

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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COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

ONE HUNDRED SEVENTEENTH CONGRESS

FIRST SESSION

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C O N T E N T S

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APRIL 14, 2021

OPENING STATEMENT

Carper, Hon. Thomas R., U.S. Senator from the State of Delaware	1
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LEGISLATION

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	3
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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.

Present: Senators Carper, Capito, Cardin, Whitehouse, Markey, Kelly, Padilla, Inhofe, Cramer, Lummis, Boozman, and Ernst.

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 landmine.

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

[The referenced legislation follows:]

Calendar No. 34117TH 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,*

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

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

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

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

TITLE I—DRINKING WATER

Sec. 101: Technical assistance and grants for emergencies affecting public
 water systems.
 Sec. 102: Drinking water State revolving loan funds.
 Sec. 103: Source water petition program.
 Sec. 104: Assistance for small and disadvantaged communities.
 Sec. 105: Reducing lead in drinking water.
 Sec. 106: Operational sustainability of small public water systems.
 Sec. 107: Midsize and large drinking water system infrastructure resilience and
 sustainability program.
 Sec. 108: Needs assessment for nationwide rural and urban low-income commu-
 nity water assistance.
 Sec. 109: Lead contamination in school drinking water.
 Sec. 110: Indian reservation drinking water program.
 Sec. 111: 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: Sewer overflow and stormwater reuse municipal grants.
 Sec. 205: Clean water infrastructure resiliency and sustainability program.
 Sec. 206: Small and medium publicly owned treatment works circuit rider pro-
 gram.
 Sec. 207: Small publicly owned treatment works efficiency grant program.
 Sec. 208: Grants for construction, refurbishing, and servicing of individual
 household decentralized wastewater systems for individuals
 with low or moderate income.
 Sec. 209: Connection to publicly owned treatment works.
 Sec. 210: Clean water State revolving funds.
 Sec. 211: Water infrastructure and workforce investment.
 Sec. 212: Grants to Alaska to improve sanitation in rural and Native villages.
 Sec. 213: Water data sharing pilot program.
 Sec. 214: Final rating opinion letters.
 Sec. 215: Water infrastructure financing reauthorization.
 Sec. 216: Small and disadvantaged community analysis.
 Sec. 217: Stormwater infrastructure technology.
 Sec. 218: Water Reuse Interagency Working Group.

~~Sec. 219. Advanced clean water technologies study.~~

~~Sec. 220. Clean water infrastructure needs survey.~~

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

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

4 **~~TITLE I—DRINKING WATER~~**

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

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

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

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

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

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

20 “(d) **AUTHORIZATION OF APPROPRIATIONS.**—There
21 is authorized to be appropriated to carry out subsection
22 (b) \$35,000,000 for each of fiscal years 2022 through
23 2026.”;

1 ~~(3)~~ in subsection (c); by striking paragraph ~~(5)~~
2 and inserting the following:

3 ~~“(5) AUTHORIZATION OF APPROPRIATIONS.—~~

4 There is authorized to be appropriated to the Ad-
5 ministrator to carry out this subsection \$15,000,000
6 for each of fiscal years 2022 through 2026.”;

7 ~~(4)~~ by redesignating subsection (f) as sub-
8 section (g); and

9 ~~(5)~~ by inserting after subsection (c) the fol-
10 lowing:

11 ~~“(f) STATE-BASED NONPROFIT ORGANIZATIONS.—~~

12 The Administrator may provide technical assistance con-
13 sistent with the authority provided under subsection (c)
14 to State-based nonprofit organizations that are governed
15 by community water systems.”.

16 **SEC. 102. DRINKING WATER STATE REVOLVING LOAN**
17 **FUNDS.**

18 ~~(a) DRINKING WATER STATE REVOLVING FUNDS~~

19 **CAPITALIZATION GRANT REAUTHORIZATION.—**Section

20 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-
21 12) is amended—

22 ~~(1)~~ in subsection (a)(4)(A), by striking “During
23 fiscal years 2019 through 2023; funds” and insert-
24 ing “Funds”;

25 ~~(2)~~ in subsection (m)(1)—

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

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

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

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

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

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

10 and

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

13 (3) in subsection (q), by striking “2016 through
14 2021” and inserting “2022 through 2026”.

15 (b) ASSISTANCE FOR DISADVANTAGED COMMU-
16 NITIES.—Section 1452(d) of the Safe Drinking Water Act
17 (42 U.S.C. 300j-12(d)) is amended—

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

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

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

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

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

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

6 (1) in subsection (a)—

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

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

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

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

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

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

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

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

10 (1) in subsection (b)(2)—

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

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

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

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

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

23 “(i) the need for filtration and filter
24 safety, including proper use and mainte-
25 nance practices; and

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

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

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

12 “(A) an eligible entity; or

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

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

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

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

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

4 ~~“(1) \$60,000,000 for fiscal year 2022;~~

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

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

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

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

9 ~~(5) in subsection (1)—~~

10 ~~(A) in paragraph (2)—~~

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

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

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

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

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

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

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

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

15 ~~(b) CONNECTION TO PUBLIC WATER SYSTEMS.—~~

16 ~~Section 1459A of the Safe Drinking Water Act (42 U.S.C.~~
 17 ~~300j-19a) is amended by adding at the end the following:~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11 “(C) whether it is economically feasible for
12 an eligible entity to provide the assistance de-
13 scribed in paragraph (2); and

14 “(D) whether it is technically feasible for
15 an eligible entity to provide the assistance de-
16 scribed in paragraph (2).

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

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

23 “(B) if the eligible entity is not the owner
24 or operator of the public water system to which
25 the eligible individual seeks to connect, the pub-

1 lie water system to which the eligible individual
 2 seeks to connect has agreed to the connection;
 3 and

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

8 ~~“(6) REPORT.—Not later than 2 years after the~~
 9 date of enactment of the Drinking Water and
 10 Wastewater Infrastructure Act of 2021, the Admin-
 11 istrator shall submit to Congress a report that de-
 12 scribes the implementation of the program, which
 13 shall include a description of the use and deployment
 14 of amounts made available under the program.

15 ~~“(7) AUTHORIZATION OF APPROPRIATIONS.—~~
 16 There is authorized to be appropriated to carry out
 17 the program \$20,000,000 for each of fiscal years
 18 2022 through 2026.”.

19 ~~(c) COMPETITIVE GRANT PILOT PROGRAM.—Section~~
 20 1459A of the Safe Drinking Water Act (42 U.S.C. 300j-
 21 19a) (as amended by subsection (b)) is amended by adding
 22 at the end the following:

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

1 ~~“(1) IN GENERAL.—~~In addition to amounts au-
 2 thorized to be appropriated under subsection (k);
 3 there is authorized to be appropriated to carry out
 4 subsections (a) through (j) \$50,000,000 for each of
 5 fiscal years 2022 through 2026 in accordance with
 6 paragraph (2).

7 ~~“(2) COMPETITIVE GRANTS.—~~

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

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

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

1 ~~“(3) REPORT.—~~Not later than 2 years after the
 2 date of enactment of the Drinking Water and
 3 Wastewater Infrastructure Act of 2021, the Admin-
 4 istrator shall submit to Congress a report that de-
 5 scribes the implementation of the competitive grant
 6 program under paragraph (2)(A); which shall in-
 7 clude a description of the use and deployment of
 8 amounts made available under the competitive grant
 9 program.

10 ~~“(4) SAVINGS PROVISION.—~~Nothing in this
 11 paragraph affects the distribution of amounts made
 12 available under subsection (k); including any meth-
 13 ods used by the Administrator for distribution of
 14 amounts made available under that subsection as in
 15 effect on the day before the date of enactment of
 16 this subsection.”.

17 **~~SEC. 105. REDUCING LEAD IN DRINKING WATER.~~**

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

20 (1) in subsection (d)—

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

23 (B) by striking “\$60,000,000 for each of
 24 fiscal years 2017 through 2021” and inserting

1 “\$100,000,000 for each of fiscal years 2022
2 through 2026”;

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

5 (3) by inserting after subsection (e) the fol-
6 lowing:

7 “(d) LEAD MAPPING UTILIZATION GRANT PILOT
8 PROGRAM.—

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

10 “(A) ELIGIBLE ENTITY.—The term ‘eligi-
11 ble entity’ means a municipality that is served
12 by a community water system or a nontransient
13 noncommunity water system in which not less
14 than 30 percent of the service lines are known;
15 or likely to contain, lead service lines.

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

19 “(2) ESTABLISHMENT.—The Administrator
20 shall establish a pilot program under which the Ad-
21 ministrator shall provide grants to eligible entities to
22 carry out lead reduction projects that are dem-
23 onstrated to exist based on existing lead mapping of
24 those eligible entities.

25 “(3) SELECTION.—

1 ~~“(A) APPLICATION.—To be eligible to re-~~
2 ~~ceive a grant under the pilot program, an eligi-~~
3 ~~ble entity shall submit to the Administrator an~~
4 ~~application at such time, in such manner, and~~
5 ~~containing such information as the Adminis-~~
6 ~~trator may require.~~

7 ~~“(B) PRIORITIZATION.—In selecting recipi-~~
8 ~~ents under the pilot program, the Administrator~~
9 ~~shall give priority to an eligible entity that~~
10 ~~meets the affordability criteria established by~~
11 ~~the applicable State.~~

12 ~~“(4) REPORT.—Not later 2 years after the Ad-~~
13 ~~ministrator first awards a grant under the pilot pro-~~
14 ~~gram, the Administrator shall submit to the Com-~~
15 ~~mittee on Environment and Public Works of the~~
16 ~~Senate and the Committee on Energy and Com-~~
17 ~~merce of the House of Representatives a report de-~~
18 ~~scribing—~~

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

21 ~~“(B) the existing lead mapping that was~~
22 ~~available to recipients of grants under the pilot~~
23 ~~program; and~~

1 ~~“(C) how useful and accurate the lead~~
 2 ~~mapping described in subparagraph (B) was in~~
 3 ~~locating lead contaminants of the eligible entity.~~

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

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

10 Part E of the Safe Drinking Water Act (42 U.S.C.
 11 300j et seq.) is amended by adding at the end the fol-
 12 lowing:

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

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

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

18 ~~“(A) a unit of local government;~~

19 ~~“(B) a public corporation established by a~~
 20 ~~unit of local government to provide water serv-~~
 21 ~~ice;~~

22 ~~“(C) a nonprofit corporation, public trust,~~
 23 ~~or cooperative association that owns or operates~~
 24 ~~a public water system; and~~

1 ~~“(D) an Indian Tribe that owns or oper-~~
 2 ~~ates a public water system.~~

3 ~~“(2) OPERATIONAL SUSTAINABILITY.—The~~
 4 ~~term ‘operational sustainability’ means the ability to~~
 5 ~~improve the operation of a small system through the~~
 6 ~~identification and prevention of potable water loss~~
 7 ~~due to leaks, breaks, and other metering or infra-~~
 8 ~~structure failures.~~

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

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

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

14 ~~“(B) is owned or operated by—~~

15 ~~“(i) a unit of local government;~~

16 ~~“(ii) a public corporation;~~

17 ~~“(iii) a nonprofit corporation;~~

18 ~~“(iv) a public trust;~~

19 ~~“(v) a cooperative association; or~~

20 ~~“(vi) an Indian Tribe.~~

21 ~~“(b) ESTABLISHMENT.—Subject to the availability of~~
 22 ~~appropriations, the Administrator shall establish a pro-~~
 23 ~~gram to award grants to eligible entities for the purpose~~
 24 ~~of improving the operational sustainability of 1 or more~~
 25 ~~small systems.~~

1 ~~“(c) APPLICATIONS.—To be eligible to receive a grant~~
 2 ~~under the program, an eligible entity shall submit to the~~
 3 ~~Administrator an application at such time, in such man-~~
 4 ~~ner, and containing such information as the Administrator~~
 5 ~~may require, including—~~

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

8 ~~“(2) documentation prepared by the eligible en-~~
 9 ~~tity describing the deficiencies or suspected defi-~~
 10 ~~ciencies in operational sustainability of 1 or more~~
 11 ~~small systems that are to be addressed through the~~
 12 ~~proposed project;~~

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

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

21 ~~“(5)(A) if the eligible entity is located in a~~
 22 ~~State that has established a State drinking water~~
 23 ~~treatment revolving loan fund under section 1452, a~~
 24 ~~copy of a written agreement between the eligible en-~~
 25 ~~tity and the State in which the eligible entity agrees~~

1 to provide a copy of any data collected under the
 2 proposed project to the State agency administering
 3 the State drinking water treatment revolving loan
 4 fund (or a designee); or

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

13 “(6) any additional information the Adminis-
 14 trator may require.

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

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

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

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

6 “(B) global positioning system software;

7 “(3) the deployment of leak detection tech-
8 nology;

9 “(4) the deployment of metering technology;

10 “(5) training in asset management strategies;
11 techniques; and technologies for appropriate staff
12 employed by—

13 “(A) the eligible entity; or

14 “(B) the small systems for which the grant
15 was received;

16 “(6) the deployment of strategies, techniques,
17 and technologies to enhance the operational sustain-
18 ability and effective use of water resources through
19 water reuse; and

20 “(7) the development or deployment of other
21 strategies, techniques, or technologies that the Ad-
22 ministrator may determine to be appropriate under
23 the program.

24 “(c) COST SHARE.—

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

5 ~~“(2) WAIVER.—The Administrator may in-~~
 6 ~~crease the Federal share under paragraph (1) to 100~~
 7 ~~percent.~~

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

15 ~~“(g) AUTHORIZATION OF APPROPRIATIONS.—There~~
 16 ~~is authorized to be appropriated to carry out this section~~
 17 ~~\$50,000,000 for each of fiscal years 2022 through 2026.”.~~

18 ~~**SEC. 107. MIDSIZE AND LARGE DRINKING WATER SYSTEM**~~
 19 ~~**INFRASTRUCTURE RESILIENCE AND SUS-**~~
 20 ~~**TAINABILITY PROGRAM.**~~

21 ~~Part E of the Safe Drinking Water Act (42 U.S.C.~~
 22 ~~300j et seq.) (as amended by section 106) is amended by~~
 23 ~~adding at the end the following:~~

1 **“SEC. 1459F. MIDSIZE AND LARGE DRINKING WATER SYS-**
 2 **TEM INFRASTRUCTURE RESILIENCE AND**
 3 **SUSTAINABILITY PROGRAM.**

4 “(a) DEFINITIONS.—In this section:

5 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
 6 tity’ means a public water system that serves a com-
 7 munity with a population of greater than 10,000.

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

11 “(3) RESILIENCE AND SUSTAINABILITY PRO-
 12 GRAM.—The term ‘resilience and sustainability pro-
 13 gram’ means the Midsize and Large Drinking Water
 14 System Infrastructure Resilience and Sustainability
 15 Program established under subsection (b).

16 “(b) ESTABLISHMENT.—The Administrator shall es-
 17 tablish and carry out a program, to be known as the
 18 ‘Midsize and Large Drinking Water System Infrastruc-
 19 ture Resilience and Sustainability Program’, under which
 20 the Administrator, subject to the availability of appropria-
 21 tions for the resilience and sustainability program, shall
 22 award grants to eligible entities for the purpose of increas-
 23 ing resilience to natural hazards, cybersecurity threats,
 24 and extreme weather events.

25 “(c) USE OF FUNDS.—An eligible entity may only
 26 use grant funds received under the resilience and sustain-

1 ability program to assist in the planning, design, construc-
2 tion, implementation, operation, or maintenance of a pro-
3 gram or project that increases resilience to natural haz-
4 ards, cybersecurity threats, or extreme weather events
5 through—

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

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

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

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

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

22 “(6) the development and implementation of
23 measures to increase the resilience of the eligible en-
24 tity to natural hazards, cybersecurity threats, or ex-
25 treme weather events; or

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

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

9 ~~“(1) a proposal of the program or project to be~~
 10 ~~planned; designed; constructed; implemented; oper-~~
 11 ~~ated; or maintained by the eligible entity;~~

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

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

20 ~~“(4) a description of any recent natural haz-~~
 21 ~~ards, cybersecurity events, or extreme weather~~
 22 ~~events that have affected the community water sys-~~
 23 ~~tem of the eligible entity;~~

24 ~~“(5) a description of how the proposed program~~
 25 ~~or project would improve the performance of the~~

1 community water system of the eligible entity under
 2 the anticipated natural hazards, cybersecurity
 3 threats, or extreme weather events; and

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

9 “(c) REPORT.—Not later than 2 years after the date
 10 of enactment of the Drinking Water and Wastewater In-
 11 frastructure Act of 2021, the Administrator shall submit
 12 to Congress a report that describes the implementation of
 13 the resilience and sustainability program, which shall in-
 14 clude a description of the use and deployment of amounts
 15 made available to carry out the resilience and sustain-
 16 ability program.

17 “(f) AUTHORIZATION OF APPROPRIATIONS.—

18 “(1) IN GENERAL.—There is authorized to be
 19 appropriated to carry out the resilience and sustain-
 20 ability program \$50,000,000 for each of fiscal years
 21 2022 through 2026.

22 “(2) USE OF FUNDS.—Of the amounts made
 23 available under paragraph (1) for grants to eligible
 24 entities under the resilience and sustainability pro-
 25 gram—

1 ~~“(A) 50 percent shall be used to provide~~
 2 ~~grants to eligible entities that serve a popu-~~
 3 ~~lation of—~~

4 ~~“(i) greater than 10,000; and~~

5 ~~“(ii) fewer than 100,000; and~~

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

9 ~~“(3) ADMINISTRATIVE COSTS.—Of the amounts~~
 10 ~~made available under paragraph (1), not more than~~
 11 ~~2 percent may be used by the Administrator for the~~
 12 ~~administrative costs of carrying out the resilience~~
 13 ~~and sustainability program.”.~~

14 **SEC. 108. NEEDS ASSESSMENT FOR NATIONWIDE RURAL**
 15 **AND URBAN LOW-INCOME COMMUNITY**
 16 **WATER ASSISTANCE.**

17 Part E of the Safe Drinking Water Act (42 U.S.C.

18 300j et seq.) (as amended by section 107) is amended by

19 adding at the end the following:

20 **“SEC. 1459G. NEEDS ASSESSMENT FOR NATIONWIDE RURAL**
 21 **AND URBAN LOW-INCOME COMMUNITY**
 22 **WATER ASSISTANCE.**

23 ~~“(a) DEFINITION OF LOW-INCOME HOUSEHOLD.—In~~
 24 this section, the term ‘low-income household’ means a
 25 household that has an income that, as determined by the

1 State in which the household is located, does not exceed
2 the greater of—

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

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

7 “(b) STUDY; REPORT.—

8 “(1) IN GENERAL.—Subject to the availability
9 of appropriations, not later than 2 years after the
10 date of enactment of this section, the Administrator
11 shall conduct, and submit to Congress a report de-
12 scribing the results of, a study regarding the preva-
13 lence throughout the United States of low-income
14 households, including low-income renters, that spend
15 a disproportionate amount of household income on
16 public drinking water services to meet household
17 needs.

