BUSINESS MEETING

MEETING
BEFORE THE
COMMITTEE ON
ENVIRONMENT AND PUBLIC WORKS
UNITED STATES SENATE
ONE HUNDRED SEVENTEENTH CONGRESS
FIRST SESSION
APRIL 14, 2021

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APRIL 14, 2021

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LEGISLATION

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BUSINESS MEETING

WEDNESDAY, APRIL 14, 2021

U.S. Senate,
Committee on Environment and Public Works,
Washington, DC.

The Committee, met, pursuant to notice, at 10:04 a.m. in room 406, Dirksen Senate Office Building, Hon. Thomas R. Carper (Chairman of the Committee) presiding.


OPENING STATEMENT OF HON. THOMAS R. CARPER,
U.S. SENATOR FROM THE STATE OF DELAWARE

Senator CARPER. Good morning, everybody. I want to welcome one and all for joining us this morning.

As soon as we have 11 members present, we’re going to have a short business meeting. As some of you know, Senator Capito knows as well, the Government Printing Office made a mistake after we passed out and reported out our water infrastructure legislation 2 weeks ago. As a result, we need to simply do again what we did 2 weeks ago, and that is to report out those bills.

I hope we will do that in short order once we have 11, and then we will get back to our business as before us today.

I am going to start, until we have 11, I am going to start with a statement and invite Senator Capito to do that as well. If we have 11 people appear magically, we will break and do the vote.

Today’s hearing is special for a variety of reasons. One of the reasons is because it has the longest title I’ve ever seen in 20 years in the U.S. Senate. The title is Long-Term Solvency of the Highway Trust Fund: Lessons Learned from the Surface Transportation System Funding Alternatives Program and Other User-Based Revenue Solutions, and How Funding Uncertainty Affects the Highway Programs. That is it. That is probably the longest acronym.

There is probably a great acronym in there somewhere, probably several of them, Senator Capito, but I am not going to take our time to figure out what it is.

I want to thank Senator Capito. I want to thank our staff and all of you for helping us put together today’s hearing, and I especially want to welcome our witnesses. Some of them are here in person, and some of them are joining us virtually.

Senator Capito and I have been informed that our water legislation, and I want to thank again Senators Capito, Lummis, Cardin, Wicker, others who helped work to make that legislation possible to first report out unanimously 2 weeks ago. My thanks to all of
you who supported it. We are informed by our leadership that that legislation very likely will be on the floor.

Pardon? Do we have 11? That is great. All right.

In that case, we will just hold off for a moment on my statement, and my Ranking Member tells me we now have the number that we need physically present to be able to vote.

Therefore the Senate now considers S. 914, the Drinking Water and Wastewater Infrastructure Act of 2021. First, we will adopt the bipartisan Carper-Capito Amendment No. 1, just as we did last month.

I move to adopt the Carper-Capito Substitute Amendment. Senator Capito and I have agreed to do this by voice vote.

Is there a second?
Senator CAPITO. Second.
Senator CARPER. All in favor, say aye.
[Chorus of ayes.]
Senator CARPER. All opposed, say nay.
[No audible response.]
Senator CARPER. The ayes have it.

I now move that the Committee report S. 914, the Drinking Water and Wastewater Infrastructure Act of 2021 as amended.

Is there a second?
Senator CAPITO. Second.
Senator CARPER. Moved and seconded.
All in favor, say aye.
[Chorus of ayes.]
Senator CARPER. All opposed, say nay.
[No audible response.]
Senator CARPER. The ayes have it.

I now ask unanimous consent that the business meeting record reflect that S. 914 as amended was reported by the same 20 to 0 vote as when the Committee acted on March 24th, 2021. I further ask that our staff be allowed to make any necessary technical and conforming changes to this measure.

Is there objection? Hearing none, so ordered.

Now, we will return to our hearing.

Mary Frances, thank you for helping me get through that land-mine.

[Whereupon, at 10:08 a.m., the Committee proceeded to other business.]

[The referenced legislation follows:]
Calendar No. 34

117TH CONGRESS
1ST SESSION

S. 914

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

IN THE SENATE OF THE UNITED STATES

MARCH 23, 2021

Ms. DUCKWORTH (for herself, Mrs. CAPITO, Mr. CARDIN, Ms. LUMMIS, Mr. CARPER, Mr. CRAMER, Mr. WHITEHOUSE, Mr. INHOFE, Ms. STABENOW, Mr. SULLIVAN, Mr. KELLY, Mr. PADILLA, and Mr. WICKER) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

APRIL 14, 2021

Reported by Mr. CARPER, 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 and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Drinking Water and Wastewater Infrastructure Act of 2021."

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

See 1. Short title and table of contents.
See 2. Definition of Administrator.

TITLE I—DRINKING WATER

See 101. Technical assistance and grants for emergencies affecting public water systems.
See 102. Drinking water State revolving loan funds.
See 103. Source water protection program.
See 104. Assistance for small and disadvantaged communities.
See 105. Reducing lead in drinking water.
See 106. Operational sustainability of small public water systems.
See 107.中期 and large drinking water system infrastructure resilience and sustainability program.
See 109. Lead contamination in school drinking water.
See 110. Indian reservation drinking water program.
See 111. Advanced drinking water technologies.

TITLE II—CLEAN WATER

See 201. Research, investigation, training, and information.
See 202. Wastewater efficiency grant pilot program.
See 203. Pilot program for alternative water source projects.
See 204. Sewer overflow and stormwater reuse municipal grants.
See 205. Clean water infrastructure resilience and sustainability program.
See 206. Small and medium publicly owned treatment works circuit rider program.
See 207. Small publicly owned treatment works efficiency grant program.
See 208. Grants for construction, refurbishing, and servicing of individual household decentralized wastewater systems for individuals with low or moderate income.
See 209. Connection to publicly owned treatment works.
See 210. Clean water State revolving funds.
See 211. Water infrastructure and workforce investment.
See 212. Grants to tribes to improve sanitation in rural and Native villages.
See 213. Water data sharing pilot program.
See 214. Final rating opinion letters.
See 216. Small and disadvantaged community analysis.
See 217. Stormwater infrastructure technology.
SEC. 2. DEFINITION OF ADMINISTRATOR.

In this Act, the term "Administrator" means the Administrator of the Environmental Protection Agency.

TITLE I—DRINKING WATER

SEC. 401. TECHNICAL ASSISTANCE AND GRANTS FOR EMERGENCIES AFFECTING PUBLIC WATER SYSTEMS.

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

(1) in subsection (b), in the first sentence—

(A) by inserting "(including an emergency situation resulting from a cybersecurity event)" after "emergency situation"; and

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

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

"(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out subsection (b) $50,000,000 for each of fiscal years 2022 through 2026."
(g) in subsection (e), by striking paragraph (5) and inserting the following:

"(5) Authorization of appropriations.—
There is authorized to be appropriated to the Administrator to carry out this subsection $15,000,000 for each of fiscal years 2022 through 2026.

(4) by redesignating subsection (f) as subsection (g); and

(5) by inserting after subsection (c) the following:

"(f) State-Based Nonprofit Organizations.—
The Administrator may provide technical assistance consistent with the authority provided under subsection (c) to State-based nonprofit organizations that are governed by community water systems.

SEC. 402. DRINKING WATER STATE REVOLVING LOAN FUNDS.

(a) Drinking Water State Revolving Funds Capitalization Grant Reauthorization.—Section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) is amended—

(1) in subsection (a)(4)(A), by striking "During fiscal years 2019 through 2023, funds" and inserting "Funds";

(2) in subsection (m)(1)—
(A) in subparagraph (B), by striking "and";

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

(C) by adding at the end the following:

"(D) $2,400,000,000 for fiscal year 2022;
(D) $2,750,000,000 for fiscal year 2023;
(D) $3,000,000,000 for fiscal year 2024;

and

(D) $3,250,000,000 for each of fiscal years 2025 and 2026;"; and

(3) in subsection (q), by striking "2016 through 2021" and inserting "2022 through 2026";

(b) Assistance for Disadvantaged Communities.—Section 1452(d) of the Safe Drinking Water Act (42 U.S.C. 300j–12(d)) is amended—

(1) in paragraph (1), by inserting "grants, negative interest loans, other loan forgiveness, and through buying, refinancing, or restructuring debt" after "forgiveness of principal"; and

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

"(B) to the extent that there are sufficient applications for loans to communities described
in paragraph (4), may not be less than 12 per-
cent.;"

SEC. 103. SOURCE WATER PETITION PROGRAM.

Section 1454 of the Safe Drinking Water Act (42
U.S.C. 200j–14) is amended—

(1) in subsection (a)—

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

(B) in paragraph (1)(D)(i); by inserting
"(including a county that is designated by the
State to act on behalf of an unincorporated
area within that county)" after "of the State";

and

(C) by adding at the end the following:

"(5) SAVINGS PROVISION.—Unless otherwise
provided within the agreement, an agreement be-
tween an unincorporated area and a county for the
county to submit a petition under paragraph (1)(A)
on behalf of the unincorporated area shall not au-
thorize the county to act on behalf of the unincor-
porated area in any matter not within a program
under this section;"; and
(2) in subsection (e), in the first sentence, by
striking "2021" and inserting "2036".

SEC. 104. ASSISTANCE FOR SMALL AND DISADVANTAGED
COMMUNITIES.
(a) EXISTING PROGRAMS.—Section 1450A of the
Safe Drinking Water Act (42 U.S.C. 300j-19a) is amend-
ed—

(1) in subsection (b)(2)—

(A) in subparagraph (B), by striking
"and" at the end;

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

and

(C) by adding at the end the following:

"(D) the purchase of point-of-entry or
point-of-use filters that are independently cer-
tified using science-based test methods for the
removal of contaminants of concern;

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

(i) the need for filtration and filter
safety; including proper use and mainte-
nance practices; and
(ii) the options for replacing lead service lines (as defined section 1459B(a)) and removing other sources of lead in water; and

(ii) entering into contracts with nonprofit organizations that have water system technical expertise to assist underserved communities.

(3) CONTRACTING PARTIES.—A contract described in paragraph (2)(F) may be between a nonprofit organization described in that paragraph and—

(A) an eligible entity; or

(B) the State of an eligible entity, on behalf of that eligible entity.

(2) in subsection (c), in the matter preceding paragraph (1), by striking "An eligible entity" and inserting "Except for purposes of subsections (d) and (m), an eligible entity";

(3) in subsection (g)(1), by striking "to pay not less than 45 percent" and inserting "except as provided in subsection (I)(b) and subject to subsection (b), to pay not less than 40 percent";

(4) by striking subsection (k) and inserting the following:
(4) Authorization of Appropriations.—There are authorized to be appropriated to carry out subsections (a) through (i)—

(1) $50,000,000 for fiscal year 2022;

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

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

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

(5) $140,000,000 for fiscal year 2026; and

(i) in subsection (i)—

(A) in paragraph (2)—

(i) by striking "The Administrator may" and inserting "The Administrator shall"; and

(ii) by striking "fiscal years 2019 and 2020" and inserting "fiscal years 2022 through 2026";

(B) in paragraph (5); by striking "$4,000,000 for each of fiscal years 2019 and 2020" and inserting "$25,000,000 for each of fiscal years 2022 through 2026";

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

(D) by inserting after paragraph (4) the following:
(5) Federal share for small, rural, and disadvantaged communities.—

(A) In general.—Subject to subparagraph (B), with respect to a program or project that serves an eligible entity and is carried out using a grant under this subsection, the Federal share of the cost of the program or project shall be 90 percent.

(B) Waiver.—The Administrator may increase the Federal share under subparagraph (A) to 100 percent if the Administrator determines that an eligible entity is unable to pay, or would experience significant financial hardship if required to pay, the non-Federal share.

(b) Connection to public water systems.—

Section 1459A of the Safe Drinking Water Act (42 U.S.C. 300j-19a) is amended by adding at the end the following:

(3) Connection to public water systems.—In this subsection:

(A) Eligible entity.—The term "eligible entity" means—

(i) an owner or operator of a public water system that assists or is seeking to assist eligible individuals with connecting
the household of the eligible individual to
the public water system; or

(ii) a nonprofit entity that assists or
is seeking to assist eligible individuals with
the costs associated with connecting the
household of the eligible individual to a
public water system;

(3) ELIGIBLE INDIVIDUAL.——The term
'eligible individual' has the meaning given the
term in section 693(j) of the Federal Water
Pollution Control Act (33 U.S.C. 1383(j));

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

(2) ESTABLISHMENT.——Subject to the avail-
ability of appropriations, the Administrator shall es-

tablish a competitive grant program for the purpose
of improving the general welfare under which the
Administrator awards grants to eligible entities to
provide funds to assist eligible individuals in cov-

ering the costs incurred by the eligible individual in
connecting the household of the eligible individual to
a public water system;

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

22(4) CRITERIA.—In selecting recipients for grants under the program, the Administrator shall consider—

22(A) how public health would improve by awarding a grant to a particular eligible entity;
22(B) the environmental implications of awarding a grant to a particular eligible entity;
22(C) whether it is economically feasible for an eligible entity to provide the assistance described in paragraph (2); and
22(D) whether it is technically feasible for an eligible entity to provide the assistance described in paragraph (2);

22(5) VOLUNTARY CONNECTION.—Before providing funds to an eligible individual for the costs described in paragraph (2), an eligible entity shall ensure and certify to the Administrator that—

22(A) the eligible individual is voluntarily seeking connection to the public water system;
22(B) if the eligible entity is not the owner or operator of the public water system to which the eligible individual seeks to connect, the pub-
liche water system to which the eligible individual
seeks to connect has agreed to the connection;
and

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

15(6) Report.—Not later than 2 years after the
date of enactment of the Drinking Water and
Wastewater Infrastructure Act of 2021, the Admin-
istrator shall submit to Congress a report that de-
scribes the implementation of the program, which
shall include a description of the use and deployment
of amounts made available under the program.

15(7) Authorization of Appropriations.—
There is authorized to be appropriated to carry out
the program $20,000,000 for each of fiscal years
2022 through 2026.:

15(c) Competitive Grant Pilot Program.—Section
1459A of the Safe Drinking Water Act (42 U.S.C. 300j–
19a) (as amended by subsection (b)) is amended by adding
at the end the following:

15(m) State Competitive Grants for Under-
served Communities.—
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(1) In general.—In addition to amounts authorized to be appropriated under subsection (c), there is authorized to be appropriated to carry out subsections (a) through (j) $50,000,000 for each of fiscal years 2022 through 2026 in accordance with paragraph (2).

(2) Competitive grants.—

(A) In general.—Notwithstanding any other provision of this section, the Administrator shall distribute amounts made available under paragraph (4) to States through a competitive grant program.

(B) Applications.—To seek a grant under the competitive grant program under subparagraph (A), a State shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

(C) Criteria.—In selecting recipients of grants under the competitive grant program under subparagraph (A), the Administrator shall establish criteria that give priority to States with a high proportion of underserved communities that meet the condition described in subsection (n)(2)(A).
§ 203 Report.—Not later than 2 years after the
date of enactment of the Drinking Water and
Wastewater Infrastructure Act of 2021, the Admin-
istrator shall submit to Congress a report that de-
scribes the implementation of the competitive grant
program under paragraph (2)(A), which shall in-
clude a description of the use and deployment of
amounts made available under the competitive grant
program.

§ 204 Savings provision.—Nothing in this
paragraph affects the distribution of amounts made
available under subsection (k), including any meth-
ods used by the Administrator for distribution of
amounts made available under that subsection as in
effect on the day before the date of enactment of
this subsection.

§ 105. Reducing Lead in Drinking Water.

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

(1) in subsection (d)—

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

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

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

(3) by inserting after subsection (e) the following:

"(d) LEAD MAPPING UTILIZATION GRANT PILOT PROGRAM—"

"(1) DEFINITIONS.—In this subsection:

"(A) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a municipality that is served by a community water system or a nontransient noncommunity water system in which not less than 30 percent of the service lines are known; or likely to contain; lead service lines.

"(B) PILOT PROGRAM.—The term ‘pilot program’ means the pilot program established under paragraph (2).

"(2) ESTABLISHMENT.—The Administrator shall establish a pilot program under which the Administrator shall provide grants to eligible entities to carry out lead reduction projects that are demonstrated to exist based on existing lead mapping of those eligible entities.

"(3) SELECTION.—"
(A) Application.—To be eligible to receive a grant under the pilot program, an eligible entity shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

(B) Prioritization.—In selecting recipients under the pilot program, the Administrator shall give priority to an eligible entity that meets the affordability criteria established by the applicable State.

(C) Report.—Not later than 2 years after the Administrator first awards a grant under the pilot program, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives a report describing—

(A) the recipients of grants under the pilot program;

(B) the existing lead mapping that was available to recipients of grants under the pilot program; and
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(C) how useful and accurate the lead
mapping described in subparagraph (B) was in
locating lead contaminants of the eligible entity.

(5) AUTHORIZATION OF APPROPRIATIONS.—
There is authorized to be appropriated to carry out
the pilot program $10,000,000; to remain available
until expended."

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

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

SEC. 1459E. OPERATIONAL SUSTAINABILITY OF SMALL
PUBLIC WATER SYSTEMS.

