRUCTURE DISCRE-**  
 10       **TIONARY GRANT PROGRAM.**

11       *(a) ESTABLISHMENT.—Not later than 1 year after the*  
 12       *date of enactment of this Act, the Administrator of the En-*  
 13       *vironmental Protection Agency (referred to in this section*  
 14       *as the “Administrator”) shall establish a drinking water*  
 15       *discretionary grant program (referred to in this section as*  
 16       *the “program”) to provide grants, on a competitive basis,*  
 17       *to eligible entities described in subsection (b) for invest-*  
 18       *ments in drinking water infrastructure projects.*

19       *(b) ELIGIBLE ENTITIES.—An entity eligible to receive*  
 20       *a grant under the program is—*

21               *(1) a State, interstate, intermunicipal, or local*  
 22       *governmental entity, agency, or instrumentality;*

23               *(2) a Tribal government or consortium of Tribal*  
 24       *governments;*

1           (3) a State infrastructure financing authority;  
2       *and*

3           (4) a community water system or nonprofit non-  
4       community water system (as those terms are defined  
5       in section 1401 of the Safe Drinking Water Act (42  
6       U.S.C. 300f)).

7       (c) *ELIGIBLE PROJECTS.*—

8           (1) *IN GENERAL.*—A project eligible to be carried  
9       out with funds under the program includes—

10           (A) subject to paragraph (3), 1 or more ac-  
11       tivities described in subparagraphs (B) through  
12       (E) of section 1452(a)(2) of the Safe Drinking  
13       Water Act (42 U.S.C. 300j–12(a)(2));

14           (B) a program or project described in sec-  
15       tion 1459A(l)(3) of the Safe Drinking Water Act  
16       (42 U.S.C. 300j–19a(l)(3)); and

17           (C) any other drinking water infrastructure  
18       project that the Administrator determines to ap-  
19       propriate.

20           (2) *OTHER FEDERAL FUNDS.*—Notwithstanding  
21       any other provision of law, a project otherwise eligible  
22       under paragraph (1) shall not be ineligible for fund-  
23       ing because the project also received prior assist-  
24       ance—

1           (A) from a State drinking water treatment  
 2           revolving loan fund established under section  
 3           1452 of the Safe Drinking Water Act (42 U.S.C.  
 4           300j-12);

5           (B) from a State water pollution control re-  
 6           volving fund established under title VI of the  
 7           Federal Water Pollution Control Act (33 U.S.C.  
 8           1381 *et seq.*); or

9           (C) under the Water Infrastructure Finance  
 10          and Innovation Act of 2014 (33 U.S.C. 3901 *et*  
 11          *seq.*).

12          (3) NO INCREASED BONDING AUTHORITY.—  
 13          Amounts made available under the program may not  
 14          be used as a source of payment of, or security for (di-  
 15          rectly or indirectly), in whole or in part, any obliga-  
 16          tion the interest on which is exempt from the tax im-  
 17          posed under chapter 1 of the Internal Revenue Code  
 18          of 1986.

19          (d) APPLICATION.—

20               (1) IN GENERAL.—To be eligible to receive a  
 21          grant under the program, an eligible entity shall sub-  
 22          mit to the Administrator an application in such  
 23          manner and containing such information as the Ad-  
 24          ministrator may require.

1           (2) *BUNDLING OF PROJECTS.*—*An eligible entity*  
 2           *may include more than 1 project in a single applica-*  
 3           *tion.*

4           (3) *DEADLINE.*—*An application shall be sub-*  
 5           *mitted to the Administrator not later than 180 days*  
 6           *after the date on which the notice of funding oppor-*  
 7           *tunity and the selection criteria are issued under sub-*  
 8           *section (e)(1)(B).*

9           (e) *SELECTION.*—

10           (1) *CRITERIA.*—

11           (A) *IN GENERAL.*—*The Administrator shall*  
 12           *establish criteria in accordance with this sub-*  
 13           *section to use in selecting projects to receive a*  
 14           *grant under the program.*

15           (B) *PUBLICATION.*—*Not later than 90 days*  
 16           *after the date on which funds are made available*  
 17           *to carry out the program for each fiscal year, the*  
 18           *Administrator shall—*

19                   (i) *issue a notice of funding oppor-*  
 20                   *tunity for the program; and*

21                   (ii) *include in the notice the selection*  
 22                   *criteria established under subparagraph*  
 23                   *(A).*