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

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

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

1 ~~“(C) with respect to the development of~~
 2 ~~the report, a consultation with all relevant~~
 3 ~~stakeholders.~~

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

7 ~~“(e) AUTHORIZATION OF APPROPRIATIONS.—There~~
 8 ~~is authorized to be appropriated to carry out this section~~
 9 ~~\$5,000,000; to remain available until expended.”.~~

10 **SEC. 100. LEAD CONTAMINATION IN SCHOOL DRINKING**
 11 **WATER.**

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

14 (1) in subsection (b)—

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

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

20 (2) in subsection (d)—

21 (A) in paragraph (2)—

22 (i) in subparagraph (A)—

23 (I) by inserting “, public water
 24 systems that serve schools and child
 25 care programs under the jurisdiction

1 of those local educational agencies;
 2 and qualified nonprofit organizations”
 3 before “in voluntary”;

4 (H) by striking the period at the
 5 end and inserting “; and”;

6 (III) by striking “grants avail-
 7 able to States” and inserting the fol-
 8 lowing: “grants available to—
 9 “(i) States”; and

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

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

20 (ii) in subparagraph (B)—

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

23 (II) in clause (ii), by striking the
 24 period at the end and inserting a
 25 semicolon; and

1 (III) by adding at the end the
2 following:

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

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

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

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

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

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

25 (D) in paragraph (6)—

1 (i) in the matter preceding subpara-
 2 graph (A), by inserting “, public water sys-
 3 tem, tribal consortium, or qualified non-
 4 profit organization” after “each local edu-
 5 cational agency”;

6 (ii) in subparagraph (A)(ii), by insert-
 7 ing “or tribal” after “applicable State”;
 8 and

9 (iii) in subparagraph (B)(i), by insert-
 10 ing “applicable” before “local educational
 11 agency”; and

12 (E) by striking paragraph (8) and insert-
 13 ing the following:

14 “(8) AUTHORIZATION OF APPROPRIATIONS.—

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

17 “(A) \$30,000,000 for each of fiscal years
 18 2022 through 2024;

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

20 “(C) \$50,000,000 for fiscal year 2026.”.

21 **SEC. 110. INDIAN RESERVATION DRINKING WATER PRO-**
 22 **GRAM.**

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

1 ~~(1)~~ in subsection (a)—

2 (A) in the matter preceding paragraph (1);
3 by striking “Subject to the availability of appro-
4 priations, the Administrator of the Environ-
5 mental Protection Agency” and inserting “The
6 Administrator of the Environmental Protection
7 Agency (referred to in this section as the ‘Ad-
8 ministrator’)”; and

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

14 (2) by redesignating subsection (d) as sub-
15 section (f);

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

18 “(c) REQUIRED PROJECTS.—

19 “(1) IN GENERAL.—If sufficient applications
20 exist, of the funds made available to carry out this
21 section, the Administrator shall use 50 percent to
22 carry out—

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

1 ~~“(B) 10 eligible projects described in sub-~~
 2 ~~section (b) that are within the Upper Rio~~
 3 ~~Grande Basin;~~

4 ~~“(C) 10 eligible projects described in sub-~~
 5 ~~section (b) that are within the Columbia River~~
 6 ~~Basin; and~~

7 ~~“(D) 10 eligible projects described in sub-~~
 8 ~~section (b) that are within the Lower Colorado~~
 9 ~~River Basin.~~

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

15 ~~“(d) FEDERAL SHARE.—The Federal share of the~~
 16 ~~cost of a project carried out under this section shall be~~
 17 ~~100 percent.~~

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

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

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

3 (B) by striking “subsection (a)
4 \$20,000,000” and inserting the following: “sub-
5 section (a)—
6 “(1) \$20,000,000”;

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

10 (D) by adding at the end the following:
11 “(2) \$50,000,000 for each of fiscal years 2022
12 through 2026.”.

13 **SEC. 111. ADVANCED DRINKING WATER TECHNOLOGIES.**

14 Part E of the Safe Drinking Water Act (42 U.S.C.
15 300j et seq.) (as amended by section 108) is amended by
16 adding at the end the following:

17 **“SEC. 1459H. ADVANCED DRINKING WATER TECHNOLOGIES.**

18 “(a) STUDY.—

19 “(1) IN GENERAL.—Subject to the availability
20 of appropriations, not later than 1 year after the
21 date of enactment of the Drinking Water and
22 Wastewater Infrastructure Act of 2021, the Admin-
23 istrator shall carry out a study that examines the
24 state of existing and potential future technology, in-
25 cluding technology that could address cybersecurity

1 threats, that enhances or could enhance the treat-
 2 ment, monitoring, affordability, efficiency, and safe-
 3 ty of drinking water provided by a public water sys-
 4 tem.

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

11 “(b) ADVANCED DRINKING WATER TECHNOLOGY
 12 GRANT PROGRAM.—

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

14 “(A) ELIGIBLE ENTITY.—The term ‘eligi-
 15 ble entity’ means the owner or operator of a
 16 public water system that—

17 “(i) serves—

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

20 “(II) an underserved community;

21 “(ii) has plans to identify or has iden-
 22 tified opportunities in the operations of the
 23 public water system to employ new or
 24 emerging, yet proven, technologies, includ-
 25 ing technology that could address cyberse-

1 eurity threats, as determined by the Ad-
 2 ministrators, that enhance treatment, moni-
 3 toring, affordability, efficiency, or safety of
 4 the drinking water provided by the public
 5 water system, including technologies not
 6 identified in the study conducted under
 7 subsection (a)(1); and

8 “(iii) has expressed an interest in the
 9 opportunities in the operation of the public
 10 water system to employ new or emerging,
 11 yet proven, technologies, including tech-
 12 nology that could address cybersecurity
 13 threats, as determined by the Adminis-
 14 trator, that enhance treatment, moni-
 15 toring, affordability, efficiency, or safety of
 16 the drinking water provided by the public
 17 water system, including technologies not
 18 identified in the study conducted under
 19 subsection (a)(1).

20 “(B) PROGRAM.—The term ‘program’
 21 means the competitive grant program estab-
 22 lished under paragraph (2).

23 “(C) UNDERSERVED COMMUNITY.—The
 24 term ‘underserved community’ means a political
 25 subdivision of a State that, as determined by

1 the Administrator, has an inadequate system
2 for obtaining drinking water.

3 “(2) ESTABLISHMENT.—The Administrator
4 shall establish a competitive grant program under
5 which the Administrator shall award grants to eligi-
6 ble entities for the purpose of identifying, deploying,
7 or identifying and deploying technologies described
8 in paragraph (1)(A)(ii).

9 “(3) REQUIREMENTS.—

10 “(A) APPLICATIONS.—To be eligible to re-
11 ceive a grant under the program, an eligible en-
12 tity shall submit to the Administrator an appli-
13 cation at such time, in such manner, and con-
14 taining such information as the Administrator
15 may require.

16 “(B) FEDERAL SHARE.—

17 “(i) IN GENERAL.—Subject to clause
18 (ii), the Federal share of the cost of a
19 project carried out using a grant under the
20 program shall not exceed 90 percent of the
21 total cost of the project.

22 “(ii) WAIVER.—The Administrator
23 may increase the Federal share under
24 clause (i) to 100 percent if the Adminis-
25 trator determines that an eligible entity is

1 unable to pay, or would experience signifi-
 2 cant financial hardship if required to pay,
 3 the non-Federal share.

4 “(4) REPORT.—Not later than 1 year after the
 5 date on which Administrator first awards a grant
 6 under the program, and annually thereafter, the Ad-
 7 ministrator shall submit to Congress a report de-
 8 scribing—

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

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

13 “(5) FUNDING.—

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

19 “(B) ADMINISTRATIVE COSTS.—Not more
 20 than 2 percent of the amount made available
 21 for a fiscal year under subparagraph (A) to
 22 carry out the program may be used by the Ad-
 23 ministrator for the administrative costs of car-
 24 rying out the program.”

1 **TITLE H—CLEAN WATER**

2 **SEC. 201. RESEARCH, INVESTIGATIONS, TRAINING, AND IN-**
 3 **FORMATION.**

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

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

9 (2) in paragraph (7)—

10 (A) by striking “2023” and inserting
 11 “2021”; and

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

19 (b) REPORT.—Not later than 2 years after the date
 20 of enactment of this Act, the Administrator shall submit
 21 to Congress a report that describes the implementation of
 22 the grants authorized under subsections (b)(3), (b)(8),
 23 and (g) of section 104 of the Federal Water Pollution Con-
 24 trol Act (33 U.S.C. 1254), which shall include a descrip-

1 tion of the use and deployment of amounts made available
 2 to carry out those subsections.

3 **SEC. 202. WASTEWATER EFFICIENCY GRANT PILOT PRO-**
 4 **GRAM.**

5 (a) **DEFINITIONS.**—In this section:

6 (1) **PILOT PROGRAM.**—The term “pilot pro-
 7 gram” means the wastewater efficiency grant pilot
 8 program established under subsection (b).

9 (2) **TREATMENT WORKS.**—The term “treatment
 10 works” has the meaning given the term in section
 11 212 of the Federal Water Pollution Control Act (33
 12 U.S.C. 1292).

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

19 (c) **SELECTION.**—

20 (1) **APPLICATIONS.**—To be eligible to receive a
 21 grant under the pilot program, an owner or operator
 22 of a treatment works shall submit to the Adminis-
 23 trator an application at such time, in such manner,
 24 and containing such information as the Adminis-
 25 trator may require.

1 ~~(2) NUMBER OF RECIPIENTS.—~~The Adminis-
2 trator shall select not more than 15 recipients of
3 grants under the pilot program from applications
4 submitted under paragraph (1).

5 ~~(d) USE OF FUNDS.—~~

6 ~~(1) IN GENERAL.—~~Subject to paragraph (2), a
7 recipient of a grant under the pilot program may use
8 grant funds for—

9 ~~(A)~~ sludge collection;

10 ~~(B)~~ installation of anaerobic digesters;

11 ~~(C)~~ methane capture;

12 ~~(D)~~ methane transfer;

13 ~~(E)~~ facility upgrades and retrofits nec-
14 essary to create or improve waste-to-energy sys-
15 tems; and

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

18 ~~(2) LIMITATION.—~~A grant to a recipient under
19 the pilot program shall be not more than
20 \$4,000,000.

21 ~~(e) REPORTS.—~~

22 ~~(1) REPORT TO THE ADMINISTRATOR.—~~Not
23 later than 1 year after receiving a grant under the
24 pilot program and each year thereafter for which
25 amounts are made available for the pilot program

1 under subsection (f), the recipient of the grant shall
 2 submit to the Administrator a report describing the
 3 impact of that project on the communities within 2
 4 miles of the treatment works.

5 (2) REPORT TO CONGRESS.—Not later than 1
 6 year after first awarding grants under the pilot pro-
 7 gram and each year thereafter for which amounts
 8 are made available for the pilot program under sub-
 9 section (f), the Administrator shall submit to Con-
 10 gress a report describing—

11 (A) the applications received by the Ad-
 12 ministrator for grants under the pilot program;
 13 and

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

16 (f) AUTHORIZATION OF APPROPRIATIONS.—

17 (1) IN GENERAL.—There is authorized to be
 18 appropriated to carry out the pilot program
 19 \$20,000,000 for each of fiscal years 2022 through
 20 2026, to remain available until expended.

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

1 **SEC. 203. PILOT PROGRAM FOR ALTERNATIVE WATER**
 2 **SOURCE PROJECTS.**

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

5 (1) in subsection (b), in the heading, by strik-
 6 ing “IN GENERAL” and inserting “ESTABLISH-
 7 MENT”;

8 (2) in subsection (d)—

9 (A) by striking paragraph (2); and

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

12 (3) by striking subsection (c);

13 (4) in subsection (i)—

14 (A) in the matter preceding paragraph (1),
 15 by striking “, the following definitions apply”;
 16 and

17 (B) in paragraph (1), in the first sentence,
 18 by striking “water or wastewater or by treating
 19 wastewater” and inserting “water, wastewater,
 20 or stormwater or by treating wastewater or
 21 stormwater”;

22 (5) in subsection (j)—

23 (A) in the first sentence, by striking
 24 “There is” and inserting the following:
 25 “(1) IN GENERAL.—There is”;

1 (B) in paragraph (1) (as so designated), by
 2 striking “a total of \$75,000,000 for fiscal years
 3 2002 through 2004. Such sums shall” and in-
 4 serting “\$25,000,000 for each of fiscal years
 5 2022 through 2026, to”; and

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

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

11 (6) by redesignating subsections (b), (c), (d),
 12 (i), and (j) as subsections (c), (d), (e), (b), and (i),
 13 respectively, and moving those subsections so as to
 14 appear in alphabetical order.

15 **SEC. 204. SEWER OVERFLOW AND STORMWATER REUSE**
 16 **MUNICIPAL GRANTS.**

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

19 (1) in subsection (a)(1) —

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

22 (B) by redesignating subparagraph (B) as
 23 subparagraph (C); and

24 (C) by inserting after subparagraph (A)
 25 the following:

1 ~~“(B) notification systems to inform the~~
 2 ~~public of combined sewer or sanitary overflows~~
 3 ~~that result in sewage being released into rivers~~
 4 ~~and other waters; and”;~~

5 ~~(2) in subsection (d)—~~

6 ~~(A) in the second sentence, by striking~~
 7 ~~“The non-Federal share of the cost” and insert-~~
 8 ~~ing the following:~~

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

12 ~~(B) in the first sentence, by striking “The~~
 13 ~~Federal” and inserting the following:~~

14 ~~“(1) IN GENERAL.—Subject to paragraph (2);~~
 15 ~~the Federal”;~~ and

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

18 ~~“(2) FEDERAL SHARE FOR RURAL OR FINAN-~~
 19 ~~CIALY DISTRESSED COMMUNITIES.—~~

20 ~~“(A) IN GENERAL.—Subject to subpara-~~
 21 ~~graph (B), the Federal share of the cost of an~~
 22 ~~activity carried out using amounts from a grant~~
 23 ~~under subsection (a) in a rural community or a~~
 24 ~~financially distressed community (as those~~

1 terms are defined in subsection (f)(2)(B)(i)
 2 shall be 90 percent.

3 ~~“(B) WAIVER.—The Administrator may~~
 4 ~~increase the Federal share under subparagraph~~
 5 ~~(A) to 100 percent.”;~~
 6 ~~(3) in subsection (f)—~~

7 ~~(A) by striking paragraph (1) and insert-~~
 8 ~~ing the following:~~

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

12 ~~(B) in paragraph (2)—~~

13 ~~(i) by striking “To the extent” and in-~~
 14 ~~serting the following:~~

15 ~~“(A) GREEN INFRASTRUCTURE.—To the~~
 16 ~~extent”; and~~

17 ~~(ii) by adding at the end the fol-~~
 18 ~~lowing:~~

19 ~~“(B) RURAL OR FINANCIALLY DISTRESSED~~
 20 ~~COMMUNITY ALLOCATION.—~~

21 ~~“(i) DEFINITIONS.—In this subpara-~~
 22 ~~graph:~~

23 ~~“(I) FINANCIALLY DISTRESSED~~
 24 ~~COMMUNITY.—The term ‘financially~~
 25 ~~distressed community’ has the mean-~~

1 ing given the term in subsection
2 (c)(1).

3 ~~“(II) RURAL COMMUNITY.—~~The
4 term ‘rural community’ means a city,
5 town, or unincorporated area that has
6 a population of not more than 10,000
7 inhabitants.

8 ~~“(ii) ALLOCATION.—~~

9 ~~“(I) IN GENERAL.—~~To the extent
10 there are sufficient eligible project ap-
11 plications, the Administrator shall en-
12 sure that a State uses not less than
13 25 percent of the amount of the
14 grants made to the State under sub-
15 section (a) in a fiscal year to carry
16 out projects in rural communities or
17 financially distressed communities for
18 the purpose of planning, design, and
19 construction of—

20 ~~“(aa) treatment works to~~
21 intercept, transport, control,
22 treat, or reuse municipal sewer
23 overflows, sanitary sewer over-
24 flows, or stormwater; or

1 “(bb) any other measures to
2 manage, reduce, treat, or recap-
3 ture stormwater or subsurface
4 drainage water eligible for assist-
5 ance under section 603(c).