(a) DEFINITIONS.—In this section:

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

(A) a unit of local government;

(B) a public corporation established by a
unit of local government to provide water ser-
vice;

(C) a nonprofit corporation, public trust,
or cooperative association that owns or operates
a public water system; and
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(f) an Indian Tribe that owns or operates a public water system;

(g) Operational Sustainability.—The term "operational sustainability" means the ability to improve the operation of a small system through the identification and prevention of potable water loss due to leaks, breaks, and other metering or infrastructure failures;

(h) Program.—The term "program" means the grant program established under subsection (b);

(i) Small System.—The term "small system" means a public water system that—

(ii) serves fewer than 10,000 people; and

(iii) is owned or operated by—

(iii) a unit of local government;

(iv) a public corporation;

(v) a nonprofit corporation;

(vi) a public trust;

(vii) a cooperative association; or

(vii) an Indian Tribe;

(j) Establishment.—Subject to the availability of appropriations, the Administrator shall establish a program to award grants to eligible entities for the purpose of improving the operational sustainability of 1 or more small systems.
APPLICATIONS.—To be eligible to receive a grant under the program, an eligible entity shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require, including—

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

(2) documentation prepared by the eligible entity describing the deficiencies or suspected deficiencies in operational sustainability of 1 or more small systems that are to be addressed through the proposed project;

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

(4) a description of how the improvements described in paragraph (3) will be maintained beyond the life of the proposed project; including a plan to maintain and update any asset data collected as a result of the proposed project;

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

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

"(C) any additional information the Adminis-
trator may require:

"(d) Use of Funds.—An eligible entity that receives
a grant under the program shall use the grant funds to
carry out projects that improve the operational sustain-
ability of 1 or more small systems through—

"(1) the development of a detailed asset inven-
tory, which may include drinking water sources,
wells, storage, valves, treatment systems, distribu-
tion lines, hydrants, pumps, controls, and other es-
sential infrastructure;
(2) the development of an infrastructure asset
map, including a map that uses technology such
as—

(A) geographic information system soft-
ware; and

(B) global positioning system software;

(C) the deployment of leak detection tech-
nology;

(D) the deployment of metering technology;

(E) training in asset management strategies,
techniques, and technologies for appropriate staff
employed by—

(I) the eligible entity; or

(II) the small systems for which the grant
was received;

(F) the deployment of strategies, techniques,
and technologies to enhance the operational sustain-
ability and effective use of water resources through
water reuse; and

(G) the development or deployment of other
strategies, techniques, or technologies that the Ad-
ministrator may determine to be appropriate under
the program:

(c) CONF SHARE.
(1) In general.—Subject to paragraph (2), the Federal share of the cost of a project carried out using a grant under the program shall be 90 percent of the total cost of the project.

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

(3) Report.—Not later than 2 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to Congress a report that describes the implementation of the program, which shall include a description of the use and deployment of amounts made available under the program.

(4) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section $50,000,000 for each of fiscal years 2022 through 2026.

SEC. 107. MIDSIZE AND LARGE DRINKING WATER SYSTEM INFRASTRUCTURE RESILIENCE AND SUSTAINABILITY PROGRAM.

Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) (as amended by section 106) is amended by adding at the end the following:
SEC. 1459F. MIDSIZE AND LARGE DRINKING WATER SYSTEM INFRASTRUCTURE RESILIENCE AND SUSTAINABILITY PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term 'eligible entity' means a public water system that serves a community with a population of greater than 10,000.

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

(b) RESILIENCE AND SUSTAINABILITY PROGRAM.—The term ‘resilience and sustainability program’ means the Midsize and Large Drinking Water System Infrastructure Resilience and Sustainability Program established under subsection (b).

(b) ESTABLISHMENT.—The Administrator shall establish and carry out a program to be known as the ‘Midsize and Large Drinking Water System Infrastructure Resilience and Sustainability Program’, under which the Administrator, subject to the availability of appropriations for the resilience and sustainability program, shall award grants to eligible entities for the purpose of increasing resilience to natural hazards, cybersecurity threats, and extreme weather events.

(c) USE OF FUNDS.—An eligible entity may only use grant funds received under the resilience and sustain...
ability program to assist in the planning, design, construction, implementation, operation, or maintenance of a program or project that increases resilience to natural hazards; cybersecurity threats; or extreme weather events through—

(a) the conservation of water or the enhancement of water-use efficiency;

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

(c) the design or construction of new or modified desalination facilities to serve existing communities;

(d) the enhancement of water supply through the use of watershed management and source water protection;

(e) the enhancement of energy efficiency or the use and generation of renewable energy in the conveyance or treatment of drinking water;

(f) the development and implementation of measures to increase the resilience of the eligible entity to natural hazards; cybersecurity threats; or extreme weather events; or
the conservation of water or the enhancement of a water supply through the implementation of water reuse measures.

(d) APPLICATION.—To seek a grant under the resilience and sustainability program, an eligible entity shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require, including—

(1) a proposal of the program or project to be planned, designed, constructed, implemented, operated, or maintained by the eligible entity;

(2) an identification of the natural hazard risk or potential cybersecurity threat, as applicable, to be addressed by the proposed program or project;

(3) documentation prepared by a Federal, State, regional, or local government agency of the natural hazard risk, potential cybersecurity threat, or risk for extreme weather events to the area where the proposed program or project is to be located;

(4) a description of any recent natural hazards, cybersecurity events, or extreme weather events that have affected the community water system of the eligible entity;

(5) a description of how the proposed program or project would improve the performance of the
community water system of the eligible entity under
the anticipated natural hazards; cybersecurity
threats; or extreme weather events; and

4. (6) an explanation of how the proposed pro-
gram or project is expected to enhance the resilience
of the community water system of the eligible entity
to the anticipated natural hazards; cybersecurity
threats; or extreme weather events;

5. (c) Report.—Not later than 2 years after the date
of enactment of the Drinking Water and Wastewater In-
frastructure Act of 2021, the Administrator shall submit
to Congress a report that describes the implementation of
the resilience and sustainability program, which shall in-
clude a description of the use and deployment of amounts
made available to carry out the resilience and sustain-
ability program;

6. (f) Authorization of Appropriations.—

7. (1) In General.—There is authorized to be
appropriated to carry out the resilience and sustain-
ability program $50,000,000 for each of fiscal years
2022 through 2026;

8. (2) Use of Funds.—Of the amounts made
available under paragraph (1) for grants to eligible
entities under the resilience and sustainability pro-
gram—
(A) 50 percent shall be used to provide grants to eligible entities that serve a population of—

(i) greater than 10,000; and

(ii) fewer than 100,000; and

(B) 50 percent shall be used to provide grants to eligible entities that serve a population equal to or greater than 100,000.

(3) Administrative costs.—Of the amounts made available under paragraph (1), not more than 2 percent may be used by the Administrator for the administrative costs of carrying out the resilience and sustainability program.

SEC. 1450G. NEEDS ASSESSMENT FOR NATIONWIDE RURAL AND URBAN LOW-INCOME COMMUNITY WATER ASSISTANCE.

Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) (as amended by section 1407) is amended by adding at the end the following:

(a) Definition of Low-Income Household.—In this section, the term "low-income household" means a household that has an income that, as determined by the
State in which the household is located, does not exceed
the greater of—

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

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

(3) Study; Report.—

(1) In General.—Subject to the availability
of appropriations, not later than 2 years after the
date of enactment of this section, the Administrator
shall conduct, and submit to Congress a report de-
scribing the results of, a study regarding the preva-
ience throughout the United States of low-income
households, including low-income renters, that spend
a disproportionate amount of household income on
public drinking water services to meet household
needs.

(2) Inclusions.—The report under para-
graph (1) shall include—

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

(B) a description of the cost of each
method described in subparagraph (A); and
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24(3) with respect to the development of
the report, a consultation with all relevant
stakeholders.

24(3) AGREEMENTS.—The Administrator may
enter into an agreement with another Federal agen-
cy to carry out the study under paragraph (1).

24(c) AUTHORIZATION OF APPROPRIATIONS.—There
is authorized to be appropriated to carry out this section
$5,000,000, to remain available until expended."

9 SEC. 100. LEAD CONTAMINATION IN SCHOOL DRINKING
WATER.

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

(1) in subsection (b)—

(A) in the first sentence, by inserting
"public water systems and" after "to assist";

(B) in the third sentence, by inserting
"public water systems," after "schools;"; and

(2) in subsection (d)—

(A) in paragraph (2)—

(i) in subparagraph (A)—

(1) by inserting "; public water
systems that serve schools and child
care programs under the jurisdiction
of these local educational agencies,
and qualified nonprofit organizations, before "in voluntary";

(III) by striking the period at the end and inserting "and"

(III) by striking "grants available to States" and inserting the following: "grants available to—

(i) States"; and

(IV) by adding at the end the following:

(ii) tribal consortia to assist tribal education agencies (as defined in section 3 of the National Environmental Education Act (20 U.S.C. 5502)) in voluntary testing for lead contamination in drinking water at schools and child care programs under the jurisdiction of the tribal education agency;"

(ii) in subparagraph (B)—

(i) in clause (i), by striking "or"
at the end;

(II) in clause (ii), by striking the period at the end and inserting a semicolon; and
by adding at the end the
following:

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

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

(ii) provides technical assistance
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 consortium; and qualified non-
profit organizations”;

(D) in paragraph (6)—
(i) in the matter preceding subparagraph (A) by inserting "(i) a public water system, tribal consortium, or qualified nonprofit 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) by striking paragraph (8) and inserting the following:

"(8) Authorization of Appropriations.—

There are authorized to be appropriated to carry out this subsection—

(A) $30,000,000 for each of fiscal years 2022 through 2024;

(B) $40,000,000 for fiscal year 2025; and

(C) $50,000,000 for fiscal year 2026."

SEC. 110. INDIAN RESERVATION DRINKING WATER PROGRAM.

Section 2004 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 (4), 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 (4) and all that follows through the period at the end of paragraph (2) and inserting "to implement eligible projects described in subsection (b).";

(2) by redesignating subsection (d) as subsection (f);

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

"(e) REQUIRED PROJECTS.—

(1) In general.—If sufficient applications exist, of the funds made available to carry out this section, the Administrator shall use 50 percent to carry out—

(A) 10 eligible projects described in subsection (b) that are within the Upper Missouri River Basin;
(B) 10 eligible projects described in subsection (b) that are within the Upper Rio Grande Basin;

(C) 10 eligible projects described in subsection (b) that are within the Columbia River Basin; and

(D) 10 eligible projects described in subsection (b) that are within the Lower Colorado River Basin.

(2) REQUIREMENT.—In carrying out paragraph (1)(A), the Administrator shall select not fewer than 2 eligible projects for a reservation that serves more than 1 federally recognized Indian Tribe.

(d) FEDERAL SHARE.—The Federal share of the cost of a project carried out under this section shall be 100 percent.

(e) REPORT.—Not later than 2 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2024, the Administrator shall submit to Congress a report that describes the implementation of the program established under subsection (a), which shall include a description of the use and deployment of amounts made available under that program; and

(1) in subsection (f) (as so redesignated)
(A) by striking "There is" and inserting "There are;"

(B) by striking "subsection (a) $20,000,000" and inserting the following: "subsection (a)—

"(1) $20,000,000;"

(C) in paragraph (1) (as so designated), by striking "2022," and inserting "2021, and"

and

(D) by adding at the end the following

"(2) $50,000,000 for each of fiscal years 2022 through 2026.";

SEC. 144. ADVANCED DRINKING WATER TECHNOLOGIES.

Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) (as amended by section 149) is amended by adding at the end the following:

"SEC. 1459H. ADVANCED DRINKING WATER TECHNOLOGIES.

"(a) STUDY—

"(1) IN GENERAL.—Subject to the availability of appropriations, not later than 1 year after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall carry out a study that examines the state of existing and potential future technology, including technology that could address cybersecurity..."
threats, that enhances or could enhance the treatment, monitoring, affordability, efficiency, and safety of drinking water provided by a public water system:

\textit{\textsuperscript{\textcopyright}2)} REPORT.—The Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that describes the results of the study under paragraph (1):

\textit{\textcopyright}4) ADVANCED DRINKING WATER TECHNOLOGY GRANT PROGRAM.—

\textit{\textcopyright}4) DEFINITIONS.—In this subsection:

\textit{\textcopyright}4)(A) ELIGIBLE ENTITY.—The term "eligible entity" means the owner or operator of a public water system that—

\textit{\textcopyright}4)(i) serves—

\textit{\textcopyright}4)(i) a population of not more than 100,000 people; or

\textit{\textcopyright}4)(ii) an underserved community;

\textit{\textcopyright}4)(ii) has plans to identify or has identified opportunities in the operations of the public water system to employ new or emerging, yet proven, technologies including technology that could address cyberse-
cavity threats, 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); and

23(iii) has expressed an interest in the opportunities in the operation of the public water system to employ new or emerging, yet proven, technologies, including technology that could address cybersecurity threats, 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);

23(B) Program.—The term ‘program’ means the competitive grant program established under paragraph (2);

23(C) 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.

39. (2) Establishment—The Administrator
shall establish a competitive grant program under
which the Administrator shall award grants to eli-
gible entities for the purpose of identifying, deploying,
or identifying and deploying technologies described
in paragraph (1)(A)(ii).

39. (3) Requirements—

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

39(B) Federal share.—

39(i) In general.—Subject to clause
(ii), the Federal share of the cost of a
project carried out using a grant under the
program shall not exceed 90 percent of the
total cost of the project.

39(ii) Waiver.—The Administrator
may increase the Federal share under
clause (i) to 100 percent if the Adminis-
trator determines that an eligible entity is
unable to pay, or would experience significant financial hardship if required to pay, the non-Federal share.

"(4) REPORT.—Not later than 1 year after the date on which Administrator first awards a grant under the program, and annually thereafter, the Administrator shall submit to Congress a report describing—

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

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

"(5) FUNDING.—

"(A) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the program $10,000,000 for each of fiscal years 2022 through 2026, to remain available until expended.

"(B) ADMINISTRATIVE COSTS.—Not more than 2 percent of the amount made available for a fiscal year under subparagraph (A) to carry out the program may be used by the Administrator for the administrative costs of carrying out the program."
TITLE II—CLEAN WATER

SEC. 201. RESEARCH, INVESTIGATIONS, TRAINING, AND INFORMATION.

(a) REAUTHORIZATION.—Section 104(a) of the Federal Water Pollution Control Act (33 U.S.C. 1254(a)) is amended—

(1) by striking "and (7)" and inserting "(7)"; and

(2) in paragraph (7)—

(A) by striking "2023" and inserting "2024"; and

(B) by striking the period at the end and inserting "; and (8) not to exceed $75,000,000 for each of fiscal years 2022 through 2026 for carrying out subsections (b)(3); (b)(8); and (g); of which not less than $50,000,000 each fiscal year shall be used to carry out subsection (b)(8)."

(b) REPORT.—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to Congress a report that describes the implementation of the grants authorized under subsections (b)(3); (b)(8); and (g) of section 104 of the Federal Water Pollution Control Act (33 U.S.C. 1254); which shall include a descrip-
tion of the use and deployment of amounts made available
to carry out those subsections.

SEC. 202. WASTEWATER EFFICIENCY GRANT PILOT PRO-
GRAM.

(a) DEFINITIONS.—In this section:

(1) PILOT PROGRAM.—The term "pilot pro-
gram" means the wastewater efficiency grant pilot
program established under subsection (b).

(2) TREATMENT WORKS.—The term "treatment
works" has the meaning given the term in section
212 of the Federal Water Pollution Control Act (33

(b) ESTABLISHMENT.—Subject to the availability of
appropriations; the Administrator shall establish a waste-
water efficiency grant pilot program to award grants to
owners or operators of publicly owned treatment works to
carry out projects that create or improve waste-to-energy
systems.

(c) SELECTION.—

(1) APPLICATIONS.—To be eligible to receive a
grant under the pilot program, an owner or operator
of a treatment works shall submit to the Adminis-
trator an application at such time, in such manner,
and containing such information as the Adminis-
trator may require.
(2) Number of recipients.—The Administrator shall select not more than 15 recipients of grants under the pilot program from applications submitted under paragraph (1).

(4) Use of Funds.—

(I) IN GENERAL.—Subject to paragraph (2), a recipient of a grant under the pilot program may use grant funds for—

(A) sludge collection;

(B) installation of anaerobic digesters;

(C) methane capture;

(D) methane transfer;

(E) facility upgrades and retrofits necessary to create or improve waste-to-energy systems; and

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

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

(5) Reports.—

(1) REPORT TO THE ADMINISTRATOR.—Not later than 1 year after receiving a grant under the pilot program and each year thereafter for which amounts are made available for the pilot program,
under subsection (f), the recipient of the grant shall submit to the Administrator a report describing the impact of that project on the communities within 3 miles of the treatment works:

(2) REPORT TO CONGRESS.—Not later than 4 year after first awarding grants under the pilot program and each year thereafter for which amounts are made available for the pilot program under subsection (f), the Administrator shall submit to Congress a report describing—

(A) the applications received by the Administrator for grants under the pilot program; and

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

(f) AUTHORIZATION OF APPROPRIATIONS.—

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

(2) LIMITATION ON USE OF FUNDS.—Of the amounts made available for grants under paragraph (1), not more than 2 percent may be used to pay the administrative costs of the Administrator.
SEC. 203. PILOT PROGRAM FOR ALTERNATIVE WATER SOURCE PROJECTS.