1           (2) *PRIORITY.*—*In selecting projects to receive a*  
 2           *grant under the program, the Administrator shall*  
 3           *give priority to projects—*

4                   (A) *for which a Federal grant would assist*  
 5                   *in completing an overall financing package for*  
 6                   *the project; and*

7                   (B) *that would help bring public water sys-*  
 8                   *tems (as defined in section 1401 of the Safe*  
 9                   *Drinking Water Act (42 U.S.C. 300f)) into com-*  
 10                  *pliance with the Safe Drinking Water Act (42*  
 11                  *U.S.C. 300f et seq.).*

12           (3) *GEOGRAPHICAL DISTRIBUTION.*—*For each*  
 13           *fiscal year, in providing grants under the program,*  
 14           *the Administrator shall ensure that the funds are dis-*  
 15           *tributed—*

16                   (A) *on an equitable geographical basis; and*

17                   (B) *in a manner that balances the needs of*  
 18                   *urban, suburban, and rural communities.*

19           (4) *DEADLINE.*—*Not later than 18 months after*  
 20           *the date on which funds are made available to carry*  
 21           *out the program for each fiscal year, the Adminis-*  
 22           *trator shall select projects to receive grants under the*  
 23           *program.*

24           (f) *REQUIREMENTS.*—

1           (1) *TOTAL STATE LIMIT.*—For each fiscal year,  
 2           the total amount provided under the program for  
 3           projects in a single State shall not exceed 20 percent  
 4           of the total amount made available to carry out the  
 5           program.

6           (2) *NON-FEDERAL SHARE.*—

7                   (A) *IN GENERAL.*—The non-Federal share of  
 8                   the cost of a project carried out with a grant  
 9                   under the program shall be not less than 20 per-  
 10                  cent.

11                   (B) *OTHER FEDERAL SOURCES.*—An eligi-  
 12                   ble entity receiving a grant under the program  
 13                   may use funds provided from other Federal  
 14                   sources to meet the non-Federal share require-  
 15                   ment under subparagraph (A).

16           (g) *REGULATIONS.*—The Administrator may promul-  
 17           gate such regulations as may be necessary to carry out this  
 18           section.

19           (h) *LABOR STANDARDS.*—Notwithstanding any other  
 20           provision of law, the Administrator may not provide a  
 21           grant under the program for a project unless the project  
 22           meets the requirements described in section 1450(e) of the  
 23           Safe Drinking Water Act (42 U.S.C. 300j–9(e)).

24           (i) *REPORTS.*—Not later than 2 years after the date  
 25           of enactment of this Act, the Administrator shall submit

1 *to Congress and make publicly available a report on the*  
 2 *implementation of the program.*

3 *(j) FUNDING.—*

4 *(1) AUTHORIZATION OF APPROPRIATIONS.—*

5 *There is authorized to be appropriated to carry out*  
 6 *this section \$50,000,000 for each of fiscal years 2022*  
 7 *through 2024.*

8 *(2) AVAILABILITY.—Funds made available to*  
 9 *carry out this section shall be available until ex-*  
 10 *pended.*

11 *(3) ADMINISTRATIVE COSTS.—Not more than 2*  
 12 *percent of the amount made available for a fiscal year*  
 13 *under paragraph (1) may be used by the Adminis-*  
 14 *trator for the administrative costs of carrying out the*  
 15 *program.*

16 **SEC. 15. DRINKING WATER INFRASTRUCTURE GRANTS.**

17 *(a) IN GENERAL.—The Administrator of the Environ-*  
 18 *mental Protection Agency may provide competitive grants*  
 19 *to units of local government, including units of local gov-*  
 20 *ernment that own treatment works (as defined in section*  
 21 *212 of the Federal Water Pollution Control Act (33 U.S.C.*  
 22 *1292)), Indian tribes (as defined in section 4 of the Indian*  
 23 *Self-Determination and Education Assistance Act (25*  
 24 *U.S.C. 5304)), and public water systems (as defined in sec-*  
 25 *tion 1401 of the Safe Drinking Water Act (42 U.S.C. 300f)),*

1 *as applicable, to support improvements in reducing and re-*  
 2 *moving plastic waste and post-consumer materials, includ-*  
 3 *ing microplastics and microfibers, from drinking water, in-*  
 4 *cluding planning, design, construction, technical assistance,*  
 5 *and planning support for operational adjustments.*