6 “(II) RURAL COMMUNITIES.—Of
7 the funds allocated under subclause
8 (I) for the purposes described in that
9 subclause, to the extent there are suf-
10 ficient eligible project applications, the
11 Administrator shall ensure that a
12 State uses not less than 60 percent to
13 carry out projects in rural commu-
14 nities.”; and

15 (4) in subsection (i)—

16 (A) in the second sentence, by striking
17 “The recommended funding levels” and insert-
18 ing the following:

19 “(B) REQUIREMENT.—The funding levels
20 recommended under subparagraph (A)”;

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

23 “(1) RECOMMENDED FUNDING LEVELS.—

24 “(A) IN GENERAL.—Not later”; and

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

1 ~~“(2) USE OF FUNDS.—Not later than 2 years~~
 2 ~~after the date of enactment of the Drinking Water~~
 3 ~~and Wastewater Infrastructure Act of 2021, the Ad-~~
 4 ~~ministrator shall submit to the Committee on Envi-~~
 5 ~~ronment and Public Works of the Senate and the~~
 6 ~~Committee on Transportation and Infrastructure of~~
 7 ~~the House of Representatives a report that describes~~
 8 ~~the implementation of the grant program under this~~
 9 ~~section, which shall include a description of the use~~
 10 ~~and deployment of amounts made available under~~
 11 ~~the program.”.~~

12 **~~SEC. 205. CLEAN WATER INFRASTRUCTURE RESILIENCY~~**
 13 **~~AND SUSTAINABILITY PROGRAM.~~**

14 Title II of the Federal Water Pollution Control Act
 15 ~~(33 U.S.C. 1281 et seq.)~~ is amended by adding at the end
 16 the following:

17 **~~“SEC. 222. CLEAN WATER INFRASTRUCTURE RESILIENCY~~**
 18 **~~AND SUSTAINABILITY PROGRAM.~~**

19 ~~“(a) DEFINITIONS.—In this section:~~

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

22 ~~“(A) a municipality; or~~

23 ~~“(B) an intermunicipal, interstate, or State~~
 24 ~~agency.~~

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

5 ~~“(3) PROGRAM.—The term ‘program’ means~~
 6 ~~the clean water infrastructure resilience and sustain-~~
 7 ~~ability program established under subsection (b).~~

8 ~~“(b) ESTABLISHMENT.—Subject to the availability of~~
 9 ~~appropriations, the Administrator shall establish a clean~~
 10 ~~water infrastructure resilience and sustainability program~~
 11 ~~under which the Administrator shall award grants to eligi-~~
 12 ~~ble entities for the purpose of increasing the resilience of~~
 13 ~~publicly owned treatment works to a natural hazard or a~~
 14 ~~cybersecurity threat.~~

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

21 ~~“(1) the conservation of water;~~

22 ~~“(2) the enhancement of water use efficiency;~~

23 ~~“(3) the enhancement of wastewater and~~
 24 ~~stormwater management by increasing watershed~~

1 preservation and protection, including through the
2 use of—

3 “(A) natural and engineered green infra-
4 structure; and

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

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

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

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

20 “(d) APPLICATION.—To be eligible to receive a grant
21 under the program, an eligible entity shall submit to the
22 Administrator an application at such time, in such man-
23 ner, and containing such information as the Administrator
24 may require, including—

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

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

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

12 ~~“(4) a description of any recent natural hazard~~
13 ~~events or cybersecurity threats that have affected~~
14 ~~the publicly owned treatment works;~~

15 ~~“(5) a description of how the proposed project~~
16 ~~would improve the performance of the publicly~~
17 ~~owned treatment works under an anticipated natural~~
18 ~~hazard or cybersecurity threat, as applicable; and~~

19 ~~“(6) an explanation of how the proposed project~~
20 ~~is expected to enhance the resilience of the publicly~~
21 ~~owned treatment works to an anticipated natural~~
22 ~~hazard or cybersecurity threat, as applicable.~~

23 ~~“(c) GRANT AMOUNT AND OTHER FEDERAL RE-~~
24 ~~QUIREMENTS.—~~

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

5 “(2) EXCEPTION.—

6 “(A) IN GENERAL.—Except as provided in
 7 subparagraph (B), a grant under the program
 8 shall not exceed 90 percent of the total cost of
 9 the proposed project if the project serves a com-
 10 munity that—

11 “(i) has a population of fewer than
 12 10,000 individuals; or

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

16 “(B) WAIVER.—At the discretion of the
 17 Administrator, a grant for a project described
 18 in subparagraph (A) may cover 100 percent of
 19 the total cost of the proposed project.

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

23 “(f) REPORT.—Not later than 2 years after the date
 24 of enactment of the Drinking Water and Wastewater In-
 25 frastructure Act of 2021, the Administrator shall submit

1 to Congress a report that describes the implementation of
 2 the program, which shall include—

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

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

9 “(g) AUTHORIZATION OF APPROPRIATIONS.—

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

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

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

19 Title II of the Federal Water Pollution Control Act
 20 (~~33~~ U.S.C. 1281 et seq.) (as amended by section 205) is
 21 amended by adding at the end the following:

22 **“SEC. 223. SMALL AND MEDIUM PUBLICLY OWNED TREAT-**
 23 **MENT WORKS CIRCUIT RIDER PROGRAM.**

24 “(a) ESTABLISHMENT.—Subject to the availability of
 25 appropriations, not later than 180 days after the date of

1 enactment of this section, the Administrator shall estab-
 2 lish a circuit rider program (referred to in this section as
 3 the ‘circuit rider program’) under which the Administrator
 4 shall award grants to qualified nonprofit entities, as deter-
 5 mined by the Administrator, to provide assistance to own-
 6 ers and operators of small and medium publicly owned
 7 treatment works to carry out the activities described in
 8 section 602(b)(13).

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

12 “(c) REPORT.—Not later than 180 days after the
 13 date on which the Administrator establishes the circuit
 14 rider program, and every 180 days thereafter, the Admin-
 15 istrator shall submit to Congress a report describing—

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

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

20 “(d) AUTHORIZATION OF APPROPRIATIONS.—

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

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

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

3 **SEC. 207. SMALL PUBLICLY OWNED TREATMENT WORKS**
4 **EFFICIENCY GRANT PROGRAM.**

5 Title II of the Federal Water Pollution Control Act
6 (22 U.S.C. 1281 et seq.) (as amended by section 206) is
7 amended by adding at the end the following:

8 **“SEC. 224. SMALL PUBLICLY OWNED TREATMENT WORKS**
9 **EFFICIENCY GRANT PROGRAM.**

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

19 “(b) **ELIGIBLE ENTITIES.**—The Administrator may
20 award a grant under the efficiency grant program to an
21 owner or operator of a small publicly owned treatment
22 works that serves—

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

25 “(2) a disadvantaged community.

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

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

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

9 “(d) USE OF FUNDS.—

10 “(1) SMALL SYSTEMS.—Of the amounts made
11 available for grants under this section, to the extent
12 that there are sufficient applications, not less than
13 15 percent shall be used for grants to publicly owned
14 treatment works that serve fewer than 3,300 people.

15 “(2) LIMITATION ON USE OF FUNDS.—Of the
16 amounts made available for grants under this sec-
17 tion, not more than 2 percent may be used to pay
18 the administrative costs of the Administrator.”.

1 **SEC. 208. GRANTS FOR CONSTRUCTION, REFURBISHING,**
 2 **AND SERVICING OF INDIVIDUAL HOUSEHOLD**
 3 **DECENTRALIZED WASTEWATER SYSTEMS**
 4 **FOR INDIVIDUALS WITH LOW OR MODERATE**
 5 **INCOME.**

6 Title II of the Federal Water Pollution Control Act
 7 (33 U.S.C. 1281 et seq.) (as amended by section 207) is
 8 amended by adding at the end the following:

9 **~~“SEC. 225. GRANTS FOR CONSTRUCTION, REFURBISHING,~~**
 10 **~~AND SERVICING OF INDIVIDUAL HOUSEHOLD~~**
 11 **~~DECENTRALIZED WASTEWATER SYSTEMS~~**
 12 **~~FOR INDIVIDUALS WITH LOW OR MODERATE~~**
 13 **~~INCOME.~~**

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

23 **~~“(b) GRANT PROGRAM.—~~**

24 **~~“(1) IN GENERAL.—Subject to the availability~~**
 25 **~~of appropriations, the Administrator shall establish a~~**
 26 **~~program under which the Administrator shall pro-~~**

1 vide grants to private nonprofit organizations for the
 2 purpose of improving general welfare by providing
 3 assistance to eligible individuals—

4 “(A) for the construction, repair, or re-
 5 placement of an individual household decentral-
 6 ized wastewater treatment system; or

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

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

15 “(ii) multiple examples of unsuitable
 16 site conditions exist in close geographic
 17 proximity to each other; and

18 “(iii) a larger decentralized waste-
 19 water system could be cost-effectively in-
 20 stalled.

21 “(2) APPLICATION.—To be eligible to receive a
 22 grant under this subsection, a private nonprofit or-
 23 ganization shall submit to the Administrator an ap-
 24 plication at such time, in such manner, and con-

1 taining such information as the Administrator deter-
2 mines to be appropriate.

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

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

14 “(e) ASSISTANCE.—

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

19 “(2) APPLICATION.—To be eligible to receive
20 the services described in subsection (b)(1), an eligi-
21 ble individual shall submit to the private nonprofit
22 organization serving the area in which the individual
23 household decentralized wastewater system of the el-
24 igible individuals is, or is proposed to be, located an
25 application at such time, in such manner, and con-

1 taining such information as the private nonprofit or-
2 ganization determines to be appropriate.

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

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

16 “(e) AUTHORIZATION OF APPROPRIATIONS.—

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

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

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

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

6 ~~“SEC. 226. CONNECTION TO PUBLICLY OWNED TREATMENT~~
 7 ~~WORKS.~~

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

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

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

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

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

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

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

12 ~~“(c) APPLICATION.—~~

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

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

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

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

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

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

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

15 ~~“(e) REQUIREMENTS.—~~

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

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

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

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

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

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

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

16 ~~“(f) AUTHORIZATION OF APPROPRIATIONS.—~~

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

20 ~~“(2) LIMITATIONS ON USE OF FUNDS.—~~

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

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

5 “(ii) eligible entities described in sub-
 6 section (a)(1)(B) that provide the assist-
 7 ance described in that subsection in areas
 8 that are served by publicly owned treat-
 9 ment works that serve fewer than 2,300
 10 people.

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

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

17 (a) USE OF FUNDS.—

18 (1) IN GENERAL.—Section 603 of the Federal
 19 Water Pollution Control Act (22 U.S.C. 1383) is
 20 amended—

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

24 (B) in subsection (i)—

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

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

11 “(B) TOTAL AMOUNT OF SUBSIDIZA-
 12 TION.—For each fiscal year, of the amount of
 13 the capitalization grant received by the State
 14 under this title, the total amount of additional
 15 subsidization made available by a State under
 16 paragraph (1)—

17 “(i) may not exceed 30 percent; and

18 “(ii) to the extent that there are suffi-
 19 cient applications for assistance to commu-
 20 nities described in that paragraph, may not
 21 be less than 10 percent.”; and

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

23 “(k) ADDITIONAL USE OF FUNDS.—A State may use
 24 an additional 2 percent of the funds annually allotted to
 25 each State under this section for nonprofit organizations

1 ~~(as defined in section 104(w)) to provide technical assist-~~
 2 ~~ance to rural, small, and tribal publicly owned treatment~~
 3 ~~works (within the meaning of section 104(b)(8)(B)) in the~~
 4 ~~State.”.~~

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

9 ~~(b) CAPITALIZATION GRANT REAUTHORIZATION.—~~
 10 ~~Section 607 of the Federal Water Pollution Control Act~~
 11 ~~(33 U.S.C. 1387) is amended to read as follows:~~

12 **~~“SEC. 607. AUTHORIZATION OF APPROPRIATIONS.~~**

13 ~~“There are authorized to be appropriated to carry out~~
 14 ~~the purposes of this title—~~

15 ~~“(1) \$2,400,000,000 for fiscal year 2022;~~

16 ~~“(2) \$2,750,000,000 for fiscal year 2023;~~

17 ~~“(3) \$3,000,000,000 for fiscal year 2024; and~~

18 ~~“(4) \$3,250,000,000 for each of fiscal years~~
 19 ~~2025 and 2026.”.~~

20 **~~SEC. 211. WATER INFRASTRUCTURE AND WORKFORCE IN-~~**
 21 **~~VESTMENT.~~**

22 ~~Section 4304 of the America’s Water Infrastructure~~
 23 ~~Act of 2018 (42 U.S.C. 300j–19c) is amended—~~

24 ~~(1) in subsection (a)(3)—~~

1 (A) in subparagraph (A), by inserting
2 “Tribal,” after “State,”; and

3 (B) in subparagraph (B), by striking
4 “community-based organizations” and all that
5 follows through the period at the end and in-
6 serting the following: “community-based organi-
7 zations and public works departments or agen-
8 cies to align water and wastewater utility work-
9 force recruitment efforts; training programs; re-
10 tention efforts; and community resources with
11 water and wastewater utilities—

12 “(i) to accelerate career pipelines;

13 “(ii) to ensure the sustainability of
14 the water and wastewater utility workforce;
15 and

16 “(iii) to provide access to workforce
17 opportunities.”;

18 (2) in subsection (b)—

19 (A) in paragraph (1)—

20 (i) by striking subparagraph (B);

21 (ii) in subparagraph (A), by striking
22 “; and” at the end and inserting “; which
23 may include—”

24 (iii) in the matter preceding subpara-
25 graph (A), by striking “program—” and

1 all that follows through “to assist” in sub-
2 paragraph (A) and inserting “program to
3 assist”; and

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

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

11 “(B) expanding the availability of training
12 opportunities for—

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

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

18 “(C) expanding the use and availability of
19 activities and strategies, including the develop-
20 ment of innovative activities and strategies, that
21 relate to the maintenance and retention of a
22 sustainable workforce in the water and waste-
23 water utility sector.”;

24 (B) in paragraph (2)—

1 (i) in the matter preceding subpara-
 2 graph (A), by striking “institutions—” and
 3 inserting “institutions, or public works de-
 4 partments and agencies—”; and

5 (ii) in subparagraph (A)—

6 (I) by striking clauses (ii) and
 7 (iii);

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

10 (III) by redesignating clause (i)
 11 as clause (ii);

12 (IV) by inserting before clause
 13 (ii) (as so redesignated) the following:

14 “(i) in the development of educational
 15 or recruitment materials and activities, in-
 16 cluding those materials and activities that
 17 specifically promote diversity within re-
 18 cruitment, for the water and wastewater
 19 utility workforce;” and

20 (V) by adding at the end the fol-
 21 lowing:

22 “(iii) developing activities and strate-
 23 gies that relate to the maintenance and re-
 24 tention of a sustainable workforce in the
 25 water and wastewater utility sector; and”;

1 ~~(C)~~ in paragraph (3)—

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

4 (ii) in subparagraph (E), by striking
5 “ensure that incumbent water and waste
6 water utilities workers” and inserting “are
7 designed to retain incumbent water and
8 wastewater utility workforce workers by
9 ensuring that those workers”; and

10 ~~(D)~~ by striking paragraph (4) and insert-
11 ing the following:

12 “(4) WORKING GROUP; REPORT.—

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

19 “(i) the Department of Education;

20 “(ii) the Department of Labor;

21 “(iii) the Department of Agriculture;

22 “(iv) the Department of Veterans Af-
23 fairs; and

1 ~~“(v) other Federal agencies, as deter-~~
 2 ~~mined to be appropriate by the Adminis-~~
 3 ~~trator.~~

4 ~~“(B) REPORT.—Not later than 1 year~~
 5 ~~after the date of enactment of the Drinking~~
 6 ~~Water and Wastewater Infrastructure Act of~~
 7 ~~2021, the Administrator, in coordination with~~
 8 ~~the working group established under subpara-~~
 9 ~~graph (A), shall submit to Congress a report~~
 10 ~~describing potential solutions to recruitment,~~
 11 ~~training, and retention challenges in the water~~
 12 ~~and wastewater utility workforce.~~

13 ~~“(5) AUTHORIZATION OF APPROPRIATIONS.—~~
 14 ~~There is authorized to be appropriated to carry out~~
 15 ~~this subsection \$5,000,000 for each of fiscal years~~
 16 ~~2022 through 2026.”;~~

17 ~~(3) by redesignating subsections (a) and (b) as~~
 18 ~~subsections (b) and (c), respectively; and~~

19 ~~(4) by inserting before subsection (b) (as so re-~~
 20 ~~designated) the following:~~

21 ~~“(a) DEFINITION OF PUBLIC WORKS DEPARTMENT~~
 22 ~~OR AGENCY.—In this section, the term ‘public works de-~~
 23 ~~partment or agency’ means a political subdivision of a~~
 24 ~~local, county, or regional government that designs, builds,~~
 25 ~~operates, and maintains water infrastructure, sewage and~~

1 refuse disposal systems; and other public water systems
2 and facilities.”.

3 **SEC. 212. GRANTS TO ALASKA TO IMPROVE SANITATION IN**
4 **RURAL AND NATIVE VILLAGES.**

5 Section 202(e) of the Safe Drinking Water Act
6 Amendments of 1996 (22 U.S.C. 1262a(e)) is amended
7 by striking “this section” and all that follows through the
8 period at the end and inserting the following: “this sec-
9 tion—

10 “(1) \$40,000,000 for each of fiscal years 2022
11 through 2024;

12 “(2) \$50,000,000 for fiscal year 2025; and

13 “(3) \$60,000,000 for fiscal year 2026.”.

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

15 (a) **ESTABLISHMENT.**—

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

1 ~~States or among counties and other units of local~~
 2 ~~government within a State, which may include—~~

3 ~~(A) establishing a website or data hub to~~
 4 ~~exchange water data, including data on water~~
 5 ~~quality or water technology, including new and~~
 6 ~~emerging, but proven, water technology; and~~

7 ~~(B) intercounty communications initiatives~~
 8 ~~related to water data.~~

9 ~~(2) REQUIREMENTS.—~~

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

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

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

22 ~~(1) a State, county, or other unit of local gov-~~
 23 ~~ernment that—~~

24 ~~(A) has a coastal watershed with signifi-~~
 25 ~~cant pollution levels;~~

1 ~~(B) has a water system with significant~~
2 ~~pollution levels; or~~

3 ~~(C) has significant individual water infra-~~
4 ~~structure deficits; or~~

5 ~~(2) a regional consortium established under~~
6 ~~subsection (d).~~

7 ~~(e) APPLICATIONS.—To be eligible to receive a grant~~
8 ~~under the pilot program, an eligible entity under sub-~~
9 ~~section (b) shall submit to the Administrator an applica-~~
10 ~~tion at such time, in such manner, and containing such~~
11 ~~information as the Administrator may require.~~

12 ~~(d) REGIONAL CONSORTIA.—~~

13 ~~(1) ESTABLISHMENT.—States may establish re-~~
14 ~~gional consortia in accordance with this subsection.~~

15 ~~(2) REQUIREMENTS.—A regional consortium~~
16 ~~established under paragraph (1) shall—~~

17 ~~(A) include not fewer than 2 States that~~
18 ~~have entered into a memorandum of under-~~
19 ~~standing—~~

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

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

1 and emerging, but proven, water tech-
2 nology;

3 (B) carry out projects—

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

6 (ii) that evaluate, demonstrate, or in-
7 stall new and emerging, but proven, water
8 technology; and

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

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

16 (A) shall identify projects that the regional
17 consortium intends to carry out, including
18 projects that meet the requirements of para-
19 graph (2)(B); and

20 (B) may include—

21 (i) projects included in an intended
22 use plan of a State prepared under section
23 606(e) of the Federal Water Pollution
24 Control Act (33 U.S.C. 1386(e)) within the
25 regional consortium; and

1 (ii) projects not included in an in-
 2 tended use plan of a State prepared under
 3 section 606(c) of the Federal Water Pollu-
 4 tion Control Act (~~33~~ U.S.C. 1386(c)) with-
 5 in the regional consortium.