Section 220 of the Federal Water Pollution Control Act (33 U.S.C. 1330) is amended—

(1) in subsection (b); in the heading, by striking "IN GENERAL," and inserting "ESTABLISHMENT;"

(2) in subsection (d)—

(A) by striking paragraph (2); and

(B) by redesignating paragraph (3) as paragraph (2);

(3) by striking subsection (e);

(4) in subsection (i)—

(A) in the matter preceding paragraph (1); by striking "; the following definitions apply;" and

(B) in paragraph (1); in the first sentence, by striking "water or wastewater or by treating wastewater" and inserting "water, wastewater, or stormwater or by treating wastewater or stormwater;"

(5) in subsection (j)—

(A) in the first sentence; by striking "There is" and inserting the following:

"(1) IN GENERAL.—There is"
(B) in paragraph (4) (as so designated), by
striking "a total of $75,000,000 for fiscal years 2002 through 2004. Such sums shall" and in-
serting "$75,000,000 for each of fiscal years 2022 through 2026; to"; and
(C) by adding at the end the following:
"(2) LIMITATION ON USE OF FUNDS.—Of the
amounts made available for grants under paragraph
(1), not more than 2 percent may be used to pay the
administrative costs of the Administrator;"; and
by redesignating subsections (b); (c); (d);
(i); and (j) as subsections (c); (d); (e); (h); and (i);
respectively; and moving those subsections so as to
appear in alphabetical order.

SEC. 204. SEWER OVERFLOW AND STORMWATER REUSE
MUNICIPAL GRANTS.

Section 224 of the Federal Water Pollution Control
Act (33 U.S.C. 1304) is amended—

(1) in subsection (a)(1) —
(A) in subparagraph (A), by striking
"and" at the end;
(B) by redesignating subparagraph (B) as
subparagraph (C); and
(C) by inserting after subparagraph (A)
the following:

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

(2) in subsection (d)—

(A) in the second sentence, by striking "The non-Federal share of the cost" and inserting the following:

"(3) TYPES OF NON-FEDERAL SHARE—The applicable non-Federal share of the cost under this subsection—;

(B) in the first sentence, by striking "The Federal" and inserting the following:

"(1) IN GENERAL.—Subject to paragraph (2), the Federal—;

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

"(2) FEDERAL SHARE FOR RURAL OR FINANCIALLY DISTRESSED COMMUNITIES.—

(A) IN GENERAL.—Subject to subparagraph (B), the Federal share of the cost of an activity carried out using amounts from a grant under subsection (a) in a rural community or a financially distressed community (as those
terms are defined in subsection (f)(2)(B)(i) shall be 90 percent.

(B) Waiver—The Administrator may increase the Federal share under subparagraph (A) to 100 percent.

(3) in subsection (f)—

(A) by striking paragraph (1) and inserting the following:

(4) In general.—There is authorized to be appropriated to carry out this section $280,000,000 for each of fiscal years 2022 through 2026; and

(B) in paragraph (2)—

(i) by striking “To the extent” and inserting the following:

(A) Green infrastructure.—To the extent; and

(ii) by adding at the end the following:

(B) Rural or financially distressed community allocation.—

(iv) Definitions.—In this subparagraph:

(I) Financially distressed community.—The term ‘financially distressed community’ has the mean—
ing given the term in subsection (c)(1).

(ii) Rural community.—The term “rural community” means a city, town, or unincorporated area that has a population of not more than 10,000 inhabitants.

(iii) Allocation.—

(i) In general.—To the extent there are sufficient eligible project applications, the Administrator shall ensure that a State uses not less than 25 percent of the amount of the grants made to the State under subsection (a) in a fiscal year to carry out projects in rural communities or financially distressed communities for the purpose of planning, design, and construction of—

(a) treatment works to intercept, transport, control, treat, or reuse municipal sewer overflows; sanitary sewer overflows; or stormwater; or
(bb) any other measures to
manage, reduce, treat, or recapture stormwater or subsurface
drainage water eligible for assistance under section 692(c).

(H) Rural communities.—Of the funds allocated under subclause
(1) for the purposes described in that subclause, to the extent there are sufficient eligible project applications, the Administrator shall ensure that a State uses not less than 60 percent to carry out projects in rural communities.

(A) in subsection (i)—

(A) in the second sentence; by striking
“The recommended funding levels” and inserting the following:

“(B) Requirement.—The funding levels recommended under subparagraph (A)”;

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

“(C) Recommended funding levels;—

“(A) In general.—Not later”; and

(C) by adding at the end the following:
(2) Use of funds.—Not later than 2 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes the implementation of the grant program under this section; which shall include a description of the use and deployment of amounts made available under the program;”.

SEC. 205. CLEAN WATER INFRASTRUCTURE RESILIENCY AND SUSTAINABILITY PROGRAM.

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

SEC. 222. CLEAN WATER INFRASTRUCTURE RESILIENCY AND SUSTAINABILITY PROGRAM.

(a) Definitions.—In this section:

(A) Eligible entity.—The term ‘eligible entity’ means—

(A) a municipality; or

(B) an intermunicipal, interstate, or State agency;
(2) NATURAL HAZARD.—The term ‘natural hazard’ means a hazard caused by natural forces, including extreme weather events, sea-level rise, and extreme drought conditions.

(3) PROGRAM.—The term ‘program’ means the clean water infrastructure resilience and sustainability program established under subsection (b).

(4) ESTABLISHMENT.—Subject to the availability of appropriations, the Administrator shall establish a clean water infrastructure resilience and sustainability program under which the Administrator shall award grants to eligible entities for the purpose of increasing the resilience of publicly owned treatment works to a natural hazard or a cybersecurity threat.

(c) Use of Funds.—An eligible entity that receives a grant under the program shall use the grant funds for planning, designing, or constructing projects (on a system-wide or area-wide basis) that increase the resilience of a publicly owned treatment works to a natural hazard or a cybersecurity threat through—

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

(A) natural and engineered green infrastructure; and

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

(C) the modification or relocation of an existing publicly owned treatment works, conveyance, or discharge system component that is at risk of being significantly impaired or damaged by a natural hazard;

(D) the development and implementation of projects to increase the resilience of publicly owned treatment works to a natural hazard or a cybersecurity threat, as applicable; or

(E) the enhancement of energy efficiency or the use and generation of recovered or renewable energy in the management, treatment, or conveyance of wastewater or stormwater.

(d) Application.—To be eligible to receive a grant under the program, an eligible entity shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require, including—
\textit{(4)} a proposal of the project to be planned, designed, or constructed using funds under the program;

\textit{(5)} an identification of the natural hazard risk or potential cybersecurity threat, as applicable, to be addressed by the proposed project;

\textit{(6)} documentation prepared by a Federal, State, regional, or local government agency of the natural hazard risk or potential cybersecurity threat, as applicable, of the area where the proposed project is to be located;

\textit{(4)} a description of any recent natural hazard events or cybersecurity threats that have affected the publicly owned treatment works;

\textit{(5)} a description of how the proposed project would improve the performance of the publicly owned treatment works under an anticipated natural hazard or cybersecurity threat, as applicable; and

\textit{(6)} an explanation of how the proposed project is expected to enhance the resilience of the publicly owned treatment works to an anticipated natural hazard or cybersecurity threat, as applicable.

\textit{(c)} Grant Amount and Other Federal Requirements.
"(a) Cost Share.—Except as provided in paragraph (2), a grant under the program shall not exceed 75 percent of the total cost of the proposed project.

"(2) Exception.—

"(A) In general.—Except as provided in subparagraph (B), a grant under the program shall not exceed 90 percent of the total cost of the proposed project if the project serves a community that—

"(i) has a population of fewer than 10,000 individuals; or

"(ii) meets the affordability criteria established by the State in which the community is located under section 603(c)(2).

"(B) Waiver.—At the discretion of the Administrator, a grant for a project described in subparagraph (A) may cover 100 percent of the total cost of the proposed project.

"(3) Requirements.—The requirements of section 608 shall apply to a project funded with a grant under the program.

"(4) Report.—Not later than 2 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit
to Congress a report that describes the implementation of
the program, which shall include—

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

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

(g) AUTHORIZATION OF APPROPRIATIONS.—

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

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

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

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

SEC. 223. SMALL AND MEDIUM PUBLICLY OWNED TREAT-
MENT WORKS CIRCUIT RIDER PROGRAM.

(a) ESTABLISHMENT.—Subject to the availability of
appropriations, not later than 180 days after the date of
enactment of this section, the Administrator shall establish a circuit rider program (referred to in this section as the ‘circuit rider program’) under which the Administrator shall award grants to qualified nonprofit entities, as determined by the Administrator, to provide assistance to owners and operators of small and medium publicly owned treatment works to carry out the activities described in section 602(d)(13).

(d) LIMITATION.—A grant provided under the circuit rider program shall be in an amount that is not more than $75,000.

(e) REPORT.—Not later than 180 days after the date on which the Administrator establishes the circuit rider program, and every 180 days thereafter, the Administrator shall submit to Congress a report describing—

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

(2) a summary of the activities carried out under the circuit rider program;

(f) AUTHORIZATION OF APPROPRIATIONS.—

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

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

SEC. 207. SMALL PUBLICLY OWNED TREATMENT WORKS

EFFICIENCY GRANT PROGRAM.

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

SEC. 224. SMALL PUBLICLY OWNED TREATMENT WORKS

EFFICIENCY GRANT PROGRAM.

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

"(b) Eligible Entities.—The Administrator may
award a grant under the efficiency grant program to an
owner or operator of a small publicly owned treatment
works that serves—

"(1) a population of not more than 10,000 peo-
ple; or

"(2) a disadvantaged community."
"(c) REPORT.—Not later than 180 days after the
date on which the Administrator establishes the efficiency
grant program, and every 180 days thereafter, the Admin-
istrator shall submit to Congress a report describing—

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

"(2) a summary of the activities carried out
under the efficiency grant program.

"(d) USE OF FUNDS.—

"(1) SMALL SYSTEMS.—Of the amounts made
available for grants under this section, to the extent
that there are sufficient applications, not less than
45 percent shall be used for grants to publicly owned
treatment works that serve fewer than 3,000 people.

"(2) LIMITATION ON USE OF FUNDS.—Of the
amounts made available for grants under this sec-
tion, not more than 2 percent may be used to pay
the administrative costs of the Administrator."
SEC. 208. GRANTS FOR CONSTRUCTION, REFURBISHING, AND SERVICING OF INDIVIDUAL HOUSEHOLD DECENTRALIZED WASTEWATER SYSTEMS FOR INDIVIDUALS WITH LOW OR MODERATE INCOME.

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

"SEC. 225. GRANTS FOR CONSTRUCTION, REFURBISHING, AND SERVICING OF INDIVIDUAL HOUSEHOLD DECENTRALIZED WASTEWATER SYSTEMS FOR INDIVIDUALS WITH LOW OR MODERATE INCOME.

\(^{14}\) (a) Definition of Eligible Individual.—In this section, the term "eligible individual" means a member of a low-income or moderate-income household, the members of which have a combined income (for the most recent 12-month period for which information is available) equal to not more than 50 percent of the median nonmetropolitan household income for the State or territory in which the household is located, according to the most recent decennial census:

\(^{14}\)(b) Grant Program.—

\(^{14}\)(c) in General.—Subject to the availability of appropriations, the Administrator shall establish a program under which the Administrator shall pro-
provide grants to private nonprofit organizations for the purpose of improving general welfare by providing assistance to eligible individuals—

\(\text{\textsuperscript{2}(A)}\) for the construction, repair, or replacement of an individual household decentralized wastewater treatment system; or

\(\text{\textsuperscript{2}(B)}\) for the installation of a larger decentralized wastewater system designed to provide treatment for 2 or more households in which eligible individuals reside; if—

\(\text{\textsuperscript{2}(i)}\) site conditions at the households are unsuitable for the installation of an individually owned decentralized wastewater system;

\(\text{\textsuperscript{2}(ii)}\) multiple examples of unsuitable site conditions exist in close geographic proximity to each other; and

\(\text{\textsuperscript{2}(iii)}\) a larger decentralized wastewater system could be cost-effectively installed.

\(\text{\textsuperscript{2}(2)}\) APPLICATION.—To be eligible to receive a grant under this subsection, a private nonprofit organization shall submit to the Administrator an application at such time, in such manner, and con-
taining such information as the Administrator determines to be appropriate:

**{(2)} Priority.**—In awarding grants under this subsection, the Administrator shall give priority to applicants that have substantial expertise and experience in promoting the safe and effective use of individual household decentralized wastewater systems.

**{(4)} Administrative Expenses.**—A private nonprofit organization may use amounts provided under this subsection to pay the administrative expenses associated with the provision of the services described in paragraph (1); as the Administrator determines to be appropriate:

**{(4)} Assistance.**—

**{(1)} In General.**—Subject to paragraph (2), a private nonprofit organization shall use a grant provided under subsection (b) for the services described in paragraph (1) of that subsection:

**{(2)} Application.**—To be eligible to receive the services described in subsection (b)(1), an eligible individual shall submit to the private nonprofit organization serving the area in which the individual household decentralized wastewater system of the eligible individuals is; or is proposed to be; located an application at such time, in such manner, and con-
taining such information as the private nonprofit orga-
nization determines to be appropriate.

"3(2) Priority.—In awarding assistance under
this subsection, a private nonprofit organization
shall give priority to any eligible individual who does
not have access to a sanitary sewage disposal sys-
tem.

"3(3) Report.—Not later than 2 years after the date
of enactment of this section, the Administrator shall sub-
mit to the Committee on Environment and Public Works
of the Senate and the Committee on Transportation and
Infrastructure of the House of Representatives a report
describing the recipients of grants under the program
under this section and the results of the program under
this section.

"3(4) Authorization of Appropriations:—

"3(4)(1) In General.—There is authorized to be
appropriated to the Administrator to carry out this
section $50,000,000 for each of fiscal years 2022
through 2026.

"3(4)(2) Limitation on Use of Funds.—Of the
amounts made available for grants under paragraph
(1), not more than 2 percent may be used to pay the
administrative costs of the Administrator."
SEC. 209. CONNECTION TO PUBLICLY OWNED TREATMENT WORKS.

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

SEC. 226. CONNECTION TO PUBLICLY OWNED TREATMENT WORKS.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

(A) an owner or operator of a publicly owned treatment works that assists or is seeking to assist low-income or moderate-income individuals with connecting the household of the individual to the publicly owned treatment works; or

(B) a nonprofit entity that assists low-income or moderate-income individuals with the costs associated with connecting the household of the individual to a publicly owned treatment works:

(2) PROGRAM.—The term ‘program’ means the competitive grant program established under subsection (b):
(3) QUALIFIED INDIVIDUAL. — The term "qualified individual" has the meaning given the term "eligible individual" in section 602(4).

(4) ESTABLISHMENT. — Subject to the availability of appropriations, the Administrator shall establish a competitive grant program with the purpose of improving general welfare, under which the Administrator awards grants to eligible entities to provide funds to assist qualified individuals in covering the costs incurred by the qualified individual in connecting the household of the qualified individual to a publicly owned treatment works.

(c) APPLICATION. —

(1) IN GENERAL. — An eligible entity seeking a grant under the program shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may by regulation require.

(2) REQUIREMENT. — Not later than 90 days after the date on which the Administrator receives an application from an eligible entity under paragraph (1), the Administrator shall notify the eligible entity of whether the Administrator will award a grant to the eligible entity under the program.
(d) SELECTION CRITERIA.—In selecting recipients of grants under the program, the Administrator shall use the following criteria:

(1) Whether the eligible entity seeking a grant provides services to, or works directly with, qualified individuals:

(2) Whether the eligible entity seeking a grant—

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

(B) seeks to create a program described in subparagraph (A):

(e) REQUIREMENTS.—

(1) VOLUNTARY CONNECTION.—Before providing funds to a qualified individual for the costs described in subsection (b), an eligible entity shall ensure that—

(A) the qualified individual has connected to the publicly owned treatment works voluntarily; and

(B) if the eligible entity is not the owner or operator of the publicly owned treatment works to which the qualified individual has con-
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connected, the publicly owned treatment works to
which the qualified individual has connected has
agreed to the connection.

(2) Reimbursements from publicly
owned treatment works.—An eligible entity that
is an owner or operator of a publicly owned treat-
ment works may reimburse a qualified individual
that has already incurred the costs described in sub-
section (b) by—

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

(B) providing a direct payment to the
qualified individual:

(f) Authorization of Appropriations.—

(1) In general.—There is authorized to be
appropriated to carry out the program $40,000,000
for each of fiscal years 2022 through 2026.

(2) Limitations on use of funds.—

(A) Small systems.—Of the amounts
made available for grants under paragraph (1),
to the extent that there are sufficient applica-
tions; not less than 15 percent shall be used to
make grants to—

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(i) eligible entities described in subsection (a)(4)(A) that are owners and operators of publicly owned treatment works that serve fewer than 3,300 people; and

(ii) eligible entities described in subsection (a)(4)(B) that provide the assistance described in that subsection in areas that are served by publicly owned treatment works that serve fewer than 2,300 people.

(B) Administrative costs.—Of the amounts made available for grants under paragraph (1), not more than 2 percent may be used to pay the administrative costs of the Administrator.

SEC. 210. CLEAN WATER STATE REVOLVING FUNDS.