6       (b) *APPLICATIONS.—To be eligible to receive a grant*  
 7 *under subsection (a), an applicant shall submit to the Ad-*  
 8 *ministrator of the Environmental Protection Agency an ap-*  
 9 *plication at such time, in such manner, and containing*  
 10 *such information as the Administrator of the Environ-*  
 11 *mental Protection Agency may require.*

12       (c) *AUTHORIZATION OF APPROPRIATIONS.—*

13           (1) *IN GENERAL.—Subject to paragraph (2),*  
 14 *there is authorized to be appropriated to carry out*  
 15 *this section \$10,000,000 for each of fiscal years 2021*  
 16 *through 2025.*

17           (2) *NO IMPACT ON OTHER FEDERAL FUNDS.—*

18           (A) *IN GENERAL.—No funds shall be made*  
 19 *available under paragraph (1) to carry out this*  
 20 *section in a fiscal year if the total amount made*  
 21 *available to carry out the programs described in*  
 22 *subparagraph (B) for that fiscal year is less than*  
 23 *the total amount made available to carry out the*  
 24 *programs described in subparagraph (B) for fis-*  
 25 *cal year 2019.*

1                   (B) *PROGRAMS DESCRIBED.*—*The programs*  
 2                   *referred to in subparagraph (A) are—*

3                   (i) *State drinking water treatment re-*  
 4                   *volving loan funds established under section*  
 5                   *1452 of the Safe Drinking Water Act (42*  
 6                   *U.S.C. 300j–12);*

7                   (ii) *programs for assistance for small*  
 8                   *and disadvantaged communities under sub-*  
 9                   *sections (a) through (j) of section 1459A of*  
 10                   *the Safe Drinking Water Act (42 U.S.C.*  
 11                   *300j–19a); and*

12                   (iii) *State water pollution control re-*  
 13                   *volving funds established under title VI of*  
 14                   *the Federal Water Pollution Control Act (33*  
 15                   *U.S.C. 1381 et seq.).*

16 **SEC. 16. PERFLUOROALKYL AND POLYFLUOROALKYL SUB-**  
 17 **STANCES.**

18                   (a) *NATIONAL PRIMARY DRINKING WATER REGULA-*  
 19                   *TIONS FOR PFAS.*—*Section 1412(b) of the Safe Drinking*  
 20                   *Water Act (42 U.S.C. 300g–1(b)) is amended by adding at*  
 21                   *the end the following:*

22                   “(16) *PERFLUOROALKYL AND POLYFLUOROALKYL*  
 23                   *SUBSTANCES.*—

24                   “(A) *IN GENERAL.*—*Not later than 2 years*  
 25                   *after the date of enactment of this paragraph, the*

1        *Administrator shall, after notice and oppor-*  
 2        *tunity for public comment, promulgate a na-*  
 3        *tional primary drinking water regulation for*  
 4        *perfluoroalkyl and polyfluoroalkyl substances,*  
 5        *which shall, at a minimum, include standards*  
 6        *for—*

7                *“(i) perfluorooctanoic acid (commonly*  
 8                *referred to as ‘PFOA’); and*

9                *“(ii) perfluorooctane sulfonic acid*  
 10                *(commonly referred to as ‘PFOS’).*

11                *“(B) ALTERNATIVE PROCEDURES.—*

12                *“(i) IN GENERAL.—Not later than 1*  
 13                *year after the validation by the Adminis-*  
 14                *trator of an equally effective quality control*  
 15                *and testing procedure to ensure compliance*  
 16                *with the national primary drinking water*  
 17                *regulation promulgated under subpara-*  
 18                *graph (A) to measure the levels described in*  
 19                *clause (ii) or other methods to detect and*  
 20                *monitor perfluoroalkyl and polyfluoroalkyl*  
 21                *substances in drinking water, the Adminis-*  
 22                *trator shall add the procedure or method as*  
 23                *an alternative to the quality control and*  
 24                *testing procedure described in such national*  
 25                *primary drinking water regulation by pub-*

1 *lishing the procedure or method in the Fed-*  
2 *eral Register in accordance with section*  
3 *1401(1)(D).*

4 “(ii) *LEVELS DESCRIBED.—The levels*  
5 *referred to in clause (i) are—*

6 “(I) *the level of a perfluoroalkyl*  
7 *or polyfluoroalkyl substance;*

8 “(II) *the total levels of*  
9 *perfluoroalkyl and polyfluoroalkyl sub-*  
10 *stances; and*

11 “(III) *the total levels of organic*  
12 *fluorine.*

13 “(C) *INCLUSIONS.—The Administrator may*  
14 *include a perfluoroalkyl or polyfluoroalkyl sub-*  
15 *stance or class of perfluoroalkyl or*  
16 *polyfluoroalkyl substances on—*