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

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

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

17 (f) FUNDING.—

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

23 (2) REQUIREMENT.—Of the funds made avail-
 24 able under paragraph (1), not more than 35 percent

1 may be used to provide grants to regional consortia
2 established under subsection (d).

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

4 Section 5028(a)(1)(D)(ii) of the Water Infrastruc-
5 ture Finance and Innovation Act of 2014 (33 U.S.C.
6 3907(a)(1)(D)(ii)) is amended by striking “final rating
7 opinion letters from at least 2 rating agencies” and insert-
8 ing “a final rating opinion letter from at least 1 rating
9 agency”.

10 **SEC. 215. WATER INFRASTRUCTURE FINANCING REAU-**
11 **THORIZATION.**

12 (a) APPLICATIONS.—Section 5023 of the Water In-
13 frastructure Finance and Innovation Act of 2014 (33
14 U.S.C. 3902) is amended by adding at the end the fol-
15 lowing:

16 “(c) BUDGETARY TREATMENT.—If the recipient of
17 financial assistance under this subtitle is an eligible entity
18 other than a Federal entity, agency, or instrumentality
19 and the dedicated sources of repayment of that financial
20 assistance are non-Federal revenue sources, the project or
21 asset for which financial assistance is being provided shall,
22 for purposes of budgetary treatment under the Federal
23 Credit Reform Act of 1990 (2 U.S.C. 661 et seq.)—

24 “(1) be deemed to be non-Federal; and

1 “(2) be treated as a direct loan or loan guar-
2 antee.”;

3 (b) REAUTHORIZATION.—Section 5033 of the Water
4 Infrastructure Finance and Innovation Act of 2014 (33
5 U.S.C. 3912) is amended—

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

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

13 (2) in subsection (b)(2)—

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

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

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

21 **SEC. 216. SMALL AND DISADVANTAGED COMMUNITY ANAL-**
22 **YSIS.**

23 (a) ANALYSIS.—Not later than 1 year after the date
24 of enactment of this Act, using environmental justice data
25 of the Environmental Protection Agency, including data

1 from the environmental justice mapping and screening tool
2 of the Environmental Protection Agency; the Adminis-
3 trator shall carry out an analysis under which the Admin-
4 istrator shall assess the programs under title VI of the
5 Federal Water Pollution Control Act (33 U.S.C. 1381 et
6 seq.) and section 1452 of the Safe Drinking Water Act
7 (42 U.S.C. 300j-12) to identify historical distributions of
8 funds to small and disadvantaged communities and new
9 opportunities and methods to improve on the distribution
10 of funds under those programs to low-income commu-
11 nities; rural communities; minority communities; and com-
12 munities of indigenous peoples; in accordance with Execu-
13 tive Order 12898 (42 U.S.C. 4321 note; 60 Fed. Reg.
14 6381; relating to Federal actions to address environmental
15 justice in minority populations and low-income popu-
16 lations);

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

23 (1) the results of the analysis; and

24 (2) the criteria the Administrator used in car-
25 rying out the analysis.

1 **SEC. 217. STORMWATER INFRASTRUCTURE TECHNOLOGY.**

2 (a) DEFINITIONS.—In this section:

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

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

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

9 (B) a local, regional, or other public entity
10 that manages stormwater or wastewater re-
11 sources or other related water infrastructure.

12 (3) ELIGIBLE INSTITUTION.—The term “eligi-
13 ble institution” means an institution of higher edu-
14 cation; a research institution; or a nonprofit organi-
15 zation—

16 (A) that has demonstrated excellence in re-
17 searching and developing new and emerging
18 stormwater control infrastructure technologies;
19 and

20 (B) with respect to a nonprofit organiza-
21 tion, the core mission of which includes water
22 management, as determined by the Adminis-
23 trator.

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

26 (1) ESTABLISHMENT OF CENTERS.—

1 (A) ~~IN GENERAL.~~—Subject to the avail-
2 ability of appropriations, the Administrator
3 shall provide grants, on a competitive basis, to
4 eligible institutions to establish and maintain
5 not less than 3, and not more than 5, centers
6 of excellence for new and emerging stormwater
7 control infrastructure technologies, to be lo-
8 cated in various regions throughout the United
9 States.

10 (B) ~~GENERAL OPERATION.~~—Each center
11 shall—

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

24 (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-

1 structure projects that use innovative tech-
 2 nologies;

3 (vi) collaborate with institutions of
 4 higher education and private and public or-
 5 ganizations, including community-based
 6 public-private partnerships and other
 7 stakeholders, in the geographical region in
 8 which the center is located; and

9 (vii) coordinate with the other centers
 10 to avoid duplication of efforts.

11 ~~(2) APPLICATION.—To be eligible to receive a~~
 12 ~~grant under this subsection, an eligible institution~~
 13 ~~shall prepare and submit to the Administrator an~~
 14 ~~application at such time, in such form, and con-~~
 15 ~~taining such information as the Administrator may~~
 16 ~~require.~~

17 ~~(3) NATIONAL ELECTRONIC CLEARINGHOUSE~~
 18 ~~CENTER.—Of the centers established under para-~~
 19 ~~graph (1)(A), 1 shall—~~

20 ~~(A) be designated as the “national elec-~~
 21 ~~tronic clearinghouse center”; and~~

22 ~~(B) in addition to the other functions of~~
 23 ~~that center—~~

24 ~~(i) develop, operate, and maintain an~~
 25 ~~Internet website and a public database~~

1 that contains information relating to new
 2 and emerging, but proven, stormwater con-
 3 trol infrastructure technologies; and

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

6 (4) AUTHORIZATION OF APPROPRIATIONS.—

7 (A) IN GENERAL.—There is authorized to
 8 be appropriated to carry out this subsection
 9 \$5,000,000 for each of fiscal years 2022
 10 through 2026.

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

16 (c) STORMWATER CONTROL INFRASTRUCTURE
 17 PROJECT GRANTS.—

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

1 ~~(2) STORMWATER CONTROL INFRASTRUCTURE~~
2 ~~PROJECTS.—~~

3 ~~(A) PLANNING AND DEVELOPMENT~~
4 ~~GRANTS.—The Administrator may make plan-~~
5 ~~ning and development grants under this sub-~~
6 ~~section for the following projects:~~

7 ~~(i) Planning and designing~~
8 ~~stormwater control infrastructure projects~~
9 ~~that incorporate new and emerging, but~~
10 ~~proven, stormwater control technologies;~~
11 ~~including engineering surveys, landscape~~
12 ~~plans, maps, and implementation plans.~~

13 ~~(ii) Identifying and developing stand-~~
14 ~~ards necessary to accommodate stormwater~~
15 ~~control infrastructure projects, including~~
16 ~~those projects that incorporate new and~~
17 ~~emerging, but proven, stormwater control~~
18 ~~technologies.~~

19 ~~(iii) Identifying and developing fee~~
20 ~~structures to provide financial support for~~
21 ~~design, installation, and operations and~~
22 ~~maintenance of stormwater control infra-~~
23 ~~structure, including new and emerging, but~~
24 ~~proven, stormwater control infrastructure~~
25 ~~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 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

1 ~~(D) a plan for the long-term operation and~~
 2 ~~maintenance of the stormwater control infra-~~
 3 ~~structure project and a tracking system; such~~
 4 ~~as asset management practices.~~

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

8 ~~(A) a community that—~~

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

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

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

19 ~~(5) MAXIMUM AMOUNTS.—~~

20 ~~(A) PLANNING AND DEVELOPMENT~~
 21 ~~GRANTS.—~~

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

1 (ii) ~~AGGREGATE AMOUNT.~~—The total
 2 amount of all planning and development
 3 grants provided under this subsection for a
 4 fiscal year shall be not more than $\frac{1}{3}$ of the
 5 total amount made available to carry out
 6 this subsection.

7 (B) ~~IMPLEMENTATION GRANTS.~~—

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

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

18 (6) ~~FEDERAL SHARE.~~—

19 (A) ~~IN GENERAL.~~—Except as provided in
 20 subparagraph (C), the Federal share of a grant
 21 provided under this subsection shall not exceed
 22 80 percent of the total project cost.

23 (B) ~~CREDIT FOR IMPLEMENTATION~~
 24 ~~GRANTS.~~—The Administrator shall credit to-
 25 ward the non-Federal share of the cost of an

1 implementation project carried out under this
 2 subsection the cost of planning, design, and
 3 construction work completed for the project
 4 using funds other than funds provided under
 5 this section.

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

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

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

17 (2) a detailed description of—

18 (A) the projects supported by those grants;
 19 and

20 (B) the outcomes of those projects;

21 (3) a description of the improvements in tech-
 22 nology, environmental benefits, resources conserved,
 23 efficiencies, and other benefits of the projects funded
 24 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.

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

1 through the implementation of a National Water Reuse
 2 Action Plan that creates opportunities for water reuse in
 3 the mission areas of each of the Federal agencies included
 4 in the Working Group under subsection (c) (referred to
 5 in this section as the “Action Plan”).

6 (c) CHAIRPERSON; MEMBERSHIP.—The Working
 7 Group shall be—

8 (1) chaired by the Administrator; and

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

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

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

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

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

24 (4) seek to coordinate Federal programs and
 25 policies to support the adoption of water reuse;

1 ~~(5) consider how each Federal agency can ex-~~
 2 ~~plore and identify opportunities to support water~~
 3 ~~reuse through the programs and activities of that~~
 4 ~~Federal agency; and~~

5 ~~(6) consult, on a regular basis, with representa-~~
 6 ~~tives of relevant industries; the research community;~~
 7 ~~and nongovernmental organizations.~~

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

11 ~~(f) SUNSET.—~~

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

15 ~~(2) EXTENSION.—The Administrator may ex-~~
 16 ~~tend the date of termination of the Working Group~~
 17 ~~under paragraph (1).~~

18 **SEC. 219. ADVANCED CLEAN WATER TECHNOLOGIES**
 19 **STUDY.**

20 ~~(a) IN GENERAL.—Subject to the availability of ap-~~
 21 ~~propriations, not later than 1 year after the date of enact-~~
 22 ~~ment of this Act, the Administrator shall carry out a study~~
 23 ~~that examines the state of existing and potential future~~
 24 ~~technology, including technology that could address cyber-~~
 25 ~~security threats; that enhances or could enhance the treat-~~

1 ment, monitoring, affordability, efficiency, and safety of
 2 wastewater services provided by a treatment works (as de-
 3 fined in section 212 of the Federal Water Pollution Con-
 4 trol Act (33 U.S.C. 1292)).

5 (b) REPORT.—The Administrator shall submit to the
 6 Committee on Environment and Public Works of the Sen-
 7 ate and the Committee on Energy and Commerce of the
 8 House of Representatives a report that describes the re-
 9 sults of the study under subsection (a).

10 **SEC. 220. CLEAN WATER INFRASTRUCTURE NEEDS SURVEY.**

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

15 (1) conduct and complete an assessment of
 16 wastewater system capital improvement needs of all
 17 treatment works (as defined in section 212 of the
 18 Federal Water Pollution Control Act (33 U.S.C.
 19 1292)) in the United States that are eligible for as-
 20 sistance from State water pollution control revolving
 21 funds established under title VI of the Federal
 22 Water Pollution Control Act (33 U.S.C. 1381 et
 23 seq.); and

1 ~~(2) submit to Congress a report describing the~~
 2 ~~results of the assessment completed under para-~~
 3 ~~graph (1).~~

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

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

9 ~~(a) SHORT TITLE.—This Act may be cited as the~~
 10 ~~“Drinking Water and Wastewater Infrastructure Act of~~
 11 ~~2021”.~~

12 ~~(b) TABLE OF CONTENTS.—The table of contents for~~
 13 ~~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. Midsized and large drinking water system infrastructure resilience and sustainability program.

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

Sec. 109. Rural and low-income 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. Sewer overflow and stormwater reuse municipal grants.

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

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

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

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

Sec. 209. Connection to publicly owned treatment works.

Sec. 210. Clean water State revolving funds.

Sec. 211. Water infrastructure and workforce investment.

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

Sec. 213. Water data sharing pilot program.

Sec. 214. Final rating opinion letters.

Sec. 215. Water infrastructure financing reauthorization.

Sec. 216. Small and disadvantaged community analysis.

Sec. 217. Stormwater infrastructure technology.

Sec. 218. Water Reuse Interagency Working Group.

Sec. 219. Advanced clean water technologies study.

Sec. 220. Clean watersheds needs survey.

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

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

4 **TITLE I—DRINKING WATER**

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

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

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

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

14 *(B) by inserting “, including a threat to*
 15 *public health resulting from contaminants, such*
 16 *as, but not limited to, heightened exposure to*
 17 *lead in drinking water” after “public health”;*

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

3 “(d) *AUTHORIZATION OF APPROPRIATIONS.—There is*
4 *authorized to be appropriated to carry out subsection (b)*
5 *\$35,000,000 for each of fiscal years 2022 through 2026.”;*

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

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

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

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

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

16 “(1) *IN GENERAL.—The Administrator may pro-*
17 *vide technical assistance consistent with the authority*
18 *provided under subsection (e) to State-based nonprofit*
19 *organizations that are governed by community water*
20 *systems.*

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

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

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

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

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

12 *(2) in subsection (m)(1) —*

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

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

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

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

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

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

21 *and*

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

24 *(3) in subsection (q), by striking “2016 through*
 25 *2021” and inserting “2022 through 2026”.*

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

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

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

10 *“(B) to the extent that there are sufficient*
 11 *applications for loans to communities described*
 12 *in paragraph (1), may not be less than 12 per-*
 13 *cent.”.*

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

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

17 (1) *in subsection (a)—*

18 *(A) in paragraph (1)(A), in the matter pre-*
 19 *ceding clause (i), by striking “political subdivi-*
 20 *sion of a State,” and inserting “political sub-*
 21 *division of a State (including a county that is*
 22 *designated by the State to act on behalf of an*
 23 *unincorporated area within that county, with*
 24 *the agreement of that unincorporated area),”;*

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

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

6 “(5) SAVINGS PROVISION.—Unless otherwise pro-
 7 vided within the agreement, an agreement between an
 8 unincorporated area and a county for the county to
 9 submit a petition under paragraph (1)(A) on behalf
 10 of the unincorporated area shall not authorize the
 11 county to act on behalf of the unincorporated area in
 12 any matter not within a program under this sec-
 13 tion.”; and

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

16 **SEC. 104. ASSISTANCE FOR SMALL AND DISADVANTAGED**
 17 **COMMUNITIES.**

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

20 (1) in subsection (b)(2)—

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

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

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

1 “(D) the purchase of point-of-entry or
 2 point-of-use filters that are independently cer-
 3 tified using science-based test methods for the re-
 4 moval of contaminants of concern;

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

7 “(i) the need for filtration and filter
 8 safety, including proper use and mainte-
 9 nance practices; and

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

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

17 “(i) an eligible entity; or

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

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

24 (3) in subsection (g)(1), by striking “to pay not
 25 less than 45 percent” and inserting “except as pro-

1 *vided in subsection (l)(5) and subject to subsection*
 2 *(h), to pay not less than 10 percent”;*

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

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

8 *“(1) \$60,000,000 for fiscal year 2022;*

9 *“(2) \$80,000,000 for fiscal year 2023;*

10 *“(3) \$100,000,000 for fiscal year 2024;*

11 *“(4) \$120,000,000 for fiscal year 2025; and*

12 *“(5) \$140,000,000 for fiscal year 2026.”; and*

13 *(5) in subsection (l)—*

14 *(A) in paragraph (2)—*

15 *(i) by striking “The Administrator*
 16 *may” and inserting “The Administrator*
 17 *shall”; and*

18 *(ii) by striking “fiscal years 2019 and*
 19 *2020” and inserting “fiscal years 2022*
 20 *through 2026”;*

21 *(B) in paragraph (5), by striking*
 22 *“\$4,000,000 for each of fiscal years 2019 and*
 23 *2020” and inserting “\$25,000,000 for each of fis-*
 24 *cal years 2022 through 2026”;*

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

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

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

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

13 “(B) *WAIVER.*—The Administrator may in-
14 crease the Federal share under subparagraph (A)
15 to 100 percent if the Administrator determines
16 that an eligible entity is unable to pay, or would
17 experience significant financial hardship if re-
18 quired to pay, the non-Federal share.”.

19 (b) *CONNECTION TO PUBLIC WATER SYSTEMS.*—Sec-
20 tion 1459A of the Safe Drinking Water Act (42 U.S.C.
21 300j–19a) is amended by adding at the end the following:

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

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

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

1 “(i) an owner or operator of a public
2 water system that assists or is seeking to as-
3 sist eligible individuals with connecting the
4 household of the eligible individual to the
5 public water system; or

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

11 “(B) *ELIGIBLE INDIVIDUAL*.—The term ‘eli-
12 gible individual’ has the meaning given the term
13 in section 603(j) of the Federal Water Pollution
14 Control Act (33 U.S.C. 1383(j)).

