

115TH CONGRESS
2D SESSION

H. R. 6818

To amend the Safe Drinking Water Act to increase assistance for States, water systems, and disadvantaged communities; to encourage good financial and environmental management of water systems; and to strengthen the Environmental Protection Agency’s ability to enforce the requirements of the Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 13, 2018

Mr. MCEACHIN introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Safe Drinking Water Act to increase assistance for States, water systems, and disadvantaged communities; to encourage good financial and environmental management of water systems; and to strengthen the Environmental Protection Agency’s ability to enforce the requirements of the Act, and for other purposes.

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

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

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Clean Water Infrastructure Act”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Prevailing wages.
- Sec. 3. Use of funds.
- Sec. 4. Requirements for use of American materials.
- Sec. 5. Data on variances, exemptions, and persistent violations.
- Sec. 6. Assistance for restructuring.
- Sec. 7. Priority and weight of applications.
- Sec. 8. Disadvantaged communities.
- Sec. 9. Administration of State loan funds.
- Sec. 10. State revolving loan funds for American Samoa, Northern Mariana Islands, Guam, and the Virgin Islands.
- Sec. 11. Authorization of appropriations.
- Sec. 12. Affordability of new standards.
- Sec. 13. Focus on lifecycle costs.
- Sec. 14. Streamlining reporting and enforcement.
- Sec. 15. Presence of pharmaceuticals and personal care products in sources of drinking water.
- Sec. 16. Best practices for administration of State revolving loan fund programs.
- Sec. 17. Water loss and leak control technology.
- Sec. 18. Risks of drought to drinking water.
- Sec. 19. Reducing lead in drinking water.
- Sec. 20. Sense of Congress.

3 **SEC. 2. PREVAILING WAGES.**

4 Subsection (e) of section 1450 of the Safe Drinking
 5 Water Act (42 U.S.C. 300j–9) is amended to read as fol-
 6 lows:

7 “(e) LABOR STANDARDS.—

8 “(1) IN GENERAL.—The Administrator shall
 9 take such action as the Administrator determines to
 10 be necessary to ensure that each laborer and me-
 11 chanic employed by a contractor or subcontractor in
 12 connection with a construction project financed, in
 13 whole or in part, by a grant, loan, loan guarantee,
 14 refinancing, or any other form of financial assistance

provided under this title (including assistance provided by a State loan fund established under section 1452) is paid wages at a rate of not less than the prevailing wages for the same type of work on similar construction in the immediate locality, as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code.

“(2) AUTHORITY OF SECRETARY OF LABOR.—

With respect to the labor standards specified in this subsection, the Secretary of Labor shall have the authority and functions established in Reorganization Plan Numbered 14 of 1950 (5 U.S.C. App.) and section 3145 of title 40, United States Code.”.

SEC. 3. USE OF FUNDS.

Section 1452(a)(2)(B) of the Safe Drinking Water Act (42 U.S.C. 300j–12(a)(2)(B)) is amended by striking “(including expenditures for planning, design, and associated preconstruction activities, including activities relating to the siting of the facility, but not” and inserting “(including expenditures for planning, design, siting, and associated preconstruction activities, for replacing or rehabilitating aging treatment, storage, or distribution facilities of public water systems, or for producing or capturing

1 sustainable energy on site or through the transportation
2 of water through the public water system, but not”.

3 **SEC. 4. REQUIREMENTS FOR USE OF AMERICAN MATE-**
4 **RIALS.**

5 Section 1452(a)(4) of the Safe Drinking Water Act
6 (42 U.S.C. 300j–12(a)(4)) is amended—

- 7 (1) in subparagraph (A), by striking “During
8 fiscal year 2017, funds” and inserting “Funds”; and
9 (2) by striking subparagraph (G).

10 **SEC. 5. DATA ON VARIANCES, EXEMPTIONS, AND PER-**
11 **SISTENT VIOLATIONS.**

12 Section 1452(b)(2) of the Safe Drinking Water Act
13 (42 U.S.C. 300j–12(b)(2)) is amended—

- 14 (1) in subparagraph (B), by striking “and” at
15 the end;

- 16 (2) in subparagraph (C), by striking the period
17 at the end and inserting “; and”; and

- 18 (3) by adding at the end the following:

19 “(D) a list of all public water systems
20 within the State that have in effect an exemp-
21 tion or variance for any national primary drink-
22 ing water regulation or that are in persistent
23 violation of the requirements for any maximum
24 contaminant level or treatment technique under

1 a national primary drinking water regulation,
2 including identification of—

3 “(i) the national primary drinking
4 water regulation in question for each such
5 exemption, variance, or violation; and

6 “(ii) the date on which the exemption
7 or variance came into effect or the viola-
8 tion began.”.