(a) Use of funds.—

(I) In general.—Section 609 of the Federal Water Pollution Control Act (33 U.S.C. 1383) is amended—

(A) in subsection (d), in the matter preceding paragraph (1), by inserting "and provided in subsection (h)" after "State law";

(B) in subsection (i)—
(i) in paragraph (A), by striking "", including forgiveness of principal and negative interest loans" and inserting "including forgiveness of principal; grants; negative interest loans; other loan forgiveness; and through buying; refinancing; or restructuring debt": and

(ii) in paragraph (B), by striking subparagraph (B) and inserting the following:

"(B) Total Amount of Subsidization.—For each fiscal year, of the amount of the capitalization grant received by the State under this title, the total amount of additional subsidization made available by a State under paragraph (1)—

(ii) may not exceed 30 percent; and

(ii) to the extent that there are sufficient applications for assistance to communities described in that paragraph, may not be less than 10 percent;": and

(C) by adding at the end the following:

"(c) Additional Use of Funds.—A State may use an additional 2 percent of the funds annually allotted to each State under this section for nonprofit organizations"
(as defined in section 104(w)) to provide technical assistance to rural, small, and tribal publicly owned treatment works (within the meaning of section 104(b)(8)(B)) in the State.

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

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

"SEC. 607. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to carry out the purposes of this title—

"(1) $2,400,000,000 for fiscal year 2022;

"(2) $2,750,000,000 for fiscal year 2023;

"(3) $2,000,000,000 for fiscal year 2024; and

"(4) $3,250,000,000 for each of fiscal years 2025 and 2026."

SEC. 214. WATER INFRASTRUCTURE AND WORKFORCE INVESTMENT.

Section 4304 of the America's Water Infrastructure Act of 2018 (33 U.S.C. 300j–19c) is amended—

(1) in subsection (a)(3)—
(A) in subparagraph (A), by inserting

"Tribal," after "State,"; and

(B) in subparagraph (B), by striking

"community-based organizations" and all that
follows through the period at the end and in-
serting the following: "community-based organi-
zations and public works departments or agen-
cies to align water and wastewater utility work-
force recruitment efforts, training programs, re-
tention efforts; and community resources with
water and wastewater utilities—

"(i) to accelerate career pipelines;

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

and

(iii) to provide access to workforce
opportunities;"

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking subparagraph (B);

(ii) in subparagraph (A), by striking

"; and" at the end and inserting "; which
may include—"

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

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

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

“B) expanding the availability of training
opportunities for—

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

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

“A) expanding the use and availability of
activities and strategies; including the develop-
ment of innovative activities and strategies; that
relate to the maintenance and retention of a
sustainable workforce in the water and waste-
water utility sector."

(B) in paragraph (2)—
(i) in the matter preceding subparagraph (A); by striking "institutions—" and inserting "institutions; or public works departments and agencies—"; and

(ii) in subparagraph (A)—

(II) by striking clauses (ii) and (iii);

(III) in clause (i), by adding "or"

at the end;

(IV) by redesignating clause (i) as clause (ii);

(V) by inserting before clause (ii) (as so redesignated) the following:

"(i) in the development of educational or recruitment materials and activities, including those materials and activities that specifically promote diversity within recruitment; for the water and wastewater utility workforce;"; and

(VI) by adding at the end the following:

"(iii) developing activities and strategies that relate to the maintenance and retention of a sustainable workforce in the water and wastewater utility sector; and";
(C) in paragraph (3)—

(i) in subparagraph (D)(ii), by inserting "or certification" after "training"; and

(ii) in subparagraph (E), by striking "ensure that incumbent water and waste water utilities workers" and inserting "are designed to retain incumbent water and wastewater utility workforce workers by ensuring that those workers"; and

(D) by striking paragraph (4) and inserting the following:

"(4) WORKING GROUP; REPORT.—

(A) IN GENERAL.—The Administrator shall establish and coordinate a Federal inter-agency working group to address recruitment, training, and retention challenges in the water and wastewater utility workforce, which shall include representatives from—

(i) the Department of Education;

(ii) the Department of Labor;

(iii) the Department of Agriculture;

(iv) the Department of Veterans Affairs; and
(c) other Federal agencies, as determined to be appropriate by the Administrator.

(3) REPORT.—Not later than 1 year after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator, in coordination with the working group established under subparagraph (A), shall submit to Congress a report describing potential solutions to recruitment, training, and retention challenges in the water and wastewater utility workforce.

(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $5,000,000 for each of fiscal years 2022 through 2026:

(3) by redesignating subsections (a) and (b) as subsections (b) and (c), respectively, and

(4) by inserting before subsection (b) (as so redesignated) the following:

(a) DEFINITION OF PUBLIC WORKS DEPARTMENT OR AGENCY.—In this section, the term ‘public works department or agency’ means a political subdivision of a local, county, or regional government that designs, builds, operates, and maintains water infrastructure, sewage and

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refuse disposal systems, and other public water systems
and facilities:"

SEC. 212. GRANTS TO ALASKA TO IMPROVE SANITATION IN
RURAL AND NATIVE VILLAGES.
Section 303(e) of the Safe Drinking Water Act
Amendments of 1996 (33 U.S.C. 1262a(e)) is amended
by striking "this section" and all that follows through the
period at the end and inserting the following: "this sec-
tion—

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

"(2) $50,000,000 for fiscal year 2025; and

"(3) $60,000,000 for fiscal year 2026."

SEC. 213. WATER DATA SHARING PILOT PROGRAM.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Subject to the availability of
appropriations, the Administrator shall establish a
competitive grant pilot program (referred to in this
section as the "pilot program") under which the Ad-
ministrator may award grants to eligible entities
under subsection (b) to establish systems that im-
prove the sharing of information concerning water
quality, water infrastructure needs, and water tech-
nology, including cybersecurity technology, between

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States or among counties and other units of local
government within a State; which may include—

(A) establishing a website or data hub to
exchange water data; including data on water
quality or water technology; including new and
emerging, but proven, water technology; and
(B) intercounty communications initiatives
related to water data.

(2) REQUIREMENTS.—

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

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

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

(1) a State, county, or other unit of local gov-
ernment that—
(A) has a coastal watershed with signifi-
cant pollution levels.
(B) has a water system with significant pollution levels; or

(C) has significant individual water infrastructure deficits; or

(2) a regional consortium established under subsection (d);

(e) APPLICATIONS.—To be eligible to receive a grant under the pilot program, an eligible entity under subsection (b) shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require:

(d) REGIONAL CONSORTIA.—

(1) Establishment.—States may establish regional consortia in accordance with this subsection:

(2) Requirements.—A regional consortium established under paragraph (1) shall—

(A) include not fewer than 2 States that have entered into a memorandum of understanding—

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

(ii) to share information, protocols, and procedures with respect to projects that evaluate, demonstrate, or install new

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and emerging, but proven, water technology;

(B) carry out projects—

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

(ii) that evaluate, demonstrate, or install new and emerging, but proven, water technology; and

(C) develop a regional intended use plan; in accordance with paragraph (2); to identify projects to carry out; including projects using grants received under this section.

(3) Regional intended use plan.—A regional intended use plan of a regional consortium established under paragraph (1)—

(A) shall identify projects that the regional consortium intends to carry out; including projects that meet the requirements of paragraph (2)(B); and

(B) may include—

(i) projects included in an intended use plan of a State prepared under section 606(c) of the Federal Water Pollution Control Act (33 U.S.C. 1386(c)) within the regional consortium; and
(ii) projects not included in an intended use plan of a State prepared under section 606(c) of the Federal Water Pollution Control Act (33 U.S.C. 1386(c)) within the regional consortium.

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

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

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

(f) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—
There is authorized to be appropriated to carry out the pilot program $15,000,000 for each of fiscal years 2022 through 2026, to remain available until expended.

(2) REQUIREMENT.—Of the funds made available under paragraph (1), not more than 35 percent
may be used to provide grants to regional consortia established under subsection (d).

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

Section 5028(a)(1)(D)(ii) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3907(a)(1)(D)(ii)) is amended by striking "final rating opinion letters from at least 2 rating agencies" and inserting "a final rating opinion letter from at least 4 rating agencies."

**SEC. 215. WATER INFRASTRUCTURE FINANCING AUTHORIZATION.**

(a) APPLICATIONS.—Section 5023 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3902) is amended by adding at the end the following:

"(c) BUDGETARY TREATMENT.—If the recipient of financial assistance under this subtitle is an eligible entity other than a Federal entity, agency, or instrumentality and the dedicated sources of repayment of that financial assistance are non-Federal revenue sources, the project or asset for which financial assistance is being provided shall, for purposes of budgetary treatment under the Federal Credit Reform Act of 1990 (2 U.S.C. 601 et seq.)—

"(1) be deemed to be non-Federal; and
(2) be treated as a direct loan or loan guarantee.

(b) Reauthorization.—Section 5023 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 2012) is amended—

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

"(3) Fiscal years 2023 through 2026.—There is authorized to be appropriated to the Administrator to carry out this subtitle $50,000,000 for each of fiscal years 2023 through 2026, to remain available until expended;"

(2) in subsection (b)(2)—

(A) in the paragraph heading, by striking "2020 and 2021" and inserting "after 2019;"

and

(B) by striking "2020 and 2021" and inserting "2022 through 2026;" and

(3) in subsection (c)(1), by striking "2020 and 2021" and inserting "2022 through 2026;"

SEC. 216. SMALL AND DISADVANTAGED COMMUNITY ANALYSIS.

(a) Analysis.—Not later than 1 year after the date of enactment of this Act, using environmental justice data of the Environmental Protection Agency, including data
from the environmental justice mapping and screening tool
of the Environmental Protection Agency, the Adminis-
trator shall carry out an analysis under which the Admin-
istrator shall assess the programs under title VI of the
Federal Water Pollution Control Act (33 U.S.C. 1381 et
seq.) and section 1452 of the Safe Drinking Water Act
(42 U.S.C. 300j-12) to identify historical distributions of
funds to small and disadvantaged communities and new
opportunities and methods to improve on the distribution
of funds under those programs to low-income commu-
nities; rural communities; minority communities; and com-
nunities of indigenous peoples; in accordance with Execu-
6584; relating to Federal actions to address environmental
justice in minority populations and low-income popu-
lations):

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

(1) the results of the analysis; and

(2) the criteria the Administrator used in car-
rying out the analysis.
SEC. 217. STORMWATER INFRASTRUCTURE TECHNOLOGY.

(a) DEFINITIONS.—In this section:

(1) CENTER.—The term "center" means a center of excellence for stormwater control infrastructure established under subsection (b)(1).

(2) ELIGIBLE ENTITY.—The term "eligible entity" means—

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

(B) a local; regional; or other public entity that manages stormwater or wastewater resources or other related water infrastructure;

(3) ELIGIBLE INSTITUTION.—The term "eligible institution" means an institution of higher education; a research institution; or a nonprofit organization—

(A) that has demonstrated excellence in researching and developing new and emerging stormwater control infrastructure technologies; and

(B) with respect to a nonprofit organization; the core mission of which includes water management, as determined by the Administrator;

(b) CENTERS OF EXCELLENCE FOR STORMWATER CONTROL INFRASTRUCTURE TECHNOLOGIES.—

(1) ESTABLISHMENT OF CENTERS—
(A) In general.—Subject to the availability of appropriations, the Administrator shall provide grants, on a competitive basis, to eligible institutions to establish and maintain not less than 2, and not more than 5, centers of excellence for new and emerging stormwater control infrastructure technologies, to be located in various regions throughout the United States.

(B) General operation.—Each center shall—

(i) conduct research on new and emerging stormwater control infrastructure technologies that are relevant to the geographical region in which the center is located, including stormwater and sewer overflow reduction; other approaches to water resource enhancement; alternative funding approaches; and other environmental, economic, and social benefits, with the goal of improving the effectiveness, cost efficiency, and protection of public safety and water quality;

(ii) maintain a listing of—
(I) stormwater control infrastructure needs; and

(II) an analysis of new and emerging stormwater control infrastructure technologies that are available;

(iii) analyze whether additional financial programs for the implementation of new and emerging, but proven, stormwater control infrastructure technologies would be useful;

(iv) provide information regarding research conducted under clause (i) to the national electronic clearinghouse center for publication on the Internet website established under paragraph (3)(B)(i) to provide to the Federal Government and State, Tribal, and local governments and the private sector information regarding new and emerging, but proven, stormwater control infrastructure technologies;

(v) provide technical assistance to State, Tribal, and local governments to assist with the construction, operation, and maintenance of stormwater control infra-
structure projects that use innovative technologies;
(vii) collaborate with institutions of higher education and private and public organizations, including community-based public-private partnerships and other stakeholders, in the geographical region in which the center is located; and
(viii) coordinate with the other centers to avoid duplication of efforts;

(2) APPLICATION.—To be eligible to receive a grant under this subsection, an eligible institution shall prepare and submit to the Administrator an application at such time, in such form, and containing such information as the Administrator may require:

(3) NATIONAL ELECTRONIC CLEARINGHOUSE CENTER.—Of the centers established under paragraph (1)(A), I shall—
(A) be designated as the “national electronic clearinghouse center”; and
(B) in addition to the other functions of that center—
(i) develop, operate, and maintain an Internet website and a public database
that contains information relating to new
and emerging, but proven, stormwater con-
trol infrastructure technologies; and

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

(4) AUTHORIZATION OF APPROPRIATIONS—

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

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

(c) STORMWATER CONTROL INFRASTRUCTURE
PROJECT GRANTS.—

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

(A) Planning and development grants.—The Administrator may make planning and development grants under this subsection for the following projects:

(i) Planning and designing stormwater control infrastructure projects that incorporate new and emerging, but proven, stormwater control technologies, including engineering surveys, landscape plans, maps, and implementation plans;

(ii) Identifying and developing standards necessary to accommodate stormwater control infrastructure projects, including those projects that incorporate new and emerging, but proven, stormwater control technologies;

(iii) Identifying and developing fee structures to provide financial support for design, installation, and operations and maintenance of stormwater control infrastructure, including new and emerging, but proven, stormwater control infrastructure technologies.
(iv) Developing approaches for community-based public-private partnerships for the financing and construction of stormwater control infrastructure technologies, including feasibility studies, stakeholder outreach, and needs assessments.

(v) Developing and delivering training and educational materials regarding new and emerging, but proven, stormwater control infrastructure technologies for distribution to—

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

(II) the public.

(B) IMPLEMENTATION GRANTS.—The Administrator may make implementation grants under this subsection for the following projects:

(i) Installing new and emerging, but proven, stormwater control infrastructure technologies;

(ii) Protecting or restoring interconnected networks of natural areas that protect water quality.
(iii) Monitoring and evaluating the environmental, economic, or social benefits of stormwater control infrastructure technologies that incorporate new and emerging, but proven, stormwater control technology.

(iv) Implementing a best practices standard for stormwater control infrastructure programs.

(2) APPLICATION.—Except as otherwise provided in this section, to be eligible to receive a grant under this subsection, an eligible entity shall prepare and submit to the Administrator an application at such time, in such form, and containing such information as the Administrator may require, including, as applicable—

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

(B) a plan for monitoring the impacts of the stormwater control infrastructure project on the water quality and quantity;

(C) an evaluation of other environmental, economic, and social benefits of the stormwater control infrastructure project; and
(D) a plan for the long-term operation and
maintenance of the stormwater control infra-
structure project and a tracking system, such
as asset management practices.

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

(A) a community that—

(i) has combined storm and sanitary
sewers in the collection system of the com-
munity; or

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

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

(5) MAXIMUM AMOUNTS.—

(A) PLANNING AND DEVELOPMENT
GRANTS.—

(i) SINGLE GRANT.—The amount of a
single planning and development grant
provided under this subsection shall be not
more than $200,000.
(ii) AGGREGATE AMOUNT.—The total amount of all planning and development grants provided under this subsection for a fiscal year shall be not more than 1/3 of the total amount made available to carry out this subsection.

(B) IMPLEMENTATION GRANTS.—

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

(ii) AGGREGATE AMOUNT.—The total amount of all implementation grants provided under this subsection for a fiscal year shall be not more than 2/3 of the total amount made available to carry out this subsection.

(6) FEDERAL SHARE.—

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

(B) CREDIT FOR IMPLEMENTATION GRANTS.—The Administrator shall credit toward the non-Federal share of the cost of an
implementation project carried out under this
subsection the cost of planning, design, and
construction work completed for the project
using funds other than funds provided under
this section:

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

(D) REPORT TO CONGRESS.—Not later than 1 year
after the date on which the Administrator first awards a
grant under this section, the Administrator shall submit
to Congress a report that includes, with respect to the pe-
riod covered by the report—

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

(2) a detailed description of—

(A) the projects supported by those grants;

and

(B) the outcomes of those projects;

(3) a description of the improvements in tech-
nology; environmental benefits; resources conserved;
iciencies; and other benefits of the projects funded
under this section;
(4) recommendations for improvements to promote and support new and emerging, but proven, stormwater control infrastructure, including research into new and emerging technologies; for the centers; grants; and activities under this section; and

(5) a description of existing challenges concerning the use of new and emerging, but proven, stormwater control infrastructure.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section (except for subsection (b)) $10,000,000 for each of fiscal years 2023 through 2026.

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

SEC. 218. WATER REUSE INTERAGENCY WORKING GROUP.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall establish a Water Reuse Interagency Working Group (referred to in this section as the "Working Group").