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

18 “(2) *ESTABLISHMENT*.—Subject to the avail-
19 ability of appropriations, the Administrator shall es-
20 tablish a competitive grant program for the purpose
21 of improving the general welfare under which the Ad-
22 ministrator awards grants to eligible entities to pro-
23 vide funds to assist eligible individuals in covering
24 the costs incurred by the eligible individual in con-

1 *necting the household of the eligible individual to a*
 2 *public water system.*

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

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

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

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

15 “(C) *whether it is economically feasible for*
 16 *an eligible entity to provide the assistance de-*
 17 *scribed in paragraph (2); and*

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

21 “(5) *VOLUNTARY CONNECTION.*—*Before pro-*
 22 *viding funds to an eligible individual for the costs de-*
 23 *scribed in paragraph (2), an eligible entity shall en-*
 24 *sure and certify to the Administrator that—*

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

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

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

13 “(6) *REPORT*.—Not later than 2 years after the
14 date of enactment of the Drinking Water and Waste-
15 water Infrastructure Act of 2021, the Administrator
16 shall submit to Congress a report that describes the
17 implementation of the program, which shall include a
18 description of the use and deployment of amounts
19 made available under the program.

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

24 (c) *COMPETITIVE GRANT PILOT PROGRAM*.—Section
25 1459A of the Safe Drinking Water Act (42 U.S.C. 300j–

1 19a) (as amended by subsection (b)) is amended by adding
 2 at the end the following:

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

5 “(1) IN GENERAL.—In addition to amounts au-
 6 thorized to be appropriated under subsection (k), there
 7 is authorized to be appropriated to carry out sub-
 8 sections (a) through (j) \$50,000,000 for each of fiscal
 9 years 2022 through 2026 in accordance with para-
 10 graph (2).

11 “(2) COMPETITIVE GRANTS.—

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

17 “(B) APPLICATIONS.—To seek a grant
 18 under the competitive grant program under sub-
 19 paragraph (A), a State shall submit to the Ad-
 20 ministrator an application at such time, in such
 21 manner, and containing such information as the
 22 Administrator may require.

23 “(C) CRITERIA.—In selecting recipients of
 24 grants under the competitive grant program
 25 under subparagraph (A), the Administrator shall

1 *establish criteria that give priority to States*
 2 *with a high proportion of underserved commu-*
 3 *nities that meet the condition described in sub-*
 4 *section (a)(2)(A).*

5 “(3) *REPORT.*—Not later than 2 years after the
 6 *date of enactment of the Drinking Water and Waste-*
 7 *water Infrastructure Act of 2021, the Administrator*
 8 *shall submit to Congress a report that describes the*
 9 *implementation of the competitive grant program*
 10 *under paragraph (2)(A), which shall include a de-*
 11 *scription of the use and deployment of amounts made*
 12 *available under the competitive grant program.*

13 “(4) *SAVINGS PROVISION.*—Nothing in this para-
 14 *graph affects the distribution of amounts made avail-*
 15 *able under subsection (k), including any methods used*
 16 *by the Administrator for distribution of amounts*
 17 *made available under that subsection as in effect on*
 18 *the day before the date of enactment of this sub-*
 19 *section.”.*

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

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

23 *(1) in subsection (d)—*

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

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

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

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

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

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

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

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

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

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

5 “(3) *SELECTION*.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 *“(A) a State;*

- 1 “(B) a unit of local government;
- 2 “(C) a public corporation established by a
- 3 unit of local government to provide water service;
- 4 “(D) a nonprofit corporation, public trust,
- 5 or cooperative association that owns or operates
- 6 a public water system;
- 7 “(E) an Indian Tribe that owns or operates
- 8 a public water system;
- 9 “(F) a nonprofit organization that provides
- 10 technical assistance to public water systems; and
- 11 “(G) a Tribal consortium.
- 12 “(2) *OPERATIONAL SUSTAINABILITY*.—The term
- 13 ‘operational sustainability’ means the ability to im-
- 14 prove the operation of a small system through the
- 15 identification and prevention of potable water loss
- 16 due to leaks, breaks, and other metering or infrastruc-
- 17 ture failures.
- 18 “(3) *PROGRAM*.—The term ‘program’ means the
- 19 grant program established under subsection (b).
- 20 “(4) *SMALL SYSTEM*.—The term ‘small system’
- 21 means a public water system that—
- 22 “(A) serves fewer than 10,000 people; and
- 23 “(B) is owned or operated by—
- 24 “(i) a unit of local government;
- 25 “(ii) a public corporation;

1 “(iii) a nonprofit corporation;

2 “(iv) a public trust;

3 “(v) a cooperative association; or

4 “(vi) an Indian Tribe.

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

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

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

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

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

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

6 “(5) any additional information the Adminis-
7 trator may require.

8 “(d) *ADDITIONAL REQUIRED INFORMATION.*—Before
9 awarding funds for a grant under the program to a grant
10 recipient, the grant recipient shall submit to the Adminis-
11 trator—

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

21 “(2) if the grant recipient is located in an area
22 other than a State that has established a State drink-
23 ing water treatment revolving loan fund under section
24 1452, a copy of a written agreement between the
25 grant recipient and the Administrator in which the

1 *eligible entity agrees to provide a copy of any data*
2 *collected under the proposed project to the Adminis-*
3 *trator (or a designee).*

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

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

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

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

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

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

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

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

23 “(A) *the eligible entity; or*

24 “(B) *the small systems for which the grant*
25 *was received;*

1 “(6) the deployment of strategies, techniques, and
2 technologies to enhance the operational sustainability
3 and effective use of water resources through water
4 reuse; and

5 “(7) the development or deployment of other
6 strategies, techniques, or technologies that the Admin-
7 istrator may determine to be appropriate under the
8 program.

9 “(f) *COST SHARE*.—

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

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

16 “(g) *REPORT*.—Not later than 2 years after the date
17 of enactment of the Drinking Water and Wastewater Infra-
18 structure Act of 2021, the Administrator shall submit to
19 Congress a report that describes the implementation of the
20 program, which shall include a description of the use and
21 deployment of amounts made available under the program.

22 “(h) *AUTHORIZATION OF APPROPRIATIONS*.—There is
23 authorized to be appropriated to carry out this section
24 \$50,000,000 for each of fiscal years 2022 through 2026.”.

1 **SEC. 107. MIDSIZE AND LARGE DRINKING WATER SYSTEM**
 2 **INFRASTRUCTURE RESILIENCE AND SUS-**
 3 **TAINABILITY PROGRAM.**

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

7 **“SEC. 1459F. MIDSIZE AND LARGE DRINKING WATER SYS-**
 8 **TEM INFRASTRUCTURE RESILIENCE AND**
 9 **SUSTAINABILITY PROGRAM.**

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

11 *“(1) ELIGIBLE ENTITY.—The term ‘eligible enti-*
 12 *ty’ means a public water system that serves a commu-*
 13 *nity with a population of greater than 10,000.*

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

17 *“(3) RESILIENCE AND SUSTAINABILITY PRO-*
 18 *GRAM.—The term ‘resilience and sustainability pro-*
 19 *gram’ means the Midsize and Large Drinking Water*
 20 *System Infrastructure Resilience and Sustainability*
 21 *Program established under subsection (b).*

22 *“(b) ESTABLISHMENT.—The Administrator shall es-*
 23 *tablish and carry out a program, to be known as the*
 24 *‘Midsize and Large Drinking Water System Infrastructure*
 25 *Resilience and Sustainability Program’, under which the*
 26 *Administrator, subject to the availability of appropriations*

1 *for the resilience and sustainability program, shall award*
2 *grants to eligible entities for the purpose of—*

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

5 *“(2) reducing cybersecurity vulnerabilities.*

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

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

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

20 *“(3) the design or construction of new or modi-*
21 *fied desalination facilities to serve existing commu-*
22 *nities;*

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

1 “(5) the enhancement of energy efficiency or the
2 use and generation of renewable energy in the convey-
3 ance or treatment of drinking water;

4 “(6) the development and implementation of
5 measures—

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

9 “(B) to reduce cybersecurity vulnerabilities;
10 or

11 “(7) the conservation of water or the enhance-
12 ment of a water supply through the implementation
13 of water reuse measures.

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

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

22 “(2) an identification of the natural hazard
23 risks, extreme weather events, or potential cybersecu-
24 rity vulnerabilities, as applicable, to be addressed by
25 the proposed program or project;

1 “(3) documentation prepared by a Federal,
 2 State, regional, or local government agency of the nat-
 3 ural hazard risk, potential cybersecurity vulner-
 4 ability, or risk for extreme weather events to the area
 5 where the proposed program or project is to be lo-
 6 cated;

7 “(4) a description of any recent natural hazards,
 8 cybersecurity events, or extreme weather events that
 9 have affected the community water system of the eligi-
 10 ble entity;

11 “(5) a description of how the proposed program
 12 or project would improve the performance of the com-
 13 munity water system of the eligible entity under the
 14 anticipated natural hazards, cybersecurity
 15 vulnerabilities, or extreme weather events; and

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

18 “(A) to enhance the resilience of the commu-
 19 nity water system of the eligible entity to the an-
 20 ticipated natural hazards or extreme weather
 21 events; or

22 “(B) to reduce cybersecurity vulnerabilities.

23 “(e) *REPORT*.—Not later than 2 years after the date
 24 of enactment of the Drinking Water and Wastewater Infra-
 25 structure Act of 2021, the Administrator shall submit to

1 Congress a report that describes the implementation of the
 2 resilience and sustainability program, which shall include
 3 a description of the use and deployment of amounts made
 4 available to carry out the resilience and sustainability pro-
 5 gram.

6 “(f) *AUTHORIZATION OF APPROPRIATIONS.*—

7 “(1) *IN GENERAL.*—There is authorized to be ap-
 8 propriated to carry out the resilience and sustain-
 9 ability program \$50,000,000 for each of fiscal years
 10 2022 through 2026.

11 “(2) *USE OF FUNDS.*—Of the amounts made
 12 available under paragraph (1) for grants to eligible
 13 entities under the resilience and sustainability pro-
 14 gram—

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

18 “(i) greater than 10,000; and

19 “(ii) fewer than 100,000; and

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

23 “(3) *ADMINISTRATIVE COSTS.*—Of the amounts
 24 made available under paragraph (1), not more than
 25 2 percent may be used by the Administrator for the

1 *administrative costs of carrying out the resilience and*
 2 *sustainability program.”.*

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

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

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

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

13 “(1) *LARGE COMMUNITY WATER SYSTEM.—The*
 14 *term ‘large community water system’ means a com-*
 15 *munity water system or treatment works that serves*
 16 *a population of more than 100,000 inhabitants.*

17 “(2) *LOW-INCOME HOUSEHOLD.—The term ‘low-*
 18 *income household’ means a household that has an in-*
 19 *come that, as determined by the State in which the*
 20 *household is located, does not exceed the greater of—*

21 “(A) *an amount equal to 150 percent of the*
 22 *poverty level of that State; and*

23 “(B) *an amount equal to 60 percent of the*
 24 *State median income for that State.*

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

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

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

14 “(6) *TREATMENT WORKS.*—The term ‘treatment
15 *works’ has the meaning given the term in section 212*
16 *of the Federal Water Pollution Control Act (33 U.S.C.*
17 *1292).*

18 “(b) *STUDY; REPORT.*—

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

24 “(A) *own or operate rural community*
25 *water systems, medium community water sys-*

1 *tems, or large community water systems that*
 2 *service a disproportionate level of low-income*
 3 *households with need, including low-income rent-*
 4 *ers with need or a community water system or*
 5 *treatment works that provides services to a dis-*
 6 *advantaged community (as defined in section*
 7 *1452(d)(3)); or*

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

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

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

18 *“(B) a description of the cost of each meth-*
 19 *od described in subparagraph (A); and*

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

23 *“(3) AGREEMENTS.—The Administrator may*
 24 *enter into an agreement with another Federal agency*
 25 *to carry out the study under paragraph (1).”.*

1 **SEC. 109. RURAL AND LOW-INCOME DRINKING WATER AS-**
 2 **SISTANCE PILOT PROGRAM.**

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

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

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

9 *“(1) ELIGIBLE ENTITY.—The term ‘eligible enti-*
 10 *ty’ means a municipality, Tribal government, or*
 11 *other entity that—*

12 *“(A) owns or operates a community water*
 13 *system or treatment works that services a dis-*
 14 *proportionate level of low-income households (as*
 15 *defined in section 1459E(a)), including low-in-*
 16 *come renters; or*

17 *“(B) has taken on an unsustainable level of*
 18 *debt due to customer nonpayment for the services*
 19 *provided by a community water system or treat-*
 20 *ment works.*

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

25 *“(3) MEDIUM COMMUNITY WATER SYSTEM.—The*
 26 *term ‘medium community water system’ means a*

1 *community water system or treatment works that*
 2 *serves a population of more than 10,000 inhabitants*
 3 *and not more than 100,000 inhabitants.*

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

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

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

15 “(7) *TREATMENT WORKS.*—The term ‘treatment
 16 works’ has the meaning given the term in section 212
 17 of the Federal Water Pollution Control Act (33 U.S.C.
 18 1292).

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

22 “(b) *ESTABLISHMENT.*—

23 “(1) *IN GENERAL.*—Not later than 90 days after
 24 the date on which the Administrator submits the
 25 drinking water needs assessment to Congress, the Ad-

1 *ministrator shall establish a pilot program to award*
 2 *grants to eligible entities to develop and implement*
 3 *programs to assist low-income households with need*
 4 *in maintaining access to affordable and reliable*
 5 *drinking water and wastewater treatment.*

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

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

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

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

21 “(4) *TERM.*—*The term of a grant awarded under*
 22 *the pilot program shall be subject to the availability*
 23 *of appropriations.*

1 “(5) *TYPES OF ASSISTANCE.*—*In establishing the*
 2 *pilot program, the Administrator may include provi-*
 3 *sions for—*

4 “(A) *direct financial assistance;*

5 “(B) *a lifeline rate;*

6 “(C) *bill discounting;*

7 “(D) *special hardship provisions;*

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

9 *or*

10 “(F) *debt relief for the eligible entity or the*
 11 *community water system owned by the eligible*
 12 *entity for debt that is due to customer non-*
 13 *payment for the services provided by the eligible*
 14 *entity or the community water system that is de-*
 15 *termined by the Administrator to be in the inter-*
 16 *est of public health.*

17 “(6) *REQUIREMENT.*—*The Administrator shall*
 18 *award not more than 40 grants under the pilot pro-*
 19 *gram, of which—*

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

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

24 “(C) *10 shall be to eligible entities that own*
 25 *or operate a large community water system; and*

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

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

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

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

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

22 “(8) REPORTING REQUIREMENTS.—

23 “(A) IN GENERAL.—In addition to any
 24 other applicable Federal or agency-specific grant
 25 reporting requirements, as a condition of receiv-

1 *ing a grant under the pilot program, an eligible*
 2 *entity (or a State, on behalf of an eligible entity)*
 3 *shall submit to the Administrator an annual re-*
 4 *port that summarizes, in a manner determined*
 5 *by the Administrator, the use of grant funds by*
 6 *the eligible entity, including—*

7 “(i) *key features of the assistance pro-*
 8 *vided by the eligible entity, including rate*
 9 *structures, rebates, discounts, and related*
 10 *initiatives that assist households, includ-*
 11 *ing—*

12 “(I) *budget billing;*

13 “(II) *bill timing; and*

14 “(III) *pretermination protections;*

15 “(ii) *sources of funding used to supple-*
 16 *ment Federal funds; and*

17 “(iii) *eligibility criteria.*

18 “(B) *PUBLICATION.—The Administrator*
 19 *shall publish each report submitted under sub-*
 20 *paragraph (A).*

21 “(c) *TECHNICAL ASSISTANCE.—The Administrator*
 22 *shall provide technical assistance to each eligible entity, and*
 23 *each State, on behalf of an eligible entity, that receives a*
 24 *grant under the pilot program to ensure full implementa-*
 25 *tion of the program.*

1 “(d) *REPORT*.—Not later than 2 years after the date
 2 on which grant funds are first disbursed to an eligible enti-
 3 ty (or a State, on behalf of an eligible entity) under the
 4 program, and every year thereafter for the duration of the
 5 terms of the grants, the Administrator shall submit to Con-
 6 gress a report on the results of the pilot program.”.

7 **SEC. 110. LEAD CONTAMINATION IN SCHOOL DRINKING**
 8 **WATER.**

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

11 (1) in subsection (b)—

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

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

16 (2) in subsection (d)—

17 (A) in paragraph (2)—

18 (i) in subparagraph (A)—

19 (I) by striking “in voluntary test-
 20 ing” and inserting “, public water sys-
 21 tems that serve schools and child care
 22 programs under the jurisdiction of
 23 those local educational agencies, and
 24 qualified nonprofit organizations in

1 *voluntary testing or compliance moni-*
 2 *toring”;*

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

5 *(III) by striking “grants available*
 6 *to States” and inserting the following:*
 7 *“grants available to—*
 8 *“(i) States”; and*

9 *(IV) by adding at the end the fol-*
 10 *lowing:*

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

19 *(ii) in subparagraph (B)—*

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

22 *(II) in clause (ii), by striking the*
 23 *period at the end and inserting a semi-*
 24 *colon; and*

1 *(III) by adding at the end the fol-*
2 *lowing:*

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

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

9 *“(II) assists schools or child care*
10 *programs with compliance monitoring;*
11 *or*

12 *“(III) provides technical assist-*
13 *ance to schools or child care programs*
14 *in carrying out lead testing; or*

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

17 *(B) in paragraphs (3), (5), (6), and (7), by*
18 *striking “State or local educational agency” each*
19 *place it appears and inserting “State, local edu-*
20 *cational agency, public water system, tribal con-*
21 *sortium, or qualified nonprofit organization”;*

22 *(C) in paragraph (4), by striking “States*
23 *and local educational agencies” and inserting*
24 *“States, local educational agencies, public water*

1 *systems, tribal consortia, and qualified nonprofit*
 2 *organizations”;*

3 *(D) in paragraph (6)—*

4 *(i) in the matter preceding subpara-*
 5 *graph (A), by inserting “, public water sys-*
 6 *tem, tribal consortium, or qualified non-*
 7 *profit organization” after “each local edu-*
 8 *cational agency”;*

9 *(ii) in subparagraph (A)(ii), by insert-*
 10 *ing “or tribal” after “applicable State”;*
 11 *and*

12 *(iii) in subparagraph (B)(i), by insert-*
 13 *ing “applicable” before “local educational*
 14 *agency”; and*

15 *(E) by striking paragraph (8) and inserting*
 16 *the following:*

17 “(8) *AUTHORIZATION OF APPROPRIATIONS.—*
 18 *There are authorized to be appropriated to carry out*
 19 *this subsection—*

20 *“(A) \$30,000,000 for each of fiscal years*
 21 *2022 through 2024;*

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

23 *“(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—*

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

4 “(B) 10 eligible projects described in sub-
5 section (b) that are within the Upper Rio
6 Grande Basin;

7 “(C) 10 eligible projects described in sub-
8 section (b) that are within the Columbia River
9 Basin;

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

13 “(E) 10 eligible projects described in sub-
14 section (b) that are within the Arkansas-White-
15 Red River Basin.

