

115TH CONGRESS
2D SESSION

S. 2727

To require the Administrator of the Environmental Protection Agency to establish a discretionary grant program for drinking water and wastewater infrastructure projects, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 23, 2018

Mrs. GILLIBRAND introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To require the Administrator of the Environmental Protection Agency to establish a discretionary grant program for drinking water and wastewater infrastructure projects, 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 “Protecting Infrastruc-
5 ture and Promoting the Economy Act” or the “PIPE
6 Act”.

1 **SEC. 2. DRINKING WATER AND WASTEWATER INFRASTRUC-**
 2 **TURE DISCRETIONARY GRANT PROGRAM.**

3 (a) DEFINITIONS.—In this section:

4 (1) ADMINISTRATOR.—The term “Adminis-
 5 trator” means the Administrator of the Environ-
 6 mental Protection Agency.

7 (2) PROGRAM.—The term “program” means
 8 the drinking water and wastewater infrastructure
 9 discretionary grant program established under sub-
 10 section (b).

11 (b) ESTABLISHMENT OF PROGRAM.—Not later than
 12 1 year after the date of enactment of this Act, the Admin-
 13 istrator shall establish a drinking water and wastewater
 14 discretionary grant program to provide grants on a com-
 15 petitive basis to eligible entities for investments in drink-
 16 ing water and wastewater infrastructure projects.

17 (c) ELIGIBLE ENTITIES.—An entity eligible to re-
 18 ceive a grant under the program is—

- 19 (1) a State;
- 20 (2) a unit of local government;
- 21 (3) a federally recognized Indian Tribe; or
- 22 (4) a public or nonprofit water utility.

23 (d) ELIGIBLE PROJECTS.—A project eligible to be
 24 carried out with funds under the program includes—

1 (1) one or more activities that are eligible for
2 assistance under section 603(c) of the Federal
3 Water Pollution Control Act (33 U.S.C. 1383(c));

4 (2) one or more activities described in section
5 1452(a)(2) of the Safe Drinking Water Act (42
6 U.S.C. 300j-12(a)(2)); and

7 (3) any other drinking water infrastructure
8 project or wastewater infrastructure project that
9 meets the criteria established by the Administrator
10 under subsection (f)(1)(A).

11 (e) APPLICATION.—

12 (1) IN GENERAL.—To be eligible to receive a
13 grant under the program, an eligible entity shall
14 submit to the Administrator an application in such
15 manner and containing such information as the Ad-
16 ministrator may require.

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

20 (3) DEADLINE.—An application shall be sub-
21 mitted to the Administrator not later than 180 days
22 after the date on which the notice of funding oppor-
23 tunity and the selection criteria are issued under
24 subsection (f)(1)(B).

25 (f) SELECTION.—

1 (1) CRITERIA.—

2 (A) IN GENERAL.—The Administrator
3 shall establish criteria in accordance with this
4 subsection to use in selecting projects to receive
5 a grant under the program.

6 (B) PUBLICATION.—Not later than 60
7 days after the date on which funds are made
8 available to carry out the program for each fis-
9 cal year, the Administrator shall—

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

12 (ii) include in the notice the selection
13 criteria established under subparagraph

14 (A).

15 (2) PRIORITY.—In selecting projects to receive
16 a grant under the program, the Administrator shall
17 give priority to projects for which the grant would
18 help fill a gap in the overall funding or financing
19 necessary to complete the project.

20 (3) GEOGRAPHICAL DISTRIBUTION.—For each
21 fiscal year, in providing grants under the program,
22 the Administrator shall ensure that the funds are
23 distributed—

24 (A) on an equitable geographical basis; and

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

3 (4) DEADLINE.—Not later than 1 year after
4 the date on which funds are made available to carry
5 out the program for each fiscal year, the Adminis-
6 trator shall select projects to receive grants under
7 the program.

8 (g) REQUIREMENTS.—

9 (1) TOTAL STATE LIMIT.—For each fiscal year,
10 the total amount provided under the program for
11 projects in a single State shall not exceed 20 percent
12 of the total amount made available to carry out the
13 program.

14 (2) FEDERAL SHARE.—The Federal share of
15 the cost of a project carried out with a grant under
16 the program shall not exceed 100 percent.

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

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

24 (j) FUNDING.—

1 (1) AUTHORIZATION OF APPROPRIATIONS.—

2 There is authorized to be appropriated to carry out
3 this section \$500,000,000 for each of fiscal years
4 2018 through 2027.

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

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