(b) PURPOSE.—The purpose of the Working Group is to develop and coordinate actions, tools, and resources to advance water reuse across the United States, including
through the implementation of a National Water Reuse
Action Plan that creates opportunities for water reuse in
the mission areas of each of the Federal agencies included
in the Working Group under subsection (e) (referred to
in this section as the “Action Plan”):

(e) CHAIRPERSON; MEMBERSHIP.—The Working
Group shall be—

(1) chaired by the Administrator, and

(2) comprised of senior representatives from
such Federal agencies as the Administrator deter-
mines to be appropriate;

(d) DUTIES OF THE WORKING GROUP.—In carrying
out this section, the Working Group shall—

(1) with respect to water reuse; leverage the ex-
pertise of industry, the research community, non-
governmental organizations; and government;

(2) seek to foster water reuse as an important
component of integrated water resources manage-
ment;

(3) conduct an assessment of new opportunities
to advance water reuse and annually update the Ac-
tion Plan with new actions, as necessary, to pursue
these opportunities;

(4) seek to coordinate Federal programs and
policies to support the adoption of water reuse;
(5) consider how each Federal agency can explore and identify opportunities to support water reuse through the programs and activities of that Federal agency; and

(6) consult, on a regular basis, with representatives of relevant industries, the research community, and nongovernmental organizations;

(c) REPORT.—Not less frequently than once every 2 years, the Administrator shall submit to Congress a report on the activities and findings of the Working Group;

(f) SENSIT.——

(1) IN GENERAL.—Subject to paragraph (2), the Working Group shall terminate on the date that is 6 years after the date of enactment of this Act.

(2) EXTENSION.—The Administrator may extend the date of termination of the Working Group under paragraph (1).

SEC. 210. ADVANCED CLEAN WATER TECHNOLOGIES STUDY.

(a) IN GENERAL.—Subject to the availability of appropriations, not later than 1 year after the date of enactment of this Act, the Administrator shall carry out a study that examines the state of existing and potential future technology, including technology that could address cybersecurity threats, that enhances or could enhance the treat-
ment, monitoring, affordability, efficiency, and safety of wastewater services provided by a treatment works (as defined in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292)).

(b) REPORT.—The Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that describes the results of the study under subsection (a).

SEC. 229. CLEAN WATER INFRASTRUCTURE NEEDS SURVEY.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, and not less frequently than once every 4 years thereafter, the Administrator shall—

(1) conduct and complete an assessment of wastewater system capital improvement needs of all treatment works (as defined in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292)) in the United States that are eligible for assistance from State water pollution control revolving funds established under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.); and
(2) submit to Congress a report describing the
results of the assessment completed under para-
graph (1);

(b) AUTHORIZATION OF APPROPRIATIONS.—There is
authorized to be appropriated to carry out the initial needs
survey under subsection (a) $5,000,000, to remain avail-
able until expended.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

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

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

Sec. 1. Short title; table of contents.
Sec. 2. Definition of Administrator.

TITLE I—DRINKING WATER

Sec. 101. Technical assistance and grants for emergencies affecting public water
systems.
Sec. 102. Drinking water State revolving loan funds.
Sec. 103. Source water petition program.
Sec. 104. Assistance for small and disadvantaged communities.
Sec. 105. Reducing lead in drinking water.
Sec. 106. Operational sustainability of small public water systems.
Sec. 107. Midwest and large drinking water system infrastructure resilience and
sustainability program.
Sec. 108. Needs assessment for nationwide rural and urban low-income commu-
nity water assistance.
Sec. 109. Rural and low-income drinking water assistance pilot program.
Sec. 110. Lead contamination in school drinking water.
Sec. 111. Indian reservation drinking water program.
Sec. 112. Advanced drinking water technologies.

TITLE II—CLEAN WATER

Sec. 201. Research, investigations, training, and information.
Sec. 202. Wastewater efficiency grant pilot program.
Sec. 203. Pilot program for alternative water source projects.
Sec. 204. Source overflow and stormwater reuse municipal grants.
Sec. 205. Clean water infrastructure resiliency and sustainability program.
SEC. 2. DEFINITION OF ADMINISTRATOR.

In this Act, the term “Administrator” means the Administrator of the Environmental Protection Agency.

TITLE I—DRINKING WATER

SEC. 101. TECHNICAL ASSISTANCE AND GRANTS FOR EMERGENCIES AFFECTING PUBLIC WATER SYSTEMS.

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

(1) in subsection (b), in the first sentence—

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

(B) by inserting “, including a threat to public health resulting from contaminants, such as, but not limited to, heightened exposure to lead in drinking water” after “public health”: 
(2) by striking subsection (d) and inserting the following:

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

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

“(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this subsection $15,000,000 for each of fiscal years 2022 through 2026.”;

(4) by redesignating subsection (f) as subsection (g); and

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

“(f) STATE-BASED NONPROFIT ORGANIZATIONS.—

“(1) IN GENERAL.—The Administrator may provide technical assistance consistent with the authority provided under subsection (e) to State-based nonprofit organizations that are governed by community water systems.

“(2) COMMUNICATION.—Each State-based nonprofit organization that receives funding under paragraph (1) shall, before using that funding to undertake activities to carry out this subsection, consult
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with the State in which the assistance is to be expended or otherwise made available.”.

SEC. 102. DRINKING WATER STATE REVOLVING LOAN
FUNDS.

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

(1) in subsection (a)(4)(A), by striking “During fiscal years 2019 through 2023, funds” and inserting “Funds”; 

(2) in subsection (m)(1) —

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

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

(C) by adding at the end the following:
“(D) $2,400,000,000 for fiscal year 2022;
“(E) $2,750,000,000 for fiscal year 2023;
“(F) $3,000,000,000 for fiscal year 2024;

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

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

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(b) ASSISTANCE FOR DISADVANTAGED COMMUNITIES.—Section 1452(d) of the Safe Drinking Water Act (42 U.S.C. 300j–12(d)) is amended—

(1) in paragraph (1), by inserting “, grants, negative interest loans, other loan forgiveness, and through buying, refinancing, or restructuring debt” after “forgiveness of principal”; and

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

“(B) to the extent that there are sufficient applications for loans to communities described in paragraph (1), may not be less than 12 percent.”.

SEC. 103. SOURCE WATER PETITION PROGRAM.

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

(1) in subsection (a)—

(A) in paragraph (1)(A), in the matter preceding clause (i), by striking “political subdivision of a State,” and inserting “political subdivision of a State (including a county that is designated by the State to act on behalf of an unincorporated area within that county, with the agreement of that unincorporated area),”;

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

(C) by adding at the end the following:

“(5) SAVINGS PROVISION.—Unless otherwise provided within the agreement, an agreement between an unincorporated area and a county for the county to submit a petition under paragraph (1)(A) on behalf of the unincorporated area shall not authorize the county to act on behalf of the unincorporated area in any matter not within a program under this section.”; and

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

SEC. 104. ASSISTANCE FOR SMALL AND DISADVANTAGED COMMUNITIES.

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

(1) in subsection (b)(2)—

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

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

(C) by adding at the end the following:
“(D) the purchase of point-of-entry or point-of-use filters that are independently certified using science-based test methods for the removal of contaminants of concern;

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

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

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

“(F) entering into contracts, including contracts with nonprofit organizations that have water system technical expertise, to assist—

“(i) an eligible entity; or

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

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

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

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

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

“(1) $60,000,000 for fiscal year 2022;

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

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

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

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

(5) in subsection (l)—

(A) in paragraph (2)—

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

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

(B) in paragraph (5), by striking “$4,000,000 for each of fiscal years 2019 and 2020” and inserting “$25,000,000 for each of fiscal years 2022 through 2026”;
(C) by redesignating paragraph (5) as paragraph (6); and

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

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

“(A) IN GENERAL.—Subject to subparagraph (B), with respect to a program or project that serves an eligible entity and is carried out using a grant under this subsection, the Federal share of the cost of the program or project shall be 90 percent.

“(B) WAIVER.—The Administrator may increase the Federal share under subparagraph (A) to 100 percent if the Administrator determines that an eligible entity is unable to pay, or would experience significant financial hardship if required to pay, the non-Federal share.”.

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

“(m) CONNECTION TO PUBLIC WATER SYSTEMS.—

“(1) DEFINITIONS.—In this subsection:

“(A) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—
“(i) an owner or operator of a public water system that assists or is seeking to assist eligible individuals with connecting the household of the eligible individual to the public water system; or

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

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

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

“(2) ESTABLISHMENT.—Subject to the availability of appropriations, the Administrator shall establish a competitive grant program for the purpose of improving the general welfare under which the Administrator awards grants to eligible entities to provide funds to assist eligible individuals in covering the costs incurred by the eligible individual in conn-
necting the household of the eligible individual to a public water system.

“(3) APPLICATION.—An eligible entity seeking a grant under the program shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

“(4) CRITERIA.—In selecting recipients for grants under the program, the Administrator shall consider—

“(A) how public health would improve by awarding a grant to a particular eligible entity;

“(B) the environmental implications of awarding a grant to a particular eligible entity;

“(C) whether it is economically feasible for an eligible entity to provide the assistance described in paragraph (2); and

“(D) whether it is technically feasible for an eligible entity to provide the assistance described in paragraph (2).

“(5) VOLUNTARY CONNECTION.—Before providing funds to an eligible individual for the costs described in paragraph (2), an eligible entity shall ensure and certify to the Administrator that—
“(A) the eligible individual is voluntarily seeking connection to the public water system;

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

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

“(6) REPORT.—Not later than 2 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to Congress a report that describes the implementation of the program, which shall include a description of the use and deployment of amounts made available under the program.

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

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

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

“(1) IN GENERAL.—In addition to amounts authorized to be appropriated under subsection (h), there is authorized to be appropriated to carry out subsections (a) through (j) $50,000,000 for each of fiscal years 2022 through 2026 in accordance with paragraph (2).

“(2) COMPETITIVE GRANTS.—

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

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

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

“(3) REPORT.—Not later than 2 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to Congress a report that describes the implementation of the competitive grant program under paragraph (2)(A), which shall include a description of the use and deployment of amounts made available under the competitive grant program.

“(4) SAVINGS PROVISION.—Nothing in this paragraph affects the distribution of amounts made available under subsection (k), including any methods used by the Administrator for distribution of amounts made available under that subsection as in effect on the day before the date of enactment of this subsection.”.

SEC. 105. REDUCING LEAD IN DRINKING WATER.

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

(1) in subsection (d)—

(A) by inserting “(except for subsection (d))” after “this section”; and
(B) by striking "$60,000,000 for each of fiscal years 2017 through 2021" and inserting "$100,000,000 for each of fiscal years 2022 through 2026";

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

(3) by inserting after subsection (c) the following:

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

“(1) DEFINITIONS.—In this subsection:

“(A) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a municipality that is served by a community water system or a nontransient noncommunity water system in which not less than 30 percent of the service lines are known, or suspected, to contain lead, based on available data, information, or resources, including existing lead inventories.

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

“(2) ESTABLISHMENT.—The Administrator shall establish a pilot program under which the Administrator shall provide grants to eligible entities to carry
out lead reduction projects that are demonstrated to exist or are suspected to exist, based on available data, information, or resources, including existing lead inventorying of those eligible entities.

“(3) SELECTION.—

“(A) APPLICATION.—To be eligible to receive a grant under the pilot program, an eligible entity shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

“(B) PRIORITIZATION.—In selecting recipients under the pilot program, the Administrator shall give priority to—

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

“(ii) an eligible entity that is located in an area other than a State that has established affordability criteria under section 1452(d)(3).

“(4) REPORT.—Not later 2 years after the Administrator first awards a grant under the pilot program, the Administrator shall submit to the Committee on Environment and Public Works of the Sen-
ate and the Committee on Energy and Commerce of
the House of Representatives a report describing—

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

“(B) the existing lead inventoring that
was available to recipients of grants under the
pilot program; and

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

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

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

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

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

“(a) DEFINITIONS.—In this section:

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

“(A) a State;
“(B) a unit of local government;

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

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

“(E) an Indian Tribe that owns or operates a public water system;

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

“(G) a Tribal consortium.

“(2) OPERATIONAL SUSTAINABILITY.—The term ‘operational sustainability’ means the ability to improve the operation of a small system through the identification and prevention of potable water loss due to leaks, breaks, and other metering or infrastructure failures.

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

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

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

“(B) is owned or operated by—

“(i) a unit of local government;

“(ii) a public corporation;
“(iii) a nonprofit corporation;
“(iv) a public trust;
“(v) a cooperative association; or
“(vi) an Indian Tribe.

“(b) Establishment.—Subject to the availability of appropriations, the Administrator shall establish a program to award grants to eligible entities for the purpose of improving the operational sustainability of 1 or more small systems.

“(c) Applications.—To be eligible to receive a grant under the program, an eligible entity shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require, including—

“(1) a proposal of the project to be carried out using grant funds under the program;
“(2) documentation prepared by the eligible entity describing the deficiencies or suspected deficiencies in operational sustainability of 1 or more small systems that are to be addressed through the proposed project;
“(3) a description of how the proposed project will improve the operational sustainability of 1 or more small systems;
“(4) a description of how the improvements described in paragraph (3) will be maintained beyond the life of the proposed project, including a plan to maintain and update any asset data collected as a result of the proposed project; and

“(5) any additional information the Administrator may require.

“(d) ADDITIONAL REQUIRED INFORMATION.—Before awarding funds for a grant under the program to a grant recipient, the grant recipient shall submit to the Administrator—

“(1) if the grant recipient is located in a State that has established a State drinking water treatment revolving loan fund under section 1452, a copy of a written agreement between the grant recipient and the State in which the grant recipient agrees to provide a copy of any data collected under the proposed project to the State agency administering the State drinking water treatment revolving loan fund (or a designee); or

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

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

“(1) the development of a detailed asset inven-
tory, which may include drinking water sources,
wells, storage, valves, treatment systems, distribution
lines, hydrants, pumps, controls, and other essential
infrastructure;

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

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

“(B) global positioning system software;

“(3) the deployment of leak detection technology;

“(4) the deployment of metering technology;

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

“(A) the eligible entity; or

“(B) the small systems for which the grant
was received;
“(6) the deployment of strategies, techniques, and technologies to enhance the operational sustainability and effective use of water resources through water reuse; and

“(7) the development or deployment of other strategies, techniques, or technologies that the Administrator may determine to be appropriate under the program.

“(f) Cost Share.—

“(1) In general.—Subject to paragraph (2), the Federal share of the cost of a project carried out using a grant under the program shall be 90 percent of the total cost of the project.

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

“(g) Report.—Not later than 2 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to Congress a report that describes the implementation of the program, which shall include a description of the use and deployment of amounts made available under the program.

“(h) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section $50,000,000 for each of fiscal years 2022 through 2026.”.
SEC. 107. MIDSIZE AND LARGE DRINKING WATER SYSTEM INFRASTRUCTURE RESILIENCE AND SUSTAINABILITY PROGRAM.

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

"SEC. 1439F. MIDSIZE AND LARGE DRINKING WATER SYSTEM INFRASTRUCTURE RESILIENCE AND SUSTAINABILITY PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a public water system that serves a community with a population of greater than 10,000.

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

(3) RESILIENCE AND SUSTAINABILITY PROGRAM.—The term ‘resilience and sustainability program’ means the Midsize and Large Drinking Water System Infrastructure Resilience and Sustainability Program established under subsection (b).

(b) ESTABLISHMENT.—The Administrator shall establish and carry out a program, to be known as the Midsize and Large Drinking Water System Infrastructure Resilience and Sustainability Program, under which the Administrator, subject to the availability of appropriations
for the resilience and sustainability program, shall award
grants to eligible entities for the purpose of—

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

“(2) reducing cybersecurity vulnerabilities.

“(c) USE OF FUNDS.—An eligible entity may only use
grant funds received under the resilience and sustainability
program to assist in the planning, design, construction, im-
plementation, operation, or maintenance of a program or
project that increases resilience to natural hazards and ex-
treme weather events, or reduces cybersecurity
vulnerabilities, through—

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

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

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

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

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

“(6) the development and implementation of measures—

“(A) to increase the resilience of the eligible entity to natural hazards and extreme weather events; or

“(B) to reduce cybersecurity vulnerabilities;

or

“(7) the conservation of water or the enhancement of a water supply through the implementation of water reuse measures.

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

“(1) a proposal of the program or project to be planned, designed, constructed, implemented, operated, or maintained by the eligible entity;

“(2) an identification of the natural hazard risks, extreme weather events, or potential cybersecurity vulnerabilities, as applicable, to be addressed by the proposed program or project.
“(3) documentation prepared by a Federal, State, regional, or local government agency of the natural hazard risk, potential cybersecurity vulnerability, or risk for extreme weather events to the area where the proposed program or project is to be located;

“(4) a description of any recent natural hazards, cybersecurity events, or extreme weather events that have affected the community water system of the eligible entity;

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

“(6) an explanation of how the proposed program or project is expected—

“(A) to enhance the resilience of the community water system of the eligible entity to the anticipated natural hazards or extreme weather events; or

“(B) to reduce cybersecurity vulnerabilities.

“(c) REPORT.—Not later than 2 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to
Congress a report that describes the implementation of the resilience and sustainability program, which shall include a description of the use and deployment of amounts made available to carry out the resilience and sustainability program.

“(f) Authorization of Appropriations.—

“(1) In general.—There is authorized to be appropriated to carry out the resilience and sustainability program $50,000,000 for each of fiscal years 2022 through 2026.