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

20 “(d) FEDERAL SHARE.—The Federal share of the cost
21 of a project carried out under this section shall be 100 per-
22 cent.

23 “(e) REPORT.—Not later than 2 years after the date
24 of enactment of the Drinking Water and Wastewater Infra-
25 structure Act of 2021, the Administrator shall submit to

1 *Congress a report that describes the implementation of the*
 2 *program established under subsection (a), which shall in-*
 3 *clude a description of the use and deployment of amounts*
 4 *made available under that program.”; and*

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

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

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

11 *“(1) \$20,000,000”;*

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

14 *(D) by adding at the end the following:*

15 *“(2) \$50,000,000 for each of fiscal years 2022*
 16 *through 2026.”.*

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

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

21 **“SEC. 1459I. ADVANCED DRINKING WATER TECHNOLOGIES.**

22 **“(a) STUDY.—**

23 **“(1) IN GENERAL.—***Subject to the availability of*
 24 *appropriations, not later than 1 year after the date*
 25 *of enactment of the Drinking Water and Wastewater*

1 *Infrastructure Act of 2021, the Administrator shall*
 2 *carry out a study that examines the state of existing*
 3 *and potential future technology, including technology*
 4 *that could address cybersecurity vulnerabilities, that*
 5 *enhances or could enhance the treatment, monitoring,*
 6 *affordability, efficiency, and safety of drinking water*
 7 *provided by a public water system.*

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

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

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

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

19 “(i) *serves—*

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

22 “(II) *an underserved community;*

23 “(ii) *has plans to identify or has iden-*
 24 *tified opportunities in the operations of the*
 25 *public water system to employ new, exist-*

1 *ing, or emerging, yet proven, technologies,*
2 *including technology that could address cy-*
3 *bersecurity vulnerabilities, as determined by*
4 *the Administrator, that enhance treatment,*
5 *monitoring, affordability, efficiency, or safe-*
6 *ty of the drinking water provided by the*
7 *public water system, including technologies*
8 *not identified in the study conducted under*
9 *subsection (a)(1); and*

10 “(iii) has expressed an interest in the
11 opportunities in the operation of the public
12 water system to employ new, existing, or
13 emerging, yet proven, technologies, includ-
14 ing technology that could address cybersecu-
15 rity vulnerabilities, as determined by the
16 Administrator, that enhance treatment,
17 monitoring, affordability, efficiency, or safe-
18 ty of the drinking water provided by the
19 public water system, including technologies
20 not identified in the study conducted under
21 subsection (a)(1).

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

1 “(C) *UNDERSERVED COMMUNITY.*—The
 2 *term ‘underserved community’ means a political*
 3 *subdivision of a State that, as determined by the*
 4 *Administrator, has an inadequate system for ob-*
 5 *taining drinking water.*

6 “(2) *ESTABLISHMENT.*—The Administrator shall
 7 *establish a competitive grant program under which*
 8 *the Administrator shall award grants to eligible enti-*
 9 *ties for the purpose of identifying, deploying, or iden-*
 10 *tifying and deploying technologies described in para-*
 11 *graph (1)(A)(ii).*

12 “(3) *REQUIREMENTS.*—

13 “(A) *APPLICATIONS.*—To be eligible to re-
 14 *ceive a grant under the program, an eligible en-*
 15 *tity shall submit to the Administrator an appli-*
 16 *cation at such time, in such manner, and con-*
 17 *taining such information as the Administrator*
 18 *may require.*

19 “(B) *FEDERAL SHARE.*—

20 “(i) *IN GENERAL.*—Subject to clause
 21 (ii), the Federal share of the cost of a
 22 project carried out using a grant under the
 23 program shall not exceed 90 percent of the
 24 total cost of the project.

1 “(ii) *WAIVER.—The Administrator*
 2 *may increase the Federal share under clause*
 3 *(i) to 100 percent if the Administrator de-*
 4 *termines that an eligible entity is unable to*
 5 *pay, or would experience significant finan-*
 6 *cial hardship if required to pay, the non-*
 7 *Federal share.*

8 “(4) *REPORT.—Not later than 2 years after the*
 9 *date on which Administrator first awards a grant*
 10 *under the program, and annually thereafter, the Ad-*
 11 *ministrator shall submit to Congress a report describ-*
 12 *ing—*

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

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

17 “(5) *FUNDING.—*

18 “(A) *AUTHORIZATION OF APPROPRIA-*
 19 *TIONS.—There is authorized to be appropriated*
 20 *to carry out the program \$10,000,000 for each of*
 21 *fiscal years 2022 through 2026, to remain avail-*
 22 *able until expended.*

23 “(B) *ADMINISTRATIVE COSTS.—Not more*
 24 *than 2 percent of the amount made available for*
 25 *a fiscal year under subparagraph (A) to carry*

1 *out the program may be used by the Adminis-*
 2 *trator for the administrative costs of carrying*
 3 *out the program.”.*

4 ***TITLE II—CLEAN WATER***

5 ***SEC. 201. RESEARCH, INVESTIGATIONS, TRAINING, AND IN-*** 6 ***FORMATION.***

7 *(a) REAUTHORIZATION.—Section 104(u) of the Fed-*
 8 *eral Water Pollution Control Act (33 U.S.C. 1254(u)) is*
 9 *amended—*

10 *(1) by striking “and (7)” and inserting “(7)”;*
 11 *and*

12 *(2) in paragraph (7)—*

13 *(A) by striking “2023” and inserting*
 14 *“2021”; and*

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

22 *(b) COMMUNICATION.—Each nonprofit organization*
 23 *that receives funding under paragraph (8) of section 104(b)*
 24 *of the Federal Water Pollution Control Act (33 U.S.C.*
 25 *1254(b)) shall, before using that funding to undertake ac-*

1 *tivities to carry out that paragraph, consult with the State*
 2 *in which the assistance is to be expended or otherwise made*
 3 *available.*

4 *(c) REPORT.—Not later than 2 years after the date of*
 5 *enactment of this Act, the Administrator shall submit to*
 6 *Congress a report that describes the implementation of the*
 7 *grants authorized under subsections (b)(3), (b)(8), and (g)*
 8 *of section 104 of the Federal Water Pollution Control Act*
 9 *(33 U.S.C. 1254), which shall include a description of the*
 10 *grant recipients and grant amounts made available to*
 11 *carry out those subsections.*

12 **SEC. 202. WASTEWATER EFFICIENCY GRANT PILOT PRO-**
 13 **GRAM.**

14 *(a) DEFINITIONS.—In this section:*

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

18 *(2) TREATMENT WORKS.—The term “treatment*
 19 *works” has the meaning given the term in section 212*
 20 *of the Federal Water Pollution Control Act (33 U.S.C.*
 21 *1292).*

22 *(b) ESTABLISHMENT.—Subject to the availability of*
 23 *appropriations, the Administrator shall establish a waste-*
 24 *water efficiency grant pilot program to award grants to*
 25 *owners or operators of publicly owned treatment works to*

1 *carry out projects that create or improve waste-to-energy*
 2 *systems.*

3 (c) *SELECTION.—*

4 (1) *APPLICATIONS.—To be eligible to receive a*
 5 *grant under the pilot program, an owner or operator*
 6 *of a treatment works shall submit to the Adminis-*
 7 *trator an application at such time, in such manner,*
 8 *and containing such information as the Adminis-*
 9 *trator may require.*

10 (2) *NUMBER OF RECIPIENTS.—The Adminis-*
 11 *trator shall select not more than 15 recipients of*
 12 *grants under the pilot program from applications*
 13 *submitted under paragraph (1).*

14 (d) *USE OF FUNDS.—*

15 (1) *IN GENERAL.—Subject to paragraph (2), a*
 16 *recipient of a grant under the pilot program may use*
 17 *grant funds for—*

18 (A) *sludge collection;*

19 (B) *installation of anaerobic digesters;*

20 (C) *methane capture;*

21 (D) *methane transfer;*

22 (E) *facility upgrades and retrofits necessary*

23 *to create or improve waste-to-energy systems;*

24 *and*

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

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

5 (e) *REPORTS.*—

6 (1) *REPORT TO THE ADMINISTRATOR.*—Not later
7 than 2 years after receiving a grant under the pilot
8 program and each year thereafter for which amounts
9 are made available for the pilot program under sub-
10 section (f), the recipient of the grant shall submit to
11 the Administrator a report describing the impact of
12 that project on the communities within 3 miles of the
13 treatment works.

14 (2) *REPORT TO CONGRESS.*—Not later than 1
15 year after first awarding grants under the pilot pro-
16 gram and each year thereafter for which amounts are
17 made available for the pilot program under subsection
18 (f), the Administrator shall submit to Congress a re-
19 port describing—

20 (A) the applications received by the Admin-
21 istrator for grants under the pilot program; and

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

24 (f) *AUTHORIZATION OF APPROPRIATIONS.*—

1 (1) *IN GENERAL*.—There is authorized to be ap-
 2 propriated to carry out the pilot program
 3 \$20,000,000 for each of fiscal years 2022 through
 4 2026, to remain available until expended.

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

9 **SEC. 203. PILOT PROGRAM FOR ALTERNATIVE WATER**
 10 **SOURCE PROJECTS.**

11 Section 220 of the Federal Water Pollution Control Act
 12 (33 U.S.C. 1300) is amended—

13 (1) in subsection (b), in the heading, by striking
 14 “*IN GENERAL*” and inserting “*ESTABLISHMENT*”;

15 (2) in subsection (d)—

16 (A) by striking paragraph (2); and

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

19 (3) by striking subsection (e);

20 (4) in subsection (i)—

21 (A) in the matter preceding paragraph (1),
 22 by striking “, the following definitions apply”;
 23 and

24 (B) in paragraph (1), in the first sentence,
 25 by striking “water or wastewater or by treating

1 wastewater” and inserting “water, wastewater,
2 or stormwater or by treating wastewater or
3 stormwater”;

4 (5) in subsection (j)—

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

7 “(1) *IN GENERAL.*—There is”;

8 (B) in paragraph (1) (as so designated), by
9 striking “a total of \$75,000,000 for fiscal years
10 2002 through 2004. Such sums shall” and insert-
11 ing “\$25,000,000 for each of fiscal years 2022
12 through 2026, to”; and

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

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

18 (6) by redesignating subsections (b), (c), (d), (i),
19 and (j) as subsections (c), (d), (e), (b), and (i), respec-
20 tively, and moving those subsections so as to appear
21 in alphabetical order.

22 **SEC. 204. SEWER OVERFLOW AND STORMWATER REUSE MU-**
23 **NICIPAL GRANTS.**

24 Section 221 of the Federal Water Pollution Control Act
25 (33 U.S.C. 1301) is amended—

1 (1) in subsection (a)(1) —

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

4 (B) by redesignating subparagraph (B) as
5 subparagraph (C); and

6 (C) by inserting after subparagraph (A) the
7 following:

8 “(B) notification systems to inform the pub-
9 lic of combined sewer or sanitary overflows that
10 result in sewage being released into rivers and
11 other waters; and”;

12 (2) in subsection (d)—

13 (A) in the second sentence, by striking “The
14 non-Federal share of the cost” and inserting the
15 following:

16 “(3) TYPES OF NON-FEDERAL SHARE.—The ap-
17 plicable non-Federal share of the cost under this sub-
18 section”;

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

21 “(1) IN GENERAL.—Subject to paragraph (2), the
22 Federal”; and

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

1 “(2) *FEDERAL SHARE FOR RURAL OR FINAN-*
2 *CIALLY DISTRESSED COMMUNITIES.*—

3 “(A) *IN GENERAL.*—Subject to subpara-
4 graph (B), the Federal share of the cost of an ac-
5 tivity carried out using amounts from a grant
6 under subsection (a) in a rural community or a
7 financially distressed community (as those terms
8 are defined in subsection (f)(2)(B)(i)) shall be 90
9 percent.

10 “(B) *WAIVER.*—The Administrator may in-
11 crease the Federal share under subparagraph (A)
12 to 100 percent.”;
13 (3) in subsection (f)—

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

16 “(1) *IN GENERAL.*—There is authorized to be ap-
17 propriated to carry out this section \$280,000,000 for
18 each of fiscal years 2022 through 2026.”; and

19 (B) in paragraph (2)—

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

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

23 and

24 (ii) by adding at the end the following:

1 “(B) *RURAL OR FINANCIALLY DISTRESSED*
2 *COMMUNITY ALLOCATION.*—

3 “(i) *DEFINITIONS.*—*In this subpara-*
4 *graph:*

5 “(I) *FINANCIALLY DISTRESSED*
6 *COMMUNITY.*—*The term ‘financially*
7 *distressed community’ has the meaning*
8 *given the term in subsection (c)(1).*

9 “(II) *RURAL COMMUNITY.*—*The*
10 *term ‘rural community’ means a city,*
11 *town, or unincorporated area that has*
12 *a population of not more than 10,000*
13 *inhabitants.*

14 “(ii) *ALLOCATION.*—

15 “(I) *IN GENERAL.*—*To the extent*
16 *there are sufficient eligible project ap-*
17 *plications, the Administrator shall en-*
18 *sure that a State uses not less than 25*
19 *percent of the amount of the grants*
20 *made to the State under subsection (a)*
21 *in a fiscal year to carry out projects in*
22 *rural communities or financially dis-*
23 *tressed communities for the purpose of*
24 *planning, design, and construction*
25 *of—*

1 “(aa) treatment works to
2 intercept, transport, control, treat,
3 or reuse municipal sewer over-
4 flows, sanitary sewer overflows, or
5 stormwater; or

6 “(bb) any other measures to
7 manage, reduce, treat, or recap-
8 ture stormwater or subsurface
9 drainage water eligible for assist-
10 ance under section 603(c).

11 “(II) RURAL COMMUNITIES.—Of
12 the funds allocated under subclause (I)
13 for the purposes described in that sub-
14 clause, to the extent there are sufficient
15 eligible project applications, the Ad-
16 ministrator shall ensure that a State
17 uses not less than 60 percent to carry
18 out projects in rural communities.”;
19 and

20 (4) in subsection (i)—

21 (A) in the second sentence, by striking “The
22 recommended funding levels” and inserting the
23 following:

24 “(B) REQUIREMENT.—The funding levels
25 recommended under subparagraph (A)”;

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

3 “(1) *RECOMMENDED FUNDING LEVELS.*—

4 “(A) *IN GENERAL.*—Not later”; and

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

6 “(2) *USE OF FUNDS.*—Not later than 2 years
7 after the date of enactment of the Drinking Water and
8 Wastewater Infrastructure Act of 2021, the Adminis-
9 trator shall submit to the Committee on Environment
10 and Public Works of the Senate and the Committee on
11 Transportation and Infrastructure of the House of
12 Representatives a report that describes the implemen-
13 tation of the grant program under this section, which
14 shall include a description of the grant recipients and
15 grant amounts made available under the program.”.

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

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

21 **“SEC. 222. CLEAN WATER INFRASTRUCTURE RESILIENCY**
22 **AND SUSTAINABILITY PROGRAM.**

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

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

1 “(A) a municipality; or

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

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

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

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

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

24 “(1) the conservation of water;

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

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

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

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

9 “(4) the modification or relocation of an existing
10 publicly owned treatment works, conveyance, or dis-
11 charge system component that is at risk of being sig-
12 nificantly impaired or damaged by a natural hazard;

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

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

21 “(d) APPLICATION.—To be eligible to receive a grant
22 under the program, an eligible entity shall submit to the
23 Administrator an application at such time, in such man-
24 ner, and containing such information as the Administrator
25 may require, including—

1 “(1) a proposal of the project to be planned, de-
2 signed, or constructed using funds under the program;

3 “(2) an identification of the natural hazard risk
4 of the area where the proposed project is to be located
5 or potential cybersecurity vulnerability, as applicable,
6 to be addressed by the proposed project;

7 “(3) documentation prepared by a Federal,
8 State, regional, or local government agency of the nat-
9 ural hazard risk of the area where the proposed
10 project is to be located or potential cybersecurity vul-
11 nerability, as applicable, of the area where the pro-
12 posed project is to be located;

13 “(4) a description of any recent natural hazard
14 risk of the area where the proposed project is to be lo-
15 cated or potential cybersecurity vulnerabilities that
16 have affected the publicly owned treatment works;

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

23 “(6) an explanation of how the proposed project
24 is expected to enhance the resilience of the publicly
25 owned treatment works to a natural hazard risk of

1 *the area where the proposed project is to be located or*
 2 *a potential cybersecurity vulnerability, as applicable.*

3 “(e) *GRANT AMOUNT AND OTHER FEDERAL REQUIRE-*
 4 *MENTS.—*

5 “(1) *COST SHARE.—Except as provided in para-*
 6 *graph (2), a grant under the program shall not exceed*
 7 *75 percent of the total cost of the proposed project.*

8 “(2) *EXCEPTION.—*

9 “(A) *IN GENERAL.—Except as provided in*
 10 *subparagraph (B), a grant under the program*
 11 *shall not exceed 90 percent of the total cost of the*
 12 *proposed project if the project serves a commu-*
 13 *nity that—*

14 “(i) *has a population of fewer than*
 15 *10,000 individuals; or*

16 “(ii) *meets the affordability criteria es-*
 17 *tablished by the State in which the commu-*
 18 *nity is located under section 603(i)(2).*

19 “(B) *WAIVER.—At the discretion of the Ad-*
 20 *ministrator, a grant for a project described in*
 21 *subparagraph (A) may cover 100 percent of the*
 22 *total cost of the proposed project.*

23 “(3) *REQUIREMENTS.—The requirements of sec-*
 24 *tion 608 shall apply to a project funded with a grant*
 25 *under the program.*

1 “(f) *REPORT*.—Not later than 2 years after the date
 2 of enactment of the Drinking Water and Wastewater Infra-
 3 structure Act of 2021, the Administrator shall submit to
 4 Congress a report that describes the implementation of the
 5 program, which shall include an accounting of all grants
 6 awarded under the program, including a description of each
 7 grant recipient and each project funded using a grant
 8 under the program.