17 “(i) *the list of contaminants for con-*  
18 *sideration of regulation under paragraph*  
19 *(1)(B)(i), in accordance with such para-*  
20 *graph; and*

21 “(ii) *the list of unregulated contami-*  
22 *nants to be monitored under section*  
23 *1445(a)(2)(B)(i), in accordance with such*  
24 *section.*

1           “(D) *MONITORING.*—When establishing  
2           *monitoring requirements for public water sys-*  
3           *tems as part of a national primary drinking*  
4           *water regulation under subparagraph (A) or sub-*  
5           *paragraph (F)(ii), the Administrator shall tailor*  
6           *the monitoring requirements for public water*  
7           *systems that do not detect or are reliably and*  
8           *consistently below the maximum contaminant*  
9           *level (as defined in section 1418(b)(2)(B)) for the*  
10           *perfluoroalkyl or polyfluoroalkyl substance or*  
11           *class of perfluoroalkyl or polyfluoroalkyl sub-*  
12           *stances subject to the national primary drinking*  
13           *water regulation.*

14           “(E) *HEALTH RISK REDUCTION AND COST*  
15           *ANALYSIS.*—In meeting the requirements of para-  
16           *graph (3)(C), the Administrator may rely on in-*  
17           *formation available to the Administrator with*  
18           *respect to 1 or more specific perfluoroalkyl or*  
19           *polyfluoroalkyl substances to extrapolate rea-*  
20           *soned conclusions regarding the health risks and*  
21           *effects of a class of perfluoroalkyl or*  
22           *polyfluoroalkyl substances of which the specific*  
23           *perfluoroalkyl or polyfluoroalkyl substances are a*  
24           *part.*



1                   “(F) *REGULATION OF ADDITIONAL SUB-*  
 2                   *STANCES.*—

3                   “(i) *DETERMINATION.*—*The Adminis-*  
 4                   *trator shall make a determination under*  
 5                   *paragraph (1)(A), using the criteria de-*  
 6                   *scribed in clauses (i) through (iii) of that*  
 7                   *paragraph, whether to include a*  
 8                   *perfluoroalkyl or polyfluoroalkyl substance*  
 9                   *or class of perfluoroalkyl or polyfluoroalkyl*  
 10                   *substances in the national primary drink-*  
 11                   *ing water regulation under subparagraph*  
 12                   *(A) not later than 18 months after the later*  
 13                   *of—*

14                   “(I) *the date on which the*  
 15                   *perfluoroalkyl or polyfluoroalkyl sub-*  
 16                   *stance or class of perfluoroalkyl or*  
 17                   *polyfluoroalkyl substances is listed on*  
 18                   *the list of contaminants for consider-*  
 19                   *ation of regulation under paragraph*  
 20                   *(1)(B)(i); and*

21                   “(II) *the date on which—*

22                   “(aa) *the Administrator has*  
 23                   *received the results of monitoring*  
 24                   *under section 1445(a)(2)(B) for*  
 25                   *the           perfluoroalkyl           or*

1            *polyfluoroalkyl substance or class*  
 2            *of            perfluoroalkyl            or*  
 3            *polyfluoroalkyl substances; or*

4            “(bb) *the Administrator has*  
 5            *received reliable water data or*  
 6            *water monitoring surveys for the*  
 7            *perfluoroalkyl or polyfluoroalkyl*  
 8            *substance            or            class            of*  
 9            *perfluoroalkyl or polyfluoroalkyl*  
 10           *substances from a Federal or*  
 11           *State agency that the Adminis-*  
 12           *trator determines to be of a qual-*  
 13           *ity sufficient to make a deter-*  
 14           *mination            under            paragraph*  
 15           *(1)(A).*

16           “(ii) *PRIMARY DRINKING WATER REGU-*  
 17           *LATIONS.—*

18           “(I) *IN GENERAL.—For each*  
 19           *perfluoroalkyl or polyfluoroalkyl sub-*  
 20           *stance or class of perfluoroalkyl or*  
 21           *polyfluoroalkyl substances that the Ad-*  
 22           *ministrator determines to regulate*  
 23           *under clause (i), the Administrator—*

24           “(aa) *not later than 18*  
 25           *months after the date on which*