“(2) Use of funds.—Of the amounts made available under paragraph (1) for grants to eligible entities under the resilience and sustainability program—

“(A) 50 percent shall be used to provide grants to eligible entities that serve a population of—

“(i) greater than 10,000; and

“(ii) fewer than 100,000; and

“(B) 50 percent shall be used to provide grants to eligible entities that serve a population equal to or greater than 100,000.

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

SEC. 108. NEEDS ASSESSMENT FOR NATIONWIDE RURAL
AND URBAN LOW-INCOME COMMUNITY
WATER ASSISTANCE.
Part E of the Safe Drinking Water Act (42 U.S.C. 300j
et seq.) (as amended by section 107) is amended by adding
at the end the following:

“SEC. 1459G. NEEDS ASSESSMENT FOR NATIONWIDE RURAL
AND URBAN LOW-INCOME COMMUNITY
WATER ASSISTANCE.
“(a) DEFINITIONS.—In this section:
“(1) LARGE COMMUNITY WATER SYSTEM.—The
term ‘large community water system’ means a com-
munity water system or treatment works that serves
a population of more than 100,000 inhabitants.
“(2) LOW-INCOME HOUSEHOLD.—The term ‘low-
income household’ means a household that has an in-
come that, as determined by the State in which the
household is located, does not exceed the greater of—
“(A) an amount equal to 150 percent of the
poverty level of that State; and
“(B) an amount equal to 60 percent of the
State median income for that State.
“(3) MEDIUM COMMUNITY WATER SYSTEM.—The
term ‘medium community water system’ means a
community water system or treatment works that
serves a population of more than 10,000 inhabitants
and not more than 100,000 inhabitants.

“(4) NEED.—The term ‘need’, with respect to a
household, means the expenditure of a dispropor-
tionate amount of household income on access to pub-
lic drinking water or wastewater services.

“(5) RURAL COMMUNITY WATER SYSTEM.—The
term ‘rural community water system’ means a com-
munity water system or treatment works that serves
a population of not more than 10,000 inhabitants.

“(6) TREATMENT WORKS.—The term ‘treatment
works’ has the meaning given the term in section 212
of the Federal Water Pollution Control Act (33 U.S.C.
1292).

“(b) STUDY; REPORT.—

“(1) IN GENERAL.—The Administrator shall con-
duct, and submit to Congress a report describing the
results of, a study regarding the prevalence through-
out the United States of municipalities, public enti-
ties, or Tribal governments that—

“(A) own or operate rural community
water systems, medium community water sys-
tems, or large community water systems that
service a disproportionate level of low-income
households with need, including low-income rent-
ers with need or a community water system or
treatment works that provides services to a dis-
advantaged community (as defined in section
1452(d)(3)); or

“(B) have taken on an unsustainable level
of debt due to customer nonpayment for the serv-
ices provided by a community water system or
treatment works.

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

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

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

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

“(3) AGREEMENTS.—The Administrator may
enter into an agreement with another Federal agency
to carry out the study under paragraph (1).”.
SEC. 109. RURAL AND LOW-INCOME DRINKING WATER ASSISTANCE PILOT PROGRAM.

Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) (as amended by section 108) is amended by adding at the end the following:

“SEC. 1459H. RURAL AND LOW-INCOME DRINKING WATER ASSISTANCE PILOT PROGRAM.

“(a) DEFINITIONS.—In this section:

“(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a municipality, Tribal government, or other entity that—

“(A) owns or operates a community water system or treatment works that services a disproportionate level of low-income households (as defined in section 1459E(a)), including low-income renters; or

“(B) has taken on an unsustainable level of debt due to customer nonpayment for the services provided by a community water system or treatment works.

“(2) LARGE COMMUNITY WATER SYSTEM.—The term ‘large community water system’ means a community water system or treatment works that serves a population of more than 100,000 inhabitants.

“(3) MEDIUM COMMUNITY WATER SYSTEM.—The term ‘medium community water system’ means a
community water system or treatment works that
serves a population of more than 10,000 inhabitants
and not more than 100,000 inhabitants.

“(4) NEED.—The term ‘need’, with respect to a
household, means the expenditure of a dispropor-
tionate amount of household income on access to pub-
llic drinking water or wastewater services.

“(5) PILOT PROGRAM.—The term ‘pilot program’
means the pilot program established by the Adminis-
trator under subsection (b)(1).

“(6) RURAL COMMUNITY WATER SYSTEM.—The
term ‘rural community water system’ means a com-

munity water system or treatment works that serves
a population of not more than 10,000 inhabitants.

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

“(8) WATER SERVICES NEEDS ASSESSMENT.—
The term ‘water services needs assessment’ means the
report required under section 1459G(b)(1).

“(b) ESTABLISHMENT.—

“(1) IN GENERAL.—Not later than 90 days after
the date on which the Administrator submits the
drinking water needs assessment to Congress, the Ad-
ministrator shall establish a pilot program to award
grants to eligible entities to develop and implement
programs to assist low-income households with need
in maintaining access to affordable and reliable
drinking water and wastewater treatment.

“(2) REQUIREMENT.—In establishing the pilot
program, the Administrator shall ensure that the
water services needs assessment directly contributes to
the structure of the pilot program by informing the
types of assistance and criteria used for priority con-
sideration with the demonstrated need from the study
class conducted under section 1459G(b)(1) and the water
services needs assessment.

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

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

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

“(4) TERM.—The term of a grant awarded under
the pilot program shall be subject to the availability
of appropriations.
“(5) Types of Assistance.—In establishing the pilot program, the Administrator may include provisions for—

“(A) direct financial assistance;

“(B) a lifeline rate;

“(C) bill discounting;

“(D) special hardship provisions;

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

or

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

“(6) Requirement.—The Administrator shall award not more than 40 grants under the pilot program, of which—

“(A) 10 shall be to eligible entities that own or operate a rural community water system;

“(B) 10 shall be to eligible entities that own or operate a medium community water system;

“(C) 10 shall be to eligible entities that own or operate a large community water system; and
“(D) 10 shall be to eligible entities that own
or operate a community water system or treat-
ment works that services a disadvantaged com-
munity (as defined in section 1452(d)(3)).

“(7) CRITERIA.—In addition to any priority cri-
teria established by the Administrator in response to
the findings in the water services needs assessment, in
awarding grants under the pilot program, the Admin-
istrator shall give priority consideration to eligible
entities that—

“(A)(i) serve a predominant number of cus-
tomers considered to be low-income or moderate-
income, as identified in the drinking water needs
assessment; and

“(ii) are subject to consent decrees relating
to compliance with the Federal Water Pollution
Control Act (33 U.S.C. 1251 et seq.) or this title;
or

“(B) develop an equivalent program, as de-
termined by the Administrator, that is adminis-
tered separately by the eligible entity.

“(8) REPORTING REQUIREMENTS.—

“(A) IN GENERAL.—In addition to any
other applicable Federal or agency-specific grant
reporting requirements, as a condition of receiv-
ing a grant under the pilot program, an eligible entity (or a State, on behalf of an eligible entity) shall submit to the Administrator an annual report that summarizes, in a manner determined by the Administrator, the use of grant funds by the eligible entity, including—

“(i) key features of the assistance provided by the eligible entity, including rate structures, rebates, discounts, and related initiatives that assist households, including—

“(I) budget billing;

“(II) bill timing; and

“(III) pretermination protections;

“(ii) sources of funding used to supplement Federal funds; and

“(iii) eligibility criteria.

“(B) Publication.—The Administrator shall publish each report submitted under subparagraph (A).

“(c) TECHNICAL ASSISTANCE.—The Administrator shall provide technical assistance to each eligible entity, and each State, on behalf of an eligible entity, that receives a grant under the pilot program to ensure full implementation of the program.
“(d) REPORT.—Not later than 2 years after the date on which grant funds are first disbursed to an eligible entity (or a State, on behalf of an eligible entity) under the program, and every year thereafter for the duration of the terms of the grants, the Administrator shall submit to Congress a report on the results of the pilot program.”.

SEC. 110. LEAD CONTAMINATION IN SCHOOL DRINKING WATER.

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

(1) in subsection (b)—

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

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

(2) in subsection (d)—

(A) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking “in voluntary testing” and inserting “, public water systems that serve schools and child care programs under the jurisdiction of those local educational agencies, and qualified nonprofit organizations in
voluntary testing or compliance monitoring”;

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

(III) by striking “grants available to States” and inserting the following:

“grants available to—

“(i) States”; and

(IV) by adding at the end the following:

“(ii) tribal consortia to assist tribal education agencies (as defined in section 3 of the National Environmental Education Act (20 U.S.C. 5502)) in voluntary testing for lead contamination in drinking water at schools and child care programs under the jurisdiction of the tribal education agency.”;

(ii) in subparagraph (B)—

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

(II) in clause (ii), by striking the period at the end and inserting a semi-colon; and
(III) by adding at the end the follow-
ing:

“(iii) any public water system that is
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;

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

“(III) provides technical assistance 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 edu-
cational agency, public water system, tribal con-
sortium, or qualified nonprofit organization”;

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

(D) in paragraph (6)—

(i) in the matter preceding subparagraph (A), by inserting “, public water system, tribal consortium, or qualified nonprofit 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) by striking paragraph (8) and inserting the following:

“(8) Authorization of Appropriations.—
There are authorized to be appropriated to carry out this subsection—

“(A) $30,000,000 for each of fiscal years 2022 through 2024;

“(B) $40,000,000 for fiscal year 2025; and

“(C) $50,000,000 for fiscal year 2026.”.
1 SEC. 111. 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     (f);  
21     (3) by striking subsection (c) and inserting the
22     following:
23     “(c) REQUIRED PROJECTS.—
24     “(1) IN GENERAL.—If sufficient projects exist, of
25     the funds made available to carry out this section, the
26     Administrator shall use 50 percent to carry out—
“(A) 10 eligible projects described in subsection (b) that are within the Upper Missouri River Basin;

“(B) 10 eligible projects described in subsection (b) that are within the Upper Rio Grande Basin;

“(C) 10 eligible projects described in subsection (b) that are within the Columbia River Basin;

“(D) 10 eligible projects described in subsection (b) that are within the Lower Colorado River Basin; and

“(E) 10 eligible projects described in subsection (b) that are within the Arkansas-White-Red River Basin.

“(2) REQUIREMENT.—In carrying out paragraph (1)(A), the Administrator shall select not fewer than 2 eligible projects for a reservation that serves more than 1 federally recognized Indian Tribe.

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

“(e) REPORT.—Not later than 2 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to
Congress a report that describes the implementation of the program established under subsection (a), which shall include a description of the use and deployment of amounts made available under that program.”; and

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

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

(B) by striking “subsection (a) $20,000,000” and inserting the following: “subsection (a)—

“(1) $20,000,000”;

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

(D) by adding at the end the following:

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

SEC. 112. ADVANCED DRINKING WATER TECHNOLOGIES.

Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) (as amended by section 109) is amended by adding at the end the following:

“SEC. 1459i. ADVANCED DRINKING WATER TECHNOLOGIES.

“(a) STUDY.—

“(1) IN GENERAL.—Subject to the availability of appropriations, not later than 1 year after the date of enactment of the Drinking Water and Wastewater
Infrastructure Act of 2021, the Administrator shall
carry out a study that examines the state of existing
and potential future technology, including technology
that could address cybersecurity vulnerabilities, that
enhances or could enhance the treatment, monitoring,
affordability, efficiency, and safety of drinking water
provided by a public water system.

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

“(b) ADVANCED DRINKING WATER TECHNOLOGY

GRANT PROGRAM.—

“(1) DEFINITIONS.—In this subsection:

“(A) ELIGIBLE ENTITY.—The term ‘eligible
entity’ means the owner or operator of a public
water system that—

“(i) serves—

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

“(II) an underserved community;

“(iii) has plans to identify or has iden-
tified opportunities in the operations of the
public water system to employ new, exist-
ing, or emerging, yet proven, technologies,
including technology that could address cy-
bersecurity vulnerabilities, as determined by
the Administrator, that enhance treatment,
monitoring, affordability, efficiency, or safe-
ty of the drinking water provided by the
public water system, including technologies
not identified in the study conducted under
subsection (a)(1); and

“(iii) has expressed an interest in the
opportunities in the operation of the public
water system to employ new, existing, or
emerging, yet proven, technologies, includ-
ing technology that could address cybersecu-

rity vulnerabilities, as determined by the
Administrator, that enhance treatment,
monitoring, affordability, efficiency, or safe-
ty 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) 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 identifying, deploying, or identifying and deploying technologies described in paragraph (1)(A)(ii).

“(3) Requirements.—

“(A) Applications.—To be eligible to receive a grant under the program, an eligible entity shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

“(B) Federal share.—

“(i) In general.—Subject to clause (ii), the Federal share of the cost of a project carried out using a grant under the program shall not exceed 90 percent of the total cost of the project.
“(ii) Waiver.—The Administrator may increase the Federal share under clause (i) to 100 percent if the Administrator determines that an eligible entity is unable to pay, or would experience significant financial hardship if required to pay, the non-Federal share.

“(4) Report.—Not later than 2 years after the date on which Administrator first awards a grant under the program, and annually thereafter, the Administrator shall submit to Congress a report describing—

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

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

“(5) Funding.—

“(A) Authorization of Appropriations.—There is authorized to be appropriated to carry out the program $10,000,000 for each of fiscal years 2022 through 2026, to remain available until expended.

“(B) Administrative Costs.—Not more than 2 percent of the amount made available for a fiscal year under subparagraph (A) to carry
out the program may be used by the Administrator for the administrative costs of carrying out the program.”.

**TITLE II—CLEAN WATER**

**SEC. 201. RESEARCH, INVESTIGATIONS, TRAINING, AND INFORMATION.**

(a) REAUTHORIZATION.—Section 104(u) of the Federal Water Pollution Control Act (33 U.S.C. 1254(u)) is amended—

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

and

(2) in paragraph (7)—

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

(B) by striking the period at the end and inserting “; and (8) not to exceed $75,000,000 for each of fiscal years 2022 through 2026 for carrying out subsections (b)(3), (b)(8), and (g), of which not less than $50,000,000 each fiscal year shall be used to carry out subsection (b)(8).”.

(b) COMMUNICATION.—Each nonprofit organization that receives funding under paragraph (8) of section 104(b) of the Federal Water Pollution Control Act (33 U.S.C. 1254(b)) shall, before using that funding to undertake ac-
tivities to carry out that paragraph, consult with the State in which the assistance is to be expended or otherwise made available.

(c) REPORT.—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to Congress a report that describes the implementation of the grants authorized under subsections (b)(3), (b)(8), and (g) of section 104 of the Federal Water Pollution Control Act (33 U.S.C. 1254), which shall include a description of the grant recipients and grant amounts made available to carry out those subsections.

SEC. 202. WASTEWATER EFFICIENCY GRANT PILOT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) PILOT PROGRAM.—The term “pilot program” means the wastewater efficiency grant pilot program established under subsection (b).

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

(b) ESTABLISHMENT.—Subject to the availability of appropriations, the Administrator shall establish a wastewater efficiency grant pilot program to award grants to owners or operators of publicly owned treatment works to
carry out projects that create or improve waste-to-energy systems.

(c) Selection.—

(1) Applications.—To be eligible to receive a grant under the pilot program, an owner or operator of a treatment works shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

(2) Number of Recipients.—The Administrator shall select not more than 15 recipients of grants under the pilot program from applications submitted under paragraph (1).

(d) Use of Funds.—

(1) In General.—Subject to paragraph (2), a recipient of a grant under the pilot program may use grant funds for—

(A) sludge collection;

(B) installation of anaerobic digesters;

(C) methane capture;

(D) methane transfer;

(E) facility upgrades and retrofits necessary to create or improve waste-to-energy systems; and
(F) other new and emerging, but proven, technologies that transform waste to energy.

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

(e) REPORTS.—

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

(2) REPORT TO CONGRESS.—Not later than 1 year after first awarding grants under the pilot program and each year thereafter for which amounts are made available for the pilot program under subsection (f), the Administrator shall submit to Congress a report describing—

(A) the applications received by the Administrator for grants under the pilot program; and

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

(f) AUTHORIZATION OF APPROPRIATIONS.—
(1) IN GENERAL.—There is authorized to be ap-
propriated to carry out the pilot program
$20,000,000 for each of fiscal years 2022 through
2026, to remain available until expended.

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

SEC. 203. PILOT PROGRAM FOR ALTERNATIVE WATER
SOURCE PROJECTS.

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

(1) in subsection (b), in the heading, by striking
“IN GENERAL” and inserting “ESTABLISHMENT”;

(2) in subsection (d)—

(A) by striking paragraph (2); and

(B) by redesignating paragraph (3) as
paragraph (2);

(3) by striking subsection (e);

(4) in subsection (i)—

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

and

(B) in paragraph (1), in the first sentence,
by striking “water or wastewater or by treating
wastewater” and inserting “water, wastewater, or stormwater or by treating wastewater or stormwater”;
(5) in subsection (j)—
(A) in the first sentence, by striking “There is” and inserting the following:
“(1) IN GENERAL.—There is”;
(B) in paragraph (1) (as so designated), by striking “a total of $75,000,000 for fiscal years 2002 through 2004. Such sums shall” and inserting “$35,000,000 for each of fiscal years 2022 through 2026, to”; and
(C) by adding at the end the following:
“(2) LIMITATION ON USE OF FUNDS.—Of the amounts made available for grants under paragraph (1), not more than 2 percent may be used to pay the administrative costs of the Administrator.”; and
(6) by redesignating subsections (b), (c), (d), (i), and (j) as subsections (c), (d), (e), (b), and (i), respectively, and moving those subsections so as to appear in alphabetical order.