9 “(g) *AUTHORIZATION OF APPROPRIATIONS*.—

10 “(1) *IN GENERAL*.—There is authorized to be ap-
 11 propriated to carry out this section \$25,000,000 for
 12 each of fiscal years 2022 through 2026.

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

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

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

22 **“SEC. 223. SMALL AND MEDIUM PUBLICLY OWNED TREAT-**
 23 **MENT WORKS CIRCUIT RIDER PROGRAM.**

24 “(a) *ESTABLISHMENT*.—Subject to the availability of
 25 appropriations, not later than 180 days after the date of

1 *enactment of this section, the Administrator shall establish*
2 *a circuit rider program (referred to in this section as the*
3 *‘circuit rider program’) under which the Administrator*
4 *shall award grants to qualified nonprofit entities, as deter-*
5 *mined by the Administrator, to provide assistance to owners*
6 *and operators of small and medium publicly owned treat-*
7 *ment works to carry out the activities described in section*
8 *602(b)(13).*

9 “(b) *LIMITATION.*—A grant provided under the circuit
10 *rider program shall be in an amount that is not more than*
11 *\$75,000.*

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

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

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

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

25 “(e) *AUTHORIZATION OF APPROPRIATIONS.*—

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

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

8 **SEC. 207. SMALL PUBLICLY OWNED TREATMENT WORKS EF-**
 9 **FICIENCY GRANT PROGRAM.**

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

13 **“SEC. 224. SMALL PUBLICLY OWNED TREATMENT WORKS**
 14 **EFFICIENCY GRANT PROGRAM.**

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

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

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

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

5 “(B) a disadvantaged community; or

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

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

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

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

18 “(d) *USE OF FUNDS*.—

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

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

1 *not more than 2 percent may be used to pay the ad-*
 2 *ministrative costs of the Administrator.”.*

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

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

11 **“SEC. 225. GRANTS FOR CONSTRUCTION AND REFUR-**
 12 **BISHING OF INDIVIDUAL HOUSEHOLD DE-**
 13 **CENTRALIZED WASTEWATER SYSTEMS FOR**
 14 **INDIVIDUALS WITH LOW OR MODERATE IN-**
 15 **COME.**

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

25 “(b) *GRANT PROGRAM.—*

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

7 “(A) for the construction, repair, or replace-
8 ment of an individual household decentralized
9 wastewater treatment system; or

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

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

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

21 “(iii) a larger decentralized wastewater
22 system could be cost-effectively installed.

23 “(2) *APPLICATION.*—To be eligible to receive a
24 grant under this subsection, a private nonprofit orga-
25 nization shall submit to the Administrator an appli-

1 *cation at such time, in such manner, and containing*
2 *such information as the Administrator determines to*
3 *be appropriate.*

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

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

15 “(c) *GRANTS.*—

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

20 “(2) *APPLICATION.*—*To be eligible to receive the*
21 *services described in subsection (b)(1), an eligible in-*
22 *dividual shall submit to the private nonprofit organi-*
23 *zation serving the area in which the individual house-*
24 *hold decentralized wastewater system of the eligible*
25 *individuals is, or is proposed to be, located an appli-*

1 *cation at such time, in such manner, and containing*
2 *such information as the private nonprofit organiza-*
3 *tion determines to be appropriate.*

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

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

15 “(e) *AUTHORIZATION OF APPROPRIATIONS.*—

16 “(1) *IN GENERAL.*—*There is authorized to be ap-*
17 *propriated to the Administrator to carry out this sec-*
18 *tion \$50,000,000 for each of fiscal years 2022 through*
19 *2026.*

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

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

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

6 **“SEC. 226. CONNECTION TO PUBLICLY OWNED TREATMENT**
 7 **WORKS.**

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

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

11 *“(A) an owner or operator of a publicly*
 12 *owned treatment works that assists or is seeking*
 13 *to assist low-income or moderate-income individ-*
 14 *uals with connecting the household of the indi-*
 15 *vidual to the publicly owned treatment works; or*

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

21 *“(2) PROGRAM.—The term ‘program’ means the*
 22 *competitive grant program established under sub-*
 23 *section (b).*

24 *“(3) QUALIFIED INDIVIDUAL.—The term ‘quali-*
 25 *fied individual’ has the meaning given the term ‘eligi-*
 26 *ble individual’ in section 603(j).*

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

9 “(c) *APPLICATION.*—

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

15 “(2) *REQUIREMENT.*—Not later than 90 days
16 after the date on which the Administrator receives an
17 application from an eligible entity under paragraph
18 (1), the Administrator shall notify the eligible entity
19 of whether the Administrator will award a grant to
20 the eligible entity under the program.

21 “(d) *SELECTION CRITERIA.*—In selecting recipients of
22 grants under the program, the Administrator shall use the
23 following criteria:

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

4 “(2) Whether the eligible entity seeking a
5 grant—

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

10 “(B) seeks to create a program described in
11 subparagraph (A).

12 “(e) REQUIREMENTS.—

13 “(1) VOLUNTARY CONNECTION.—Before pro-
14 viding funds to a qualified individual for the costs de-
15 scribed in subsection (b), an eligible entity shall en-
16 sure that—

17 “(A) the qualified individual has connected
18 to the publicly owned treatment works volun-
19 tarily; and

20 “(B) if the eligible entity is not the owner
21 or operator of the publicly owned treatment
22 works to which the qualified individual has con-
23 nected, the publicly owned treatment works to
24 which the qualified individual has connected has
25 agreed to the connection.

1 “(2) *REIMBURSEMENTS FROM PUBLICLY OWNED*
 2 *TREATMENT WORKS.*—*An eligible entity that is an*
 3 *owner or operator of a publicly owned treatment*
 4 *works may reimburse a qualified individual that has*
 5 *already incurred the costs described in subsection (b)*
 6 *by—*

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

11 “(B) *providing a direct payment to the*
 12 *qualified individual.*

13 “(f) *AUTHORIZATION OF APPROPRIATIONS.*—

14 “(1) *IN GENERAL.*—*There is authorized to be ap-*
 15 *propriated to carry out the program \$40,000,000 for*
 16 *each of fiscal years 2022 through 2026.*

17 “(2) *LIMITATIONS ON USE OF FUNDS.*—

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

23 “(i) *eligible entities described in sub-*
 24 *section (a)(1)(A) that are owners and oper-*

1 ators of publicly owned treatment works
 2 that serve fewer than 3,300 people; and
 3 “(ii) eligible entities described in sub-
 4 section (a)(1)(B) that provide the assistance
 5 described in that subsection in areas that
 6 are served by publicly owned treatment
 7 works that serve fewer than 3,300 people.

8 “(B) ADMINISTRATIVE COSTS.—Of the
 9 amounts made available for grants under para-
 10 graph (1), not more than 2 percent may be used
 11 to pay the administrative costs of the Adminis-
 12 trator.”.

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

14 (a) *USE OF FUNDS.*—

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

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

21 (B) in subsection (i)—

22 (i) in paragraph (1), in the matter
 23 preceding subparagraph (A), by striking “,
 24 including forgiveness of principal and nega-
 25 tive interest loans” and inserting “(includ-

1 *ing forgiveness of principal, grants, nega-*
 2 *tive interest loans, other loan forgiveness,*
 3 *and through buying, refinancing, or restruc-*
 4 *turing debt)”; and*

5 *(ii) in paragraph (3), by striking sub-*
 6 *paragraph (B) and inserting the following:*

7 *“(B) TOTAL AMOUNT OF SUBSIDIZATION.—*
 8 *For each fiscal year, of the amount of the cap-*
 9 *italization grant received by the State under this*
 10 *title, the total amount of additional subsidiza-*
 11 *tion made available by a State under paragraph*
 12 *(1)—*

13 *“(i) may not exceed 30 percent; and*

14 *“(ii) to the extent that there are suffi-*
 15 *cient applications for assistance to commu-*
 16 *nities described in that paragraph, may not*
 17 *be less than 10 percent.”; and*

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

19 *“(k) ADDITIONAL USE OF FUNDS.—A State may use*
 20 *an additional 2 percent of the funds annually allotted to*
 21 *each State under this section for nonprofit organizations*
 22 *(as defined in section 104(w)) to provide technical assist-*
 23 *ance to rural, small, and tribal publicly owned treatment*
 24 *works (within the meaning of section 104(b)(8)(B)) in the*
 25 *State.”.*

1 (2) *TECHNICAL AMENDMENT.*—Section 104(w) of
 2 the Federal Water Pollution Control Act (33 U.S.C.
 3 1254(w)) is amended by striking “treatments works”
 4 and inserting “treatment works”.

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

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

9 *“There are authorized to be appropriated to carry out*
 10 *the purposes of this title—*

11 *“(1) \$2,400,000,000 for fiscal year 2022;*

12 *“(2) \$2,750,000,000 for fiscal year 2023;*

13 *“(3) \$3,000,000,000 for fiscal year 2024; and*

14 *“(4) \$3,250,000,000 for each of fiscal years 2025*
 15 *and 2026.”.*

16 **SEC. 211. WATER INFRASTRUCTURE AND WORKFORCE IN-**
 17 **VESTMENT.**

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

20 (1) in subsection (a)(3)—

21 (A) in subparagraph (A), by inserting
 22 “Tribal,” after “State,”; and

23 (B) in subparagraph (B), by striking “com-
 24 munity-based organizations” and all that follows
 25 through the period at the end and inserting the

1 following: “community-based organizations and
 2 public works departments or agencies to align
 3 water and wastewater utility workforce recruit-
 4 ment efforts, training programs, retention efforts,
 5 and community resources with water and waste-
 6 water utilities—

7 “(i) to accelerate career pipelines;

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

10 “(iii) to provide access to workforce op-
 11 portunities.”;

12 (2) in subsection (b)—

13 (A) in paragraph (1)—

14 (i) by striking subparagraph (B);

15 (ii) in subparagraph (A), by striking
 16 “; and” at the end and inserting “, which
 17 may include—”

18 (iii) in the matter preceding subpara-
 19 graph (A), by striking “program—” and all
 20 that follows through “to assist” in subpara-
 21 graph (A) and inserting “program to as-
 22 sist”; and

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

24 “(A) expanding the use and availability of
 25 activities and resources that relate to the recruit-

1 *ment, including the promotion of diversity with-*
2 *in that recruitment, of individuals to careers in*
3 *the water and wastewater utility sector;*

4 “(B) expanding the availability of training
5 opportunities for—

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

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

11 “(C) expanding the use and availability of
12 activities and strategies, including the develop-
13 ment of innovative activities and strategies, that
14 relate to the maintenance and retention of a sus-
15 tainable workforce in the water and wastewater
16 utility sector.”;

17 (B) in paragraph (2)—

18 (i) in the matter preceding subpara-
19 graph (A), by striking “institutions—” and
20 inserting “institutions, or public works de-
21 partments and agencies—”; and

22 (ii) in subparagraph (A)—

23 (I) by striking clauses (ii) and
24 (iii);

1 *(II) in clause (i), by adding “or”*
 2 *at the end;*

3 *(III) by redesignating clause (i)*
 4 *as clause (ii);*

5 *(IV) by inserting before clause (ii)*
 6 *(as so redesignated) the following:*

7 *“(i) in the development of educational*
 8 *or recruitment materials and activities, in-*
 9 *cluding those materials and activities that*
 10 *specifically promote diversity within re-*
 11 *ruitment, for the water and wastewater*
 12 *utility workforce;” and*

13 *(V) by adding at the end the fol-*
 14 *lowing:*

15 *“(iii) developing activities and strate-*
 16 *gies that relate to the maintenance and re-*
 17 *tention of a sustainable workforce in the*
 18 *water and wastewater utility sector; and”;*

19 *(C) in paragraph (3)—*

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

22 *(ii) in subparagraph (E), by striking*
 23 *“ensure that incumbent water and waste*
 24 *water utilities workers” and inserting “are*
 25 *designed to retain incumbent water and*

1 wastewater utility workforce workers by en-
2 suring that those workers”; and

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

5 “(4) *WORKING GROUP; REPORT.*—

6 “(A) *IN GENERAL.*—The Administrator
7 shall establish and coordinate a Federal inter-
8 agency working group to address recruitment,
9 training, and retention challenges in the water
10 and wastewater utility workforce, which shall in-
11 clude representatives from—

12 “(i) the Department of Education;

13 “(ii) the Department of Labor;

14 “(iii) the Department of Agriculture;

15 “(iv) the Department of Veterans Af-
16 fairs; and

17 “(v) other Federal agencies, as deter-
18 mined to be appropriate by the Adminis-
19 trator.

20 “(B) *REPORT.*—Not later than 2 years after
21 the date of enactment of the Drinking Water and
22 Wastewater Infrastructure Act of 2021, the Ad-
23 ministrator, in coordination with the working
24 group established under subparagraph (A), shall
25 submit to Congress a report describing potential

1 *solutions to recruitment, training, and retention*
 2 *challenges in the water and wastewater utility*
 3 *workforce.*

4 “(C) CONSULTATION.—*In carrying out the*
 5 *duties of the working group established under*
 6 *subparagraph (A), the working group shall con-*
 7 *sult with State operator certification programs.*

8 “(5) AUTHORIZATION OF APPROPRIATIONS.—
 9 *There is authorized to be appropriated to carry out*
 10 *this subsection \$5,000,000 for each of fiscal years*
 11 *2022 through 2026.”;*

12 (3) *by redesignating subsections (a) and (b) as*
 13 *subsections (b) and (c), respectively; and*

14 (4) *by inserting before subsection (b) (as so re-*
 15 *designated) the following:*

16 “(a) DEFINITION OF PUBLIC WORKS DEPARTMENT OR
 17 AGENCY.—*In this section, the term ‘public works depart-*
 18 *ment or agency’ means a political subdivision of a local,*
 19 *county, or regional government that designs, builds, oper-*
 20 *ates, and maintains water infrastructure, sewage and refuse*
 21 *disposal systems, and other public water systems and facili-*
 22 *ties.”.*

1 **SEC. 212. GRANTS TO ALASKA TO IMPROVE SANITATION IN**
 2 **RURAL AND NATIVE VILLAGES.**

3 *Section 303(e) of the Safe Drinking Water Act Amend-*
 4 *ments of 1996 (33 U.S.C. 1263a(e)) is amended by striking*
 5 *“this section” and all that follows through the period at*
 6 *the end and inserting the following: “this section—*

7 *“(1) \$40,000,000 for each of fiscal years 2022*
 8 *through 2024;*

9 *“(2) \$50,000,000 for fiscal year 2025; and*

10 *“(3) \$60,000,000 for fiscal year 2026.”.*

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

12 *(a) ESTABLISHMENT.—*

13 *(1) IN GENERAL.—Subject to the availability of*
 14 *appropriations, the Administrator shall establish a*
 15 *competitive grant pilot program (referred to in this*
 16 *section as the “pilot program”) under which the Ad-*
 17 *ministrator may award grants to eligible entities*
 18 *under subsection (b) to establish systems that improve*
 19 *the sharing of information concerning water quality,*
 20 *water infrastructure needs, and water technology, in-*
 21 *cluding cybersecurity technology, between States or*
 22 *among counties and other units of local government*
 23 *within a State, which may include—*

24 *(A) establishing a website or data hub to ex-*
 25 *change water data, including data on water*

1 *quality or water technology, including new and*
 2 *emerging, but proven, water technology; and*

3 *(B) intercounty communications initiatives*
 4 *related to water data.*

5 (2) *REQUIREMENTS.*—

6 (A) *DATA SHARING.*—*The Internet of Water*
 7 *principles developed by the Nicholas Institute for*
 8 *Environmental Policy Solutions shall, to the ex-*
 9 *tent practicable, guide any water data sharing*
 10 *efforts under the pilot program.*

11 (B) *USE OF EXISTING DATA.*—*The recipient*
 12 *of a grant under the pilot program to establish*
 13 *a website or data hub described in paragraph*
 14 (1)(A) *shall, to the extent practicable, leverage*
 15 *existing data sharing infrastructure.*

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

18 (1) *a State, county, or other unit of local govern-*
 19 *ment that—*

20 (A) *has a coastal watershed with significant*
 21 *pollution levels;*

22 (B) *has a water system with significant*
 23 *pollution levels; or*

24 (C) *has significant individual water infra-*
 25 *structure deficits; or*

1 (2) a regional consortium established under sub-
2 section (d).

3 (c) *APPLICATIONS.*—To be eligible to receive a grant
4 under the pilot program, an eligible entity under subsection
5 (b) shall submit to the Administrator an application at
6 such time, in such manner, and containing such informa-
7 tion as the Administrator may require.

8 (d) *REGIONAL CONSORTIA.*—

9 (1) *ESTABLISHMENT.*—States may establish re-
10 gional consortia in accordance with this subsection.

11 (2) *REQUIREMENTS.*—A regional consortium es-
12 tablished under paragraph (1) shall—

13 (A) include not fewer than 2 States that
14 have entered into a memorandum of under-
15 standing—

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

18 (ii) to share information, protocols,
19 and procedures with respect to projects that
20 evaluate, demonstrate, or install new and
21 emerging, but proven, water technology;

22 (B) carry out projects—

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

1 (ii) that evaluate, demonstrate, or in-
2 stall new and emerging, but proven, water
3 technology; and

4 (C) develop a regional intended use plan, in
5 accordance with paragraph (3), to identify
6 projects to carry out, including projects using
7 grants received under this section.