9 **SEC. 6. ASSISTANCE FOR RESTRUCTURING.**

10 (a) DEFINITION.—Section 1401 of the Safe Drinking
11 Water Act (42 U.S.C. 300f) is amended by adding at the
12 end the following:

13 “(17) RESTRUCTURING.—The term ‘restruc-
14 turing’ means changes in operations (including own-
15 ership, management, cooperative partnerships, joint
16 purchasing arrangements, consolidation, and alter-
17 native water supply).”.

18 (b) RESTRUCTURING.—Clause (ii) of section
19 1452(a)(3)(B) (42 U.S.C. 300j–12(a)(3)(B)) is amended
20 by striking “changes in operations (including ownership,
21 management, accounting, rates, maintenance, consolida-
22 tion, alternative water supply, or other procedures)” and
23 inserting “restructuring”.

1 **SEC. 7. PRIORITY AND WEIGHT OF APPLICATIONS.**

2 (a) PRIORITY.—Section 1452(b)(3) of the Safe
3 Drinking Water Act (42 U.S.C. 300j–12(b)(3)) is amend-
4 ed—

5 (1) in subparagraph (A)—

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

8 (B) in clause (iii), by striking the period at
9 the end and inserting “; and”; and

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

11 “(iv) improve the ability of public
12 water systems to protect human health and
13 comply with the requirements of this title
14 affordably in the future.”;

15 (2) by redesignating subparagraph (B) as sub-
16 paragraph (D);

17 (3) by inserting after subparagraph (A) the fol-
18 lowing:

19 “(B) AFFORDABILITY OF NEW STAND-
20 ARDS.—For any year in which enforcement be-
21 gins for a new national primary drinking water
22 regulation, each State that has entered into a
23 capitalization agreement pursuant to this sec-
24 tion shall evaluate whether capital improve-
25 ments required to meet the standard are afford-
26 able for disadvantaged communities (as defined

1 in subsection (d)(3)) in the State. If the State
2 finds that such capital improvements do not
3 meet affordability criteria for disadvantaged
4 communities in the State, the State's intended
5 use plan shall provide that priority for the use
6 of funds for such year be given to public water
7 systems affected by the standard and serving
8 disadvantaged communities.

9 “(C) WEIGHT GIVEN TO APPLICATIONS.—
10 After determining priority under subparagraphs
11 (A) and (B), an intended use plan shall provide
12 that the State will give greater weight to an ap-
13 plication for assistance if the application con-
14 tains—

15 “(i) a description of measures under-
16 taken by the public water system to im-
17 prove the management and financial sta-
18 bility of the public water system, which
19 may include—

20 “(I) an inventory of assets, in-
21 cluding a description of the condition
22 of the assets;

23 “(II) a schedule for replacement
24 of assets;

25 “(III) an audit of water losses;

1 “(IV) a financing plan that fac-
2 tors in all lifecycle costs indicating
3 sources of revenue from ratepayers,
4 grants, bonds, other loans, and other
5 sources to meet the costs; and

6 “(V) a review of options for re-
7 structuring;

8 “(ii) a demonstration of consistency
9 with State, regional, and municipal water-
10 shed plans;

11 “(iii) a water conservation plan con-
12 sistent with guidelines developed for such
13 plans by the Administrator under section
14 1455(a); and

15 “(iv) a description of measures under-
16 taken by the public water system to im-
17 prove the efficiency of the public water sys-
18 tem or reduce the public water system’s
19 environmental impact, which may in-
20 clude—

21 “(I) water efficiency or conserva-
22 tion, including the rehabilitation or re-
23 placement of existing leaking pipes;

24 “(II) use of reclaimed water;

1 “(III) actions to increase energy
2 efficiency;

3 “(IV) actions to generate or cap-
4 ture sustainable energy on site or
5 through the transportation of water
6 through the public water system;

7 “(V) actions to protect source
8 water;

9 “(VI) actions to mitigate or pre-
10 vent corrosion, including design, selec-
11 tion of materials, selection of coating,
12 and cathodic protection; and

13 “(VII) actions to reduce disinfec-
14 tion byproducts.”; and

15 (4) in subparagraph (D) (as redesignated by
16 paragraph (2)) by striking “periodically” and insert-
17 ing “at least biennially”.

18 (b) GUIDANCE.—Section 1452 of the Safe Drinking
19 Water Act (42 U.S.C. 300j–12) is amended—

20 (1) by redesignating subsection (r) as sub-
21 section (t); and

22 (2) by inserting after subsection (q) the fol-
23 lowing:

24 “(r) SMALL SYSTEM GUIDANCE.—The Administrator
25 may provide guidance and, as appropriate, tools, meth-

1 odologies, or computer software, to assist small public
 2 water systems in undertaking measures to improve the
 3 management, financial stability, and efficiency of the pub-
 4 lic water system or reduce the public water system’s envi-
 5 ronmental impact.”.

6 **SEC. 8. DISADVANTAGED COMMUNITIES.**

7 (a) ASSISTANCE