SEC. 204. SEWER OVERFLOW AND STORMWATER REUSE MUNICIPAL GRANTS.

Section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301) is amended—
(1) in subsection (a)(1) —

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

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

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

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

(2) in subsection (d)—

(A) in the second sentence, by striking “The non-Federal share of the cost” and inserting the following:

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

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

“(1) IN GENERAL.—Subject to paragraph (2), the Federal”; and

(C) by inserting after paragraph (1) (as so designated) the following:
“(2) Federal share for rural or financially distressed communities.—

“(A) In general.—Subject to subparagraph (B), the Federal share of the cost of an activity carried out using amounts from a grant under subsection (a) in a rural community or a financially distressed community (as those terms are defined in subsection (f)(2)(B)(i)) shall be 90 percent.

“(B) Waiver.—The Administrator may increase the Federal share under subparagraph (A) to 100 percent.”;

(3) in subsection (f)——

(A) by striking paragraph (1) and inserting the following:

“(1) In general.—There is authorized to be appropriated to carry out this section $280,000,000 for each of fiscal years 2022 through 2026.”; and

(B) in paragraph (2)——

(i) by striking “To the extent” and inserting the following:

“(A) Green projects.—To the extent”;

and

(ii) by adding at the end the following:
“(B) Rural or financially distressed community allocation.—

“(i) Definitions.—In this subparagraph:

“(I) Financially distressed community.—The term ‘financially distressed community’ has the meaning given the term in subsection (c)(1).

“(II) Rural community.—The term ‘rural community’ means a city, town, or unincorporated area that has a population of not more than 10,000 inhabitants.

“(ii) Allocation.—

“(I) In general.—To the extent there are sufficient eligible project applications, the Administrator shall ensure that a State uses not less than 25 percent of the amount of the grants made to the State under subsection (a) in a fiscal year to carry out projects in rural communities or financially distressed communities for the purpose of planning, design, and construction of—
“(aa) treatment works to intercept, transport, control, treat, or reuse municipal sewer overflows, sanitary sewer overflows, or stormwater; or

“(bb) any other measures to manage, reduce, treat, or recapture stormwater or subsurface drainage water eligible for assistance under section 603(c).

“(II) RURAL COMMUNITIES.—Of the funds allocated under subclause (I) for the purposes described in that subclause, to the extent there are sufficient eligible project applications, the Administrator shall ensure that a State uses not less than 60 percent to carry out projects in rural communities.”;

and

(4) in subsection (i)—

(A) in the second sentence, by striking “The recommended funding levels” and inserting the following:

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

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

“(1) RECOMMENDED FUNDING LEVELS.—

“(A) IN GENERAL.—Not later”; and

(C) by adding at the end the following:

“(2) USE OF FUNDS.—Not later than 2 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes the implementation of the grant program under this section, which shall include a description of the grant recipients and grant amounts made available under the program.”.

SEC. 205. CLEAN WATER INFRASTRUCTURE RESILIENCY AND SUSTAINABILITY PROGRAM.

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

“SEC. 222. CLEAN WATER INFRASTRUCTURE RESILIENCY AND SUSTAINABILITY PROGRAM.

“(a) DEFINITIONS.—In this section:

“(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—
“(A) a municipality, or

“(B) an intermunicipal, interstate, or State

agency.

“(2) NATURAL HAZARD.—The term ‘natural haz-

ard’ means a hazard caused by natural forces, includ-
ing extreme weather events, sea-level rise, and extreme
drought conditions.

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

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

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

“(1) the conservation of water;

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

“(A) natural and engineered green infrastructure; and

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

“(4) the modification or relocation of an existing publicly owned treatment works, conveyance, or discharge system component that is at risk of being significantly impaired or damaged by a natural hazard;

“(5) the development and implementation of projects to increase the resilience of publicly owned treatment works to a natural hazard or cybersecurity vulnerabilities, as applicable; or

“(6) the enhancement of energy efficiency or the use and generation of recovered or renewable energy in the management, treatment, or conveyance of wastewater or stormwater.

“(d) APPLICATION.—To be eligible to receive a grant under the program, an eligible entity shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require, including—
“(1) a proposal of the project to be planned, designed, or constructed using funds under the program;
“(2) an identification of the natural hazard risk of the area where the proposed project is to be located or potential cybersecurity vulnerability, as applicable, to be addressed by the proposed project;
“(3) documentation prepared by a Federal, State, regional, or local government agency of the natural hazard risk of the area where the proposed project is to be located or potential cybersecurity vulnerability, as applicable, of the area where the proposed project is to be located;
“(4) a description of any recent natural hazard risk of the area where the proposed project is to be located or potential cybersecurity vulnerabilities that have affected the publicly owned treatment works;
“(5) a description of how the proposed project would improve the performance of the publicly owned treatment works under an anticipated natural hazard or natural hazard risk of the area where the proposed project is to be located or a potential cybersecurity vulnerability, as applicable; and
“(6) an explanation of how the proposed project is expected to enhance the resilience of the publicly owned treatment works to a natural hazard risk of
the area where the proposed project is to be located or
a potential cybersecurity vulnerability, as applicable.

“(c) Grant Amount and Other Federal Requirements.—

“(1) Cost Share.—Except as provided in paragraph (2), a grant under the program shall not exceed
75 percent of the total cost of the proposed project.

“(2) Exception.—

“(A) In general.—Except as provided in subparagraph (B), a grant under the program
shall not exceed 90 percent of the total cost of the
proposed project if the project serves a community that—

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

“(ii) meets the affordability criteria established by the State in which the community is located under section 603(i)(2).

“(B) Waiver.—At the discretion of the Administrator, a grant for a project described in
subparagraph (A) may cover 100 percent of the
total cost of the proposed project.

“(3) Requirements.—The requirements of section 608 shall apply to a project funded with a grant
under the program.
“(f) REPORT.—Not later than 2 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to Congress a report that describes the implementation of the program, which shall include an accounting of all grants awarded under the program, including a description of each grant recipient and each project funded using a grant under the program.

“(g) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to carry out this section $35,000,000 for each of fiscal years 2022 through 2026.

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

SEC. 206. SMALL AND MEDIUM PUBLICLY OWNED TREATMENT WORKS CIRCUIT RIDER PROGRAM.

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

“SEC. 223. SMALL AND MEDIUM PUBLICLY OWNED TREATMENT WORKS CIRCUIT RIDER PROGRAM.

“(a) ESTABLISHMENT.—Subject to the availability of appropriations, not later than 180 days after the date of
enactment of this section, the Administrator shall establish
a circuit rider program (referred to in this section as the
‘circuit rider program’) under which the Administrator
shall award grants to qualified nonprofit entities, as deter-
mined by the Administrator, to provide assistance to owners
and operators of small and medium publicly owned treat-
ment works to carry out the activities described in section
602(b)(13).

“(b) LIMITATION.—A grant provided under the circuit
rider program shall be in an amount that is not more than
$75,000.

“(c) COMMUNICATION.—Each qualified nonprofit enti-
ty that receives funding under this section shall, before
using that funding to undertake activities to carry out this
section, consult with the State in which the assistance is
to be expended or otherwise made available.

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

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

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

“(e) AUTHORIZATION OF APPROPRIATIONS.—
“(1) IN GENERAL.—There is authorized to be ap-
propriated to carry out this section $10,000,000 for
the period of fiscal years 2022 through 2026.
“(2) LIMITATION ON USE OF FUNDS.—Of the
amounts made available for grants under paragraph
(1), not more than 2 percent may be used to pay the
administrative costs of the Administrator.”.

SEC. 207. SMALL PUBLICLY OWNED TREATMENT WORKS EF-
IFICENCY GRANT PROGRAM.

Title II of the Federal Water Pollution Control Act (33
U.S.C. 1381 et seq.) (as amended by section 206) is amend-
et by adding at the end the following:

“SEC. 224. SMALL PUBLICLY OWNED TREATMENT WORKS
EFFICIENCY GRANT PROGRAM.

“(a) ESTABLISHMENT.—Subject to the availability of
appropriations, not later than 180 days after the date of
enactment of this section, the Administrator shall establish
an efficiency grant program (referred to in this section as
the ‘efficiency grant program’) under which the Adminis-
trator shall award grants to eligible entities for the replace-
ment or repair of equipment that improves water or energy
efficiency of small publicly owned treatment works, as iden-
tified in an efficiency audit.

“(b) ELIGIBLE ENTITIES.—The Administrator may
award a grant under the efficiency grant program to—"
“(1) an owner or operator of a small publicly owned treatment works that serves—

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

“(B) a disadvantaged community; or

“(2) a nonprofit organization that seeks to assist a small publicly owned treatment works described in paragraph (1) to carry out the activities described in subsection (a).

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

“(1) each recipient of a grant under the efficiency grant program; and

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

“(d) USE OF FUNDS.—

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

“(2) LIMITATION ON USE OF FUNDS.—Of the amounts made available for grants under this section,
not more than 2 percent may be used to pay the ad-
ministrative costs of the Administrator.”

SEC. 208. GRANTS FOR CONSTRUCTION AND REFIN-
ISHING OF INDIVIDUAL HOUSEHOLD DE-
CENTRALIZED WASTEWATER SYSTEMS FOR
INDIVIDUALS WITH LOW OR MODERATE IN-
COME.

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

“SEC. 225. GRANTS FOR CONSTRUCTION AND REFIN-
ISHING OF INDIVIDUAL HOUSEHOLD DE-
CENTRALIZED WASTEWATER SYSTEMS FOR
INDIVIDUALS WITH LOW OR MODERATE IN-
COME.

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

“(b) GRANT PROGRAM.—
“(1) IN GENERAL.—Subject to the availability of appropriations, the Administrator shall establish a program under which the Administrator shall provide grants to private nonprofit organizations for the purpose of improving general welfare by providing assistance to eligible individuals—

“(A) for the construction, repair, or replacement of an individual household decentralized wastewater treatment system; or

“(B) for the installation of a larger decentralized wastewater system designed to provide treatment for 2 or more households in which eligible individuals reside, if—

“(i) site conditions at the households are unsuitable for the installation of an individually owned decentralized wastewater system;

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

“(iii) a larger decentralized wastewater system could be cost-effectively installed.

“(2) APPLICATION.—To be eligible to receive a grant under this subsection, a private nonprofit organization shall submit to the Administrator an appli-
cation at such time, in such manner, and containing
such information as the Administrator determines to
be appropriate.

“(3) PRIORITY.—In awarding grants under this
subsection, the Administrator shall give priority to
applicants that have substantial expertise and experi-
ence in promoting the safe and effective use of indi-
vidual household decentralized wastewater systems.

“(4) ADMINISTRATIVE EXPENSES.—A private
nonprofit organization may use amounts provided
under this subsection to pay the administrative ex-
penses associated with the provision of the services de-
scribed in paragraph (1), as the Administrator deter-
mines to be appropriate.

“(c) GRANTS.—

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

“(2) APPLICATION.—To be eligible to receive the
services described in subsection (b)(1), an eligible in-
dividual shall submit to the private nonprofit organi-
ization serving the area in which the individual house-
hold decentralized wastewater system of the eligible
individuals is, or is proposed to be, located an appli-
cation at such time, in such manner, and containing
such information as the private nonprofit organiza-
tion determines to be appropriate.

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

“(d) REPORT.—Not later than 2 years after the date
of enactment of this section, the Administrator shall submit
to the Committee on Environment and Public Works of the
Senate and the Committee on Transportation and Infra-
structure of the House of Representatives a report describing
the recipients of grants under the program under this sec-
tion and the results of the program under this section.

“(e) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be ap-
propriated to the Administrator to carry out this sec-
tion $50,000,000 for each of fiscal years 2022 through
2026.

“(2) LIMITATION ON USE OF FUNDS.—Of the
amounts made available for grants under paragraph
(1), not more than 2 percent may be used to pay the
administrative costs of the Administrator.”.
SEC. 209. CONNECTION TO PUBLICLY OWNED TREATMENT WORKS.

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

"SEC. 226. CONNECTION TO PUBLICLY OWNED TREATMENT WORKS.

“(a) DEFINITIONS.—In this section:

“(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

“(A) an owner or operator of a publicly owned treatment works that assists or is seeking to assist low-income or moderate-income individuals with connecting the household of the individual to the publicly owned treatment works; or

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

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

“(3) QUALIFIED INDIVIDUAL.—The term ‘qualified individual’ has the meaning given the term ‘eligible individual’ in section 603(g)."
“(b) ESTABLISHMENT.—Subject to the availability of appropriations, the Administrator shall establish a competitive grant program with the purpose of improving general welfare, under which the Administrator awards grants to eligible entities to provide funds to assist qualified individuals in covering the costs incurred by the qualified individual in connecting the household of the qualified individual to a publicly owned treatment works.

“(c) APPLICATION.—

“(1) IN GENERAL.—An eligible entity seeking a grant under the program shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may by regulation require.

“(2) REQUIREMENT.—Not later than 90 days after the date on which the Administrator receives an application from an eligible entity under paragraph (1), the Administrator shall notify the eligible entity of whether the Administrator will award a grant to the eligible entity under the program.

“(d) SELECTION CRITERIA.—In selecting recipients of grants under the program, the Administrator shall use the following criteria:
“(1) Whether the eligible entity seeking a grant provides services to, or works directly with, qualified individuals.

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

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

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

“(c) Requirements.—

“(1) Voluntary Connection.—Before providing funds to a qualified individual for the costs described in subsection (b), an eligible entity shall ensure that—

“(A) the qualified individual has connected to the publicly owned treatment works voluntarily; and

“(B) if the eligible entity is not the owner or operator of the publicly owned treatment works to which the qualified individual has connected, the publicly owned treatment works to which the qualified individual has connected has agreed to the connection.
“(2) Reimbursements from publicly owned treatment works.—An eligible entity that is an owner or operator of a publicly owned treatment works may reimburse a qualified individual that has already incurred the costs described in subsection (b) by—

“(A) reducing the amount otherwise owed by the qualified individual to the owner or operator for wastewater or other services provided by the owner or operator; or

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

“(f) Authorization of Appropriations.—

“(1) In general.—There is authorized to be appropriated to carry out the program $40,000,000 for each of fiscal years 2022 through 2026.

“(2) Limitations on use of funds.—

“(A) Small systems.—Of the amounts made available for grants under paragraph (1), to the extent that there are sufficient applications, not less than 15 percent shall be used to make grants to—

“(i) eligible entities described in subsection (a)(1)(A) that are owners and oper-
ators of publicly owned treatment works
that serve fewer than 3,300 people; and

“(iii) eligible entities described in sub-
section (a)(1)(B) that provide the assistance
described in that subsection in areas that
are served by publicly owned treatment
works that serve fewer than 3,300 people.

“(B) ADMINISTRATIVE COSTS.—Of the
amounts made available for grants under para-
graph (1), not more than 2 percent may be used
to pay the administrative costs of the Adminis-
trator.”.

SEC. 210. CLEAN WATER STATE REVOLVING FUNDS.

(a) USE OF FUNDS.—

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

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

(B) in subsection (i)—

(i) in paragraph (1), in the matter
preceding subparagraph (A), by striking “,
including forgiveness of principal and nega-
tive interest loans” and inserting “(includ-
ing forgiveness of principal, grants, negative interest loans, other loan forgiveness, and through buying, refinancing, or restructuring debt); and

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

“(B) TOTAL AMOUNT OF SUBSIDIZATION.—
For each fiscal year, of the amount of the capitalization grant received by the State under this title, the total amount of additional subsidization made available by a State under paragraph (1)—

“(i) may not exceed 30 percent; and

“(ii) to the extent that there are sufficient applications for assistance to communities described in that paragraph, may not be less than 10 percent.”; and

(C) by adding at the end the following:

“(k) ADDITIONAL USE OF FUNDS.—A State may use an additional 2 percent of the funds annually allotted to each State under this section for nonprofit organizations (as defined in section 104(v)) to provide technical assistance to rural, small, and tribal publicly owned treatment works (within the meaning of section 104(b)(8)(B)) in the State.”.
(3) Technical Amendment.—Section 104(w) of the Federal Water Pollution Control Act (33 U.S.C. 1254(w)) is amended by striking “treatments works” and inserting “treatment works”.

(b) Capitalization Grant Reauthorization.—Section 607 of the Federal Water Pollution Control Act (33 U.S.C. 1387) is amended to read as follows:


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

“(1) $2,400,000,000 for fiscal year 2022;

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

“(3) $3,000,000,000 for fiscal year 2024; and

“(4) $3,250,000,000 for each of fiscal years 2025 and 2026.”.

SEC. 211. WATER INFRASTRUCTURE AND WORKFORCE INVESTMENT.