8 (3) REGIONAL INTENDED USE PLAN.—A regional
9 intended use plan of a regional consortium established
10 under paragraph (1)—

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

15 (B) may include—

16 (i) projects included in an intended use
17 plan of a State prepared under section
18 606(c) of the Federal Water Pollution Con-
19 trol Act (33 U.S.C. 1386(c)) within the re-
20 gional consortium; and

21 (ii) projects not included in an in-
22 tended use plan of a State prepared under
23 section 606(c) of the Federal Water Pollu-
24 tion Control Act (33 U.S.C. 1386(c)) within
25 the regional consortium.

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

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

8 (2) an accounting of all grants awarded under
9 the program, including a description of each grant re-
10 cipient and each project funded using a grant under
11 the pilot program.

12 (f) *FUNDING.*—

13 (1) *AUTHORIZATION OF APPROPRIATIONS.*—
14 There is authorized to be appropriated to carry out
15 the pilot program \$15,000,000 for each of fiscal years
16 2022 through 2026, to remain available until ex-
17 pended.

18 (2) *REQUIREMENT.*—Of the funds made avail-
19 able under paragraph (1), not more than 35 percent
20 may be used to provide grants to regional consortia
21 established under subsection (d).

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

23 Section 5028(a)(1)(D)(ii) of the Water Infrastructure
24 Finance and Innovation Act of 2014 (33 U.S.C.
25 3907(a)(1)(D)(ii)) is amended by striking “final rating

1 *opinion letters from at least 2 rating agencies” and insert-*
 2 *ing “a final rating opinion letter from at least 1 rating*
 3 *agency”.*

4 **SEC. 215. WATER INFRASTRUCTURE FINANCING REAU-**
 5 **THORIZATION.**

6 *(a) APPLICATIONS.—Section 5023 of the Water Infra-*
 7 *structure Finance and Innovation Act of 2014 (33 U.S.C.*
 8 *3902) is amended by adding at the end the following:*

9 *“(c) BUDGETARY TREATMENT.—If the recipient of fi-*
 10 *nancial assistance under this subtitle is an eligible entity*
 11 *other than a Federal entity, agency, or instrumentality and*
 12 *the dedicated sources of repayment of that financial assist-*
 13 *ance are non-Federal revenue sources, the project or asset*
 14 *for which financial assistance is being provided shall, for*
 15 *purposes of budgetary treatment under the Federal Credit*
 16 *Reform Act of 1990 (2 U.S.C. 661 et seq.)—*

17 *“(1) be deemed to be non-Federal; and*

18 *“(2) be treated as a direct loan or loan guar-*
 19 *antee.”.*

20 *(b) REAUTHORIZATION.—Section 5033 of the Water*
 21 *Infrastructure Finance and Innovation Act of 2014 (33*
 22 *U.S.C. 3912) is amended—*

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

1 “(3) *FISCAL YEARS 2022 THROUGH 2026*.—*There*
 2 *is authorized to be appropriated to the Administrator*
 3 *to carry out this subtitle \$50,000,000 for each of fiscal*
 4 *years 2022 through 2026, to remain available until*
 5 *expended.*”;

6 (2) *in subsection (b)(2)—*

7 (A) *in the paragraph heading, by striking*
 8 *“2020 AND 2021” and inserting “AFTER 2019”; and*

9 (B) *by striking “2020 and 2021” and in-*
 10 *serting “2022 through 2026”; and*

11 (3) *in subsection (e)(1), by striking “2020 and*
 12 *2021” and inserting “2022 through 2026”.*

13 **SEC. 216. SMALL AND DISADVANTAGED COMMUNITY ANAL-**
 14 **YSIS.**

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

1 *ties and methods to improve on the distribution of funds*
 2 *under those programs to low-income communities, rural*
 3 *communities, minority communities, and communities of*
 4 *indigenous peoples, in accordance with Executive Order*
 5 *12898 (42 U.S.C. 4321 note; 60 Fed. Reg. 6381; relating*
 6 *to Federal actions to address environmental justice in mi-*
 7 *nority populations and low-income populations)).*

8 (b) *REPORT.—On completion of the analysis under*
 9 *subsection (a), the Administrator shall submit to the Com-*
 10 *mittee on Environment and Public Works of the Senate and*
 11 *the Committees on Energy and Commerce and Transpor-*
 12 *tation and Infrastructure of the House of Representatives*
 13 *a report describing—*

14 (1) *the results of the analysis; and*

15 (2) *the criteria the Administrator used in car-*
 16 *rying out the analysis.*

17 **SEC. 217. STORMWATER INFRASTRUCTURE TECHNOLOGY.**

18 (a) *DEFINITIONS.—In this section:*

19 (1) *CENTER.—The term “center” means a center*
 20 *of excellence for stormwater control infrastructure es-*
 21 *tablished under subsection (b)(1).*

22 (2) *ELIGIBLE ENTITY.—The term “eligible enti-*
 23 *ty” means—*

24 (A) *a State, Tribal, or local government; or*

1 (B) a local, regional, or other public entity
2 that manages stormwater or wastewater re-
3 sources or other related water infrastructure.

4 (3) ELIGIBLE INSTITUTION.—The term “eligible
5 institution” means an institution of higher education,
6 a research institution, or a nonprofit organization—

7 (A) that has demonstrated excellence in re-
8 searching and developing new and emerging
9 stormwater control infrastructure technologies;
10 and

11 (B) with respect to a nonprofit organiza-
12 tion, the core mission of which includes water
13 management, as determined by the Adminis-
14 trator.

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

17 (1) ESTABLISHMENT OF CENTERS.—

18 (A) IN GENERAL.—Subject to the avail-
19 ability of appropriations, the Administrator
20 shall provide grants, on a competitive basis, to
21 eligible institutions to establish and maintain
22 not less than 3, and not more than 5, centers of
23 excellence for new and emerging stormwater con-
24 trol infrastructure technologies, to be located in
25 various regions throughout the United States.

1 (B) GENERAL OPERATION.—Each center
2 shall—

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

15 (ii) maintain a listing of—

16 (I) stormwater control infrastruc-
17 ture needs; and

18 (II) an analysis of new and
19 emerging stormwater control infra-
20 structure technologies that are avail-
21 able;

22 (iii) analyze whether additional finan-
23 cial programs for the implementation of
24 new and emerging, but proven, stormwater

1 *control infrastructure technologies would be*
2 *useful;*

3 *(iv) provide information regarding re-*
4 *search conducted under clause (i) to the na-*
5 *tional electronic clearinghouse center for*
6 *publication on the Internet website estab-*
7 *lished under paragraph (3)(B)(i) to provide*
8 *to the Federal Government and State, Trib-*
9 *al, and local governments and the private*
10 *sector information regarding new and*
11 *emerging, but proven, stormwater control*
12 *infrastructure technologies;*

13 *(v) provide technical assistance to*
14 *State, Tribal, and local governments to as-*
15 *sist with the design, construction, operation,*
16 *and maintenance of stormwater control in-*
17 *frastructure projects that use innovative*
18 *technologies;*

19 *(vi) collaborate with institutions of*
20 *higher education and private and public or-*
21 *ganizations, including community-based*
22 *public-private partnerships and other stake-*
23 *holders, in the geographical region in which*
24 *the center is located; and*

1 (vii) coordinate with the other centers
2 to avoid duplication of efforts.

3 (2) APPLICATION.—To be eligible to receive a
4 grant under this subsection, an eligible institution
5 shall prepare and submit to the Administrator an ap-
6 plication at such time, in such form, and containing
7 such information as the Administrator may require.

8 (3) NATIONAL ELECTRONIC CLEARINGHOUSE
9 CENTER.—Of the centers established under paragraph
10 (1)(A), 1 shall—

11 (A) be designated as the “national electronic
12 clearinghouse center”; and

13 (B) in addition to the other functions of
14 that center—

15 (i) develop, operate, and maintain an
16 Internet website and a public database that
17 contains information relating to new and
18 emerging, but proven, stormwater control
19 infrastructure technologies; and

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

22 (4) AUTHORIZATION OF APPROPRIATIONS.—

23 (A) IN GENERAL.—There is authorized to be
24 appropriated to carry out this subsection

1 \$5,000,000 for each of fiscal years 2022 through
2 2026.

3 (B) *LIMITATION ON USE OF FUNDS.*—Of the
4 amounts made available for grants under sub-
5 paragraph (A), not more than 2 percent may be
6 used to pay the administrative costs of the Ad-
7 ministrator.

8 (c) *STORMWATER CONTROL INFRASTRUCTURE*
9 *PROJECT GRANTS.*—

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

17 (2) *STORMWATER CONTROL INFRASTRUCTURE*
18 *PROJECTS.*—

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

23 (i) *Planning and designing stormwater*
24 *control infrastructure projects that incor-*
25 *porate new and emerging, but proven,*

1 *stormwater control technologies, including*
 2 *engineering surveys, landscape plans, maps,*
 3 *long-term operations and maintenance*
 4 *plans, and implementation plans.*

5 (ii) *Identifying and developing stand-*
 6 *ards necessary to accommodate stormwater*
 7 *control infrastructure projects, including*
 8 *those projects that incorporate new and*
 9 *emerging, but proven, stormwater control*
 10 *technologies.*

11 (iii) *Identifying and developing fee*
 12 *structures to provide financial support for*
 13 *design, installation, and operations and*
 14 *maintenance of stormwater control infra-*
 15 *structure, including new and emerging, but*
 16 *proven, stormwater control infrastructure*
 17 *technologies.*

18 (iv) *Developing approaches for commu-*
 19 *nity-based public-private partnerships for*
 20 *the financing and construction of*
 21 *stormwater control infrastructure tech-*
 22 *nologies, including feasibility studies, stake-*
 23 *holder outreach, and needs assessments.*

24 (v) *Developing and delivering training*
 25 *and educational materials regarding new*

1 *and emerging, but proven, stormwater con-*
 2 *trol infrastructure technologies for distribu-*
 3 *tion to—*

4 *(I) individuals and entities with*
 5 *applicable technical knowledge; and*

6 *(II) the public.*

7 *(B) IMPLEMENTATION GRANTS.—The Ad-*
 8 *ministrator may make implementation grants*
 9 *under this subsection for the following projects:*

10 *(i) Installing new and emerging, but*
 11 *proven, stormwater control infrastructure*
 12 *technologies.*

13 *(ii) Protecting or restoring inter-*
 14 *connected networks of natural areas that*
 15 *protect water quality.*

16 *(iii) Monitoring and evaluating the en-*
 17 *vironmental, economic, or social benefits of*
 18 *stormwater control infrastructure tech-*
 19 *nologies that incorporate new and emerging,*
 20 *but proven, stormwater control technology.*

21 *(iv) Implementing a best practices*
 22 *standard for stormwater control infrastruc-*
 23 *ture programs.*

24 *(3) APPLICATION.—Except as otherwise provided*
 25 *in this section, to be eligible to receive a grant under*

1 *this subsection, an eligible entity shall prepare and*
2 *submit to the Administrator an application at such*
3 *time, in such form, and containing such information*
4 *as the Administrator may require, including, as ap-*
5 *plicable—*

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

9 *(B) a plan for monitoring the impacts and*
10 *pollutant load reductions associated with the*
11 *stormwater control infrastructure project on the*
12 *water quality and quantity;*

13 *(C) an evaluation of other environmental,*
14 *economic, and social benefits of the stormwater*
15 *control infrastructure project; and*

16 *(D) a plan for the long-term operation and*
17 *maintenance of the stormwater control infra-*
18 *structure project and a tracking system, such as*
19 *asset management practices.*

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

23 *(A) a community that—*

1 (i) has municipal combined storm and
 2 sanitary sewers in the collection system of
 3 the community; or

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

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

11 (5) MAXIMUM AMOUNTS.—

12 (A) PLANNING AND DEVELOPMENT
 13 GRANTS.—

14 (i) SINGLE GRANT.—The amount of a
 15 single planning and development grant pro-
 16 vided under this subsection shall be not
 17 more than \$200,000.

18 (ii) AGGREGATE AMOUNT.—The total
 19 amount of all planning and development
 20 grants provided under this subsection for a
 21 fiscal year shall be not more than $\frac{1}{3}$ of the
 22 total amount made available to carry out
 23 this subsection.

24 (B) IMPLEMENTATION GRANTS.—

1 (i) *SINGLE GRANT.*—*The amount of a*
2 *single implementation grant provided under*
3 *this subsection shall be not more than*
4 *\$2,000,000.*

5 (ii) *AGGREGATE AMOUNT.*—*The total*
6 *amount of all implementation grants pro-*
7 *vided under this subsection for a fiscal year*
8 *shall be not more than $\frac{2}{3}$ of the total*
9 *amount made available to carry out this*
10 *subsection.*

11 (6) *FEDERAL SHARE.*—

12 (A) *IN GENERAL.*—*Except as provided in*
13 *subparagraph (C), the Federal share of a grant*
14 *provided under this subsection shall not exceed*
15 *80 percent of the total project cost.*

16 (B) *CREDIT FOR IMPLEMENTATION*
17 *GRANTS.*—*The Administrator shall credit toward*
18 *the non-Federal share of the cost of an imple-*
19 *mentation project carried out under this sub-*
20 *section the cost of planning, design, and con-*
21 *struction work completed for the project using*
22 *funds other than funds provided under this sec-*
23 *tion.*

24 (C) *EXCEPTION.*—*The Administrator may*
25 *waive the Federal share limitation under sub-*

1 *paragraph (A) for an eligible entity that has*
2 *adequately demonstrated financial need.*

3 *(d) REPORT TO CONGRESS.—Not later than 2 years*
4 *after the date on which the Administrator first awards a*
5 *grant under this section, the Administrator shall submit to*
6 *Congress a report that includes, with respect to the period*
7 *covered by the report—*

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

10 *(2) a detailed description of—*

11 *(A) the projects supported by those grants;*
12 *and*

13 *(B) the outcomes of those projects;*

14 *(3) a description of the improvements in tech-*
15 *nology, environmental benefits, resources conserved,*
16 *efficiencies, and other benefits of the projects funded*
17 *under this section;*

18 *(4) recommendations for improvements to pro-*
19 *mote and support new and emerging, but proven,*
20 *stormwater control infrastructure, including research*
21 *into new and emerging technologies, for the centers,*
22 *grants, and activities under this section; and*

23 *(5) a description of existing challenges con-*
24 *cerning the use of new and emerging, but proven,*
25 *stormwater control infrastructure.*

1 (e) *AUTHORIZATION OF APPROPRIATIONS.*—

2 (1) *IN GENERAL.*—*There is authorized to be ap-*
3 *propriated to carry out this section (except for sub-*
4 *section (b)) \$10,000,000 for each of fiscal years 2022*
5 *through 2026.*

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

10 **SEC. 218. WATER REUSE INTERAGENCY WORKING GROUP.**

11 (a) *IN GENERAL.*—*Not later than 180 days after the*
12 *date of enactment of this Act, the Administrator shall estab-*
13 *lish a Water Reuse Interagency Working Group (referred*
14 *to in this section as the “Working Group”).*

15 (b) *PURPOSE.*—*The purpose of the Working Group is*
16 *to develop and coordinate actions, tools, and resources to*
17 *advance water reuse across the United States, including*
18 *through the implementation of a National Water Reuse Ac-*
19 *tion Plan that creates opportunities for water reuse in the*
20 *mission areas of each of the Federal agencies included in*
21 *the Working Group under subsection (c) (referred to in this*
22 *section as the “Action Plan”).*

23 (c) *CHAIRPERSON; MEMBERSHIP.*—*The Working*
24 *Group shall be—*

25 (1) *chaired by the Administrator; and*

1 (2) comprised of senior representatives from such
2 *Federal agencies as the Administrator determines to*
3 *be appropriate.*

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

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

9 (2) *seek to foster water reuse as an important*
10 *component of integrated water resources management;*

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

15 (4) *seek to coordinate Federal programs and*
16 *policies to support the adoption of water reuse;*

17 (5) *consider how each Federal agency can ex-*
18 *plore and identify opportunities to support water*
19 *reuse through the programs and activities of that Fed-*
20 *eral agency; and*

21 (6) *consult, on a regular basis, with representa-*
22 *tives of relevant industries, the research community,*
23 *and nongovernmental organizations.*

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

4 (f) *SUNSET.*—

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

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

11 **SEC. 219. ADVANCED CLEAN WATER TECHNOLOGIES STUDY.**

12 (a) *IN GENERAL.*—Subject to the availability of appro-
13 priations, not later than 2 years after the date of enactment
14 of this Act, the Administrator shall carry out a study that
15 examines the state of existing and potential future tech-
16 nology, including technology that could address cybersecu-
17 rity vulnerabilities, that enhances or could enhance the
18 treatment, monitoring, affordability, efficiency, and safety
19 of wastewater services provided by a treatment works (as
20 defined in section 212 of the Federal Water Pollution Con-
21 trol Act (33 U.S.C. 1292)).

22 (b) *REPORT.*—The Administrator shall submit to the
23 Committee on Environment and Public Works of the Senate
24 and the Committee on Energy and Commerce of the House

1 *of Representatives a report that describes the results of the*
 2 *study under subsection (a).*

3 **SEC. 220. CLEAN WATERSHEDS NEEDS SURVEY.**

4 *Title VI of the Federal Water Pollution Control Act*
 5 *(33 U.S.C. 1381 et seq.) is amended by adding at the end*
 6 *the following:*

7 **“SEC. 609. CLEAN WATERSHEDS NEEDS SURVEY.**

8 *“(a) REQUIREMENT.—Not later than 2 years after the*
 9 *date of enactment of the Drinking Water and Wastewater*
 10 *Infrastructure Act of 2021, and not less frequently than*
 11 *once every 4 years thereafter, the Administrator shall—*

12 *“(1) conduct and complete an assessment of cap-*
 13 *ital improvement needs for all projects that are eligi-*
 14 *ble under section 603(c) for assistance from State*
 15 *water pollution control revolving funds; and*

16 *“(2) submit to Congress a report describing the*
 17 *results of the assessment completed under paragraph*
 18 *(1).*

19 **“(b) AUTHORIZATION OF APPROPRIATIONS.—There is**
 20 *authorized to be appropriated to carry out the initial needs*
 21 *survey under subsection (a) \$5,000,000, to remain available*
 22 *until expended.”.*