1            *the Administrator makes the de-*  
2            *termination, shall propose a na-*  
3            *tional primary drinking water*  
4            *regulation for the perfluoroalkyl*  
5            *or polyfluoroalkyl substance or*  
6            *class of perfluoroalkyl or*  
7            *polyfluoroalkyl substances; and*

8            *“(bb) may publish the pro-*  
9            *posed national primary drinking*  
10           *water regulation described in item*  
11           *(aa) concurrently with the publi-*  
12           *cation of the determination to reg-*  
13           *ulate the perfluoroalkyl or*  
14           *polyfluoroalkyl substance or class*  
15           *of perfluoroalkyl or*  
16           *polyfluoroalkyl substances.*

17           *“(II) DEADLINE.—*

18           *“(aa) IN GENERAL.—Not*  
19           *later than 1 year after the date on*  
20           *which the Administrator publishes*  
21           *a proposed national primary*  
22           *drinking water regulation under*  
23           *clause (i)(I) and subject to item*  
24           *(bb), the Administrator shall take*  
25           *final action on the proposed na-*

1                    *tional primary drinking water*  
 2                    *regulation.*

3                    “(bb) *EXTENSION.*—*The Ad-*  
 4                    *ministrator, on publication of no-*  
 5                    *tice in the Federal Register, may*  
 6                    *extend the deadline under item*  
 7                    *(aa) by not more than 6 months.*

8                    “(G) *HEALTH ADVISORY.*—

9                    “(i) *IN GENERAL.*—*Subject to clause*  
 10                    *(ii), the Administrator shall publish a*  
 11                    *health advisory under paragraph (1)(F) for*  
 12                    *a perfluoroalkyl or polyfluoroalkyl substance*  
 13                    *or class of perfluoroalkyl or polyfluoroalkyl*  
 14                    *substances not subject to a national pri-*  
 15                    *mary drinking water regulation not later*  
 16                    *than 1 year after the later of—*

17                    “(I) *the date on which the Admin-*  
 18                    *istrator finalizes a toxicity value for*  
 19                    *the perfluoroalkyl or polyfluoroalkyl*  
 20                    *substance or class of perfluoroalkyl or*  
 21                    *polyfluoroalkyl substances; and*

22                    “(II) *the date on which the Ad-*  
 23                    *ministrator validates an effective qual-*  
 24                    *ity control and testing procedure for*  
 25                    *the perfluoroalkyl or polyfluoroalkyl*

1                    *substance or class of perfluoroalkyl or*  
2                    *polyfluoroalkyl substances.*

3                    “(ii) *WAIVER.—The Administrator*  
4                    *may waive the requirements of clause (i)*  
5                    *with respect to a perfluoroalkyl or*  
6                    *polyfluoroalkyl substance or class of*  
7                    *perfluoroalkyl and polyfluoroalkyl sub-*  
8                    *stances if the Administrator determines that*  
9                    *there is a substantial likelihood that the*  
10                   *perfluoroalkyl or polyfluoroalkyl substance*  
11                   *or class of perfluoroalkyl or polyfluoroalkyl*  
12                   *substances will not occur in drinking water*  
13                   *with sufficient frequency to justify the pub-*  
14                   *lication of a health advisory, and publishes*  
15                   *such determination, including the informa-*  
16                   *tion and analysis used, and basis for, such*  
17                   *determination, in the Federal Register.”.*

18                   (b) *ENFORCEMENT.—Notwithstanding any other pro-*  
19                   *vision of law, the Administrator of the Environmental Pro-*  
20                   *tection Agency (referred to in this subsection as the “Ad-*  
21                   *ministrator”)* may not impose financial penalties for the  
22                   *violation of a national primary drinking water regulation*  
23                   *(as defined in section 1401 of the Safe Drinking Water Act*  
24                   *(42 U.S.C. 300f)) with respect to a perfluoroalkyl or*  
25                   *polyfluoroalkyl substance or class of perfluoroalkyl or*

1 *polyfluoroalkyl substances for which a national primary*  
2 *drinking water regulation has been promulgated under sub-*  
3 *paragraph (A) or (F) of paragraph (16) of section 1412(b)*  
4 *of the Safe Drinking Water Act (42 U.S.C. 300g-1(b)) ear-*  
5 *lier than the date that is 5 years after the date on which*  
6 *the Administrator promulgates the national primary drink-*  
7 *ing water regulation.*



Calendar No. 452

116TH CONGRESS  
2D Session

**S. 3590**

**A BILL**

To amend the Safe Drinking Water Act to reauthorize certain provisions, and for other purposes.

MAY 11, 2020

Reported with an amendment