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

(1) in subsection (a)(3)—

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

(B) in subparagraph (B), by striking “community-based organizations” and all that follows through the period at the end and inserting the
following: “community-based organizations and public works departments or agencies to align water and wastewater utility workforce recruitment efforts, training programs, retention efforts, and community resources with water and wastewater utilities—

“(i) to accelerate career pipelines;
“(ii) to ensure the sustainability of the water and wastewater utility workforce; and
“(iii) to provide access to workforce opportunities.”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking subparagraph (B);

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

(iii) in the matter preceding subparagraph (A), by striking “program—” and all that follows through “to assist” in subparagraph (A) and inserting “program to assist”; and

(iv) by adding at the end the following:

“(A) expanding the use and availability of activities and resources that relate to the recruit-
ment, including the promotion of diversity with-
in that recruitment, of individuals to careers in
the water and wastewater utility sector;

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

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

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

“(C) expanding the use and availability of
activities and strategies, including the develop-
ment of innovative activities and strategies, that
relate to the maintenance and retention of a sus-
tainable workforce in the water and wastewater
utility sector.”;

(B) in paragraph (2)—

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

(ii) in subparagraph (A)—

(I) by striking clauses (ii) and

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

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

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

“(i) in the development of educational or recruitment materials and activities, including those materials and activities that specifically promote diversity within recruitment, for the water and wastewater utility workforce;”; and

(V) by adding at the end the following:

“(iii) developing activities and strategies that relate to the maintenance and retention of a sustainable workforce in the water and wastewater utility sector; and”;

(C) in paragraph (3)—

(i) in subparagraph (D)(ii), by inserting “or certification” after “training”; and

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

(D) by striking paragraph (4) and inserting the following:

“(4) WORKING GROUP; REPORT.—

“(A) IN GENERAL.—The Administrator shall establish and coordinate a Federal interagency working group to address recruitment, training, and retention challenges in the water and wastewater utility workforce, which shall include representatives from—

“(i) the Department of Education;
“(ii) the Department of Labor;
“(iii) the Department of Agriculture;
“(iv) the Department of Veterans Affairs; and

“(v) other Federal agencies, as determined to be appropriate by the Administrator.

“(B) REPORT.—Not later than 2 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator, in coordination with the working group established under subparagraph (A), shall submit to Congress a report describing potential
solutions to recruitment, training, and retention challenges in the water and wastewater utility workforce.

“(C) CONSULTATION.—In carrying out the duties of the working group established under subparagraph (A), the working group shall consult with State operator certification programs.

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

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

(4) by inserting before subsection (b) (as so redesignated) the following:

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

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

Section 303(e) of the Safe Drinking Water Act Amendments of 1996 (33 U.S.C. 1263a(e)) is amended by striking “this section” and all that follows through the period at the end and inserting the following: “this section—

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

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

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

SEC. 213. WATER DATA SHARING PILOT PROGRAM.

(a) Establishment.—

(1) In general.—Subject to the availability of appropriations, the Administrator shall establish a competitive grant pilot program (referred to in this section as the “pilot program”) under which the Administrator may award grants to eligible entities under subsection (b) to establish systems that improve the sharing of information concerning water quality, water infrastructure needs, and water technology, including cybersecurity technology, between States or among counties and other units of local government within a State, which may include—

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

(B) intercounty communications initiatives
related to water data.

(2) REQUIREMENTS.—

(A) DATA SHARING.—The Internet of Water
principles developed by the Nicholas Institute for
Environmental Policy Solutions shall, to the ex-
tent practicable, guide any water data sharing
efforts under the pilot program.

(B) USE OF EXISTING DATA.—The recipient
of a grant under the pilot program to establish
a website or data hub described in paragraph
(1)(A) shall, to the extent practicable, leverage
existing data sharing infrastructure.

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

(1) a State, county, or other unit of local govern-
ment that—

(A) has a coastal watershed with significant
pollution levels;

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

(C) has significant individual water infra-
structure deficits; or
(2) a regional consortium established under subsection (d).

(c) APPLICATIONS.—To be eligible to receive a grant under the pilot program, an eligible entity under subsection (b) shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

(d) REGIONAL CONSORTIA.—

(1) ESTABLISHMENT.—States may establish regional consortia in accordance with this subsection.

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

(A) include not fewer than 2 States that have entered into a memorandum of understanding—

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

(ii) to share information, protocols, and procedures with respect to projects that evaluate, demonstrate, or install new and emerging, but proven, water technology;

(B) carry out projects—

(i) to exchange water data, including data on water quality; or
(ii) that evaluate, demonstrate, or install new and emerging, but proven, water technology; and

(C) develop a regional intended use plan, in accordance with paragraph (3), to identify projects to carry out, including projects using grants received under this section.

(3) REGIONAL INTENDED USE PLAN.—A regional intended use plan of a regional consortium established under paragraph (1)—

(A) shall identify projects that the regional consortium intends to carry out, including projects that meet the requirements of paragraph (2)(B); and

(B) may include—

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

(ii) projects not included in an intended use plan of a State prepared under section 606(c) of the Federal Water Pollution Control Act (33 U.S.C. 1386(c)) within the regional consortium.
(e) REPORT.—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to Congress a report that describes the implementation of the pilot program, which shall include—

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

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

(f) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the pilot program $15,000,000 for each of fiscal years 2022 through 2026, to remain available until expended.

(2) REQUIREMENT.—Of the funds made available under paragraph (1), not more than 35 percent may be used to provide grants to regional consortia established under subsection (d).

SEC. 214. FINAL RATING OPINION LETTERS.

opinion letters from at least 2 rating agencies” and inserting “a final rating opinion letter from at least 1 rating agency”.

SEC. 215. WATER INFRASTRUCTURE FINANCING REAUTHORIZATION.

(a) APPLICATIONS.—Section 5023 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3902) is amended by adding at the end the following:

“(c) BUDGETARY TREATMENT.—If the recipient of financial assistance under this subtitle is an eligible entity other than a Federal entity, agency, or instrumentality and the dedicated sources of repayment of that financial assistance are non-Federal revenue sources, the project or asset for which financial assistance is being provided shall, for purposes of budgetary treatment under the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.)—

“(1) be deemed to be non-Federal; and

“(2) be treated as a direct loan or loan guarantee.”;

(b) REAUTHORIZATION.—Section 5033 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3912) is amended—

(1) in subsection (a), by adding at the end the following:
“(3) Fiscal Years 2022 Through 2026.—There
is authorized to be appropriated to the Administrator
to carry out this subtitle $50,000,000 for each of fiscal
years 2022 through 2026, to remain available until
expended.”;

(2) in subsection (b)(2)—

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

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

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

SEC. 216. SMALL AND DISADVANTAGED COMMUNITY ANAL-
YSIS.

(a) Analysis.—Not later than 2 years after the date
of enactment of this Act, using environmental justice data
of the Environmental Protection Agency, including data
from the environmental justice mapping and screening tool
of the Environmental Protection Agency, the Administrator
shall carry out an analysis under which the Administrator
shall assess the programs under title VI of the Federal
Water Pollution Control Act (33 U.S.C. 1381 et seq.) and
section 1452 of the Safe Drinking Water Act (42 U.S.C.
300j–12) to identify historical distributions of funds to
small and disadvantaged communities and new opportuni-
ties and methods to improve on the distribution of funds
under those programs to low-income communities, rural
communities, minority communities, and communities of
indigenous peoples, in accordance with Executive Order
12898 (42 U.S.C. 4321 note; 60 Fed. Reg. 6381; relating
to Federal actions to address environmental justice in mi-
nority populations and low-income populations)).

(b) REPORT.—On completion of the analysis under
subsection (a), the Administrator shall submit to the Com-
mittee on Environment and Public Works of the Senate and
the Committees on Energy and Commerce and Transpor-
tation and Infrastructure of the House of Representatives
a report describing—

(1) the results of the analysis; and

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

SEC. 217. STORMWATER INFRASTRUCTURE TECHNOLOGY.

(a) DEFINITIONS.—In this section:

(1) CENTER.—The term “center” means a center
of excellence for stormwater control infrastructure es-
tablished under subsection (b)(1).

(2) ELIGIBLE ENTITY.—The term “eligible enti-
ity” means—

(A) a State, Tribal, or local government; or
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(B) a local, regional, or other public entity that manages stormwater or wastewater resources or other related water infrastructure.

(3) **ELIGIBLE INSTITUTION.**—The term “eligible institution” means an institution of higher education, a research institution, or a nonprofit organization—

(A) that has demonstrated excellence in researching and developing new and emerging stormwater control infrastructure technologies; and

(B) with respect to a nonprofit organization, the core mission of which includes water management, as determined by the Administrator.

(b) **CENTERS OF EXCELLENCE FOR STORMWATER CONTROL INFRASTRUCTURE TECHNOLOGIES.**—

(1) **ESTABLISHMENT OF CENTERS.**—

(A) **IN GENERAL.**—Subject to the availability of appropriations, the Administrator shall provide grants, on a competitive basis, to eligible institutions to establish and maintain not less than 3, and not more than 5, centers of excellence for new and emerging stormwater control infrastructure technologies, to be located in various regions throughout the United States.
(B) General Operation.—Each center shall—

(i) conduct research on new and emerging stormwater control infrastructure technologies that are relevant to the geographical region in which the center is located, including stormwater and sewer overflow reduction, other approaches to water resource enhancement, alternative funding approaches, and other environmental, economic, and social benefits, with the goal of improving the effectiveness, cost efficiency, and protection of public safety and water quality;

(ii) maintain a listing of—

(I) stormwater control infrastructure needs; and

(II) an analysis of new and emerging stormwater control infrastructure technologies that are available;

(iii) analyze whether additional financial programs for the implementation of new and emerging, but proven, stormwater
control infrastructure technologies would be useful;

(iv) provide information regarding research conducted under clause (i) to the national electronic clearinghouse center for publication on the Internet website established under paragraph (3)(B)(i) to provide to the Federal Government and State, Tribal, and local governments and the private sector information regarding new and emerging, but proven, stormwater control infrastructure technologies;

(v) provide technical assistance to State, Tribal, and local governments to assist with the design, construction, operation, and maintenance of stormwater control infrastructure projects that use innovative technologies;

(vi) collaborate with institutions of higher education and private and public organizations, including community-based public-private partnerships and other stakeholders, in the geographical region in which the center is located; and
(vii) coordinate with the other centers to avoid duplication of efforts.

(2) APPLICATION.—To be eligible to receive a grant under this subsection, an eligible institution shall prepare and submit to the Administrator an application at such time, in such form, and containing such information as the Administrator may require.

(3) NATIONAL ELECTRONIC CLEARINGHOUSE CENTER.—Of the centers established under paragraph (1)(A), 1 shall—

(A) be designated as the “national electronic clearinghouse center”; and

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

(i) develop, operate, and maintain an Internet website and a public database that contains information relating to new and emerging, but proven, stormwater control infrastructure technologies; and

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

(4) AUTHORIZATION OF APPROPRIATIONS.—

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

(B) Limitation on use of funds.—Of the amounts made available for grants under subparagraph (A), not more than 2 percent may be used to pay the administrative costs of the Administrator.

(c) Stormwater Control Infrastructure Project Grants.—

(1) Grant authority.—Subject to the availability of appropriations, the Administrator shall provide grants, on a competitive basis, to eligible entities to carry out stormwater control infrastructure projects that incorporate new and emerging, but proven, stormwater control technologies in accordance with this subsection.

(2) Stormwater Control Infrastructure Projects.—

(A) Planning and development grants.—The Administrator may make planning and development grants under this subsection for the following projects:

(i) Planning and designing stormwater control infrastructure projects that incorporate new and emerging, but proven,
stormwater control technologies, including engineering surveys, landscape plans, maps, long-term operations and maintenance plans, and implementation plans.

(ii) Identifying and developing standards necessary to accommodate stormwater control infrastructure projects, including those projects that incorporate new and emerging, but proven, stormwater control technologies.

(iii) Identifying and developing financial structures to provide financial support for design, installation, and operations and maintenance of stormwater control infrastructure, including new and emerging, but proven, stormwater control infrastructure technologies.

(iv) Developing approaches for community-based public-private partnerships for the financing and construction of stormwater control infrastructure technologies, including feasibility studies, stakeholder outreach, and needs assessments.

(v) Developing and delivering training and educational materials regarding new
and emerging, but proven, stormwater control infrastructure technologies for distribution to—

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

(II) the public.

(B) Implementation Grants.—The Administrator may make implementation grants under this subsection for the following projects:

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

(ii) Protecting or restoring interconnected networks of natural areas that protect water quality.

(iii) Monitoring and evaluating the environmental, economic, or social benefits of stormwater control infrastructure technologies that incorporate new and emerging, but proven, stormwater control technology.

(iv) Implementing a best practices standard for stormwater control infrastructure programs.

(3) Application.—Except as otherwise provided in this section, to be eligible to receive a grant under
this subsection, an eligible entity shall prepare and submit to the Administrator an application at such time, in such form, and containing such information as the Administrator may require, including, as applicable—

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

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

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

(D) a plan for the long-term operation and maintenance of the stormwater control infrastructure project and a tracking system, such as asset management practices.

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

(A) a community that—
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(i) has municipal combined storm and sanitary sewers in the collection system of the community; or

(ii) is a small, rural, or disadvantaged community, as determined by the Administrator; or

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

(5) **Maximum amounts.**—

(A) **Planning and development grants.**—

(i) **Single grant.**—The amount of a single planning and development grant provided under this subsection shall not be more than $200,000.

(ii) **Aggregate amount.**—The total amount of all planning and development grants provided under this subsection for a fiscal year shall be not more than 1/2 of the total amount made available to carry out this subsection.

(B) **Implementation grants.**—
(i) Single Grant.—The amount of a single implementation grant provided under this subsection shall be not more than $2,000,000.

(ii) Aggregate Amount.—The total amount of all implementation grants provided under this subsection for a fiscal year shall be not more than 9/10 of the total amount made available to carry out this subsection.

(6) Federal Share.—

(A) In General.—Except as provided in subparagraph (C), the Federal share of a grant provided under this subsection shall not exceed 80 percent of the total project cost.

(B) Credit for Implementation Grants.—The Administrator shall credit toward the non-Federal share of the cost of an implementation project carried out under this subsection the cost of planning, design, and construction work completed for the project using funds other than funds provided under this section.

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

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

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

(2) a detailed description of—

(A) the projects supported by those grants;

and

(B) the outcomes of those projects;

(3) a description of the improvements in technology, environmental benefits, resources conserved, efficiencies, and other benefits of the projects funded under this section;

(4) recommendations for improvements to promote and support new and emerging, but proven, stormwater control infrastructure, including research into new and emerging technologies, for the centers, grants, and activities under this section; and

(5) a description of existing challenges concerning the use of new and emerging, but proven, stormwater control infrastructure.
(c) Authorization of Appropriations.—

(1) In general.—There is authorized to be appropriated to carry out this section (except for subsection (b)) $10,000,000 for each of fiscal years 2022 through 2026.

(2) Limitation on use of funds.—Of the amounts made available for grants under paragraph (1), not more than 2 percent may be used to pay the administrative costs of the Administrator.


(a) In General.—Not later than 180 days after the date of enactment of this Act, the Administrator shall establish a Water Reuse Interagency Working Group (referred to in this section as the “Working Group”).

(b) Purpose.—The purpose of the Working Group is to develop and coordinate actions, tools, and resources to advance water reuse across the United States, including through the implementation of a National Water Reuse Action Plan that creates opportunities for water reuse in the mission areas of each of the Federal agencies included in the Working Group under subsection (c) (referred to in this section as the “Action Plan”).

(c) Chairperson; Membership.—The Working Group shall be—

(1) chaired by the Administrator; and
(2) comprised of senior representatives from such Federal agencies as the Administrator determines to be appropriate.

(d) DUTIES OF THE WORKING GROUP.—In carrying out this section, the Working Group shall—

(1) with respect to water reuse, leverage the expertise of industry, the research community, non-governmental organizations, and government;

(2) seek to foster water reuse as an important component of integrated water resources management;

(3) conduct an assessment of new opportunities to advance water reuse and annually update the Action Plan with new actions, as necessary, to pursue those opportunities;

(4) seek to coordinate Federal programs and policies to support the adoption of water reuse;

(5) consider how each Federal agency can explore and identify opportunities to support water reuse through the programs and activities of that Federal agency; and

(6) consult, on a regular basis, with representatives of relevant industries, the research community, and nongovernmental organizations.
(e) REPORT.—Not less frequently than once every 2 years, the Administrator shall submit to Congress a report on the activities and findings of the Working Group.

(f) SUNSET.—

(1) IN GENERAL.—Subject to paragraph (2), the Working Group shall terminate on the date that is 6 years after the date of enactment of this Act.

(2) EXTENSION.—The Administrator may extend the date of termination of the Working Group under paragraph (1).

SEC. 219. ADVANCED CLEAN WATER TECHNOLOGIES STUDY.

(a) IN GENERAL.—Subject to the availability of appropriations, not later than 2 years after the date of enactment of this Act, the Administrator shall carry out a study that examines the state of existing and potential future technology, including technology that could address cybersecurity vulnerabilities, that enhances or could enhance the treatment, monitoring, affordability, efficiency, and safety of wastewater services provided by a treatment works (as defined in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292)).

(b) REPORT.—The Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House
of Representatives a report that describes the results of the study under subsection (a).

SEC. 220. CLEAN WATERSHEDS NEEDS SURVEY.

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

"SEC. 609. CLEAN WATERSHEDS NEEDS SURVEY.

"(a) REQUIREMENT.—Not later than 2 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, and not less frequently than once every 4 years thereafter, the Administrator shall—

"(1) conduct and complete an assessment of capital improvement needs for all projects that are eligible under section 603(c) for assistance from State water pollution control revolving funds; and

"(2) submit to Congress a report describing the results of the assessment completed under paragraph (1).

"(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the initial needs survey under subsection (a) $5,000,000, to remain available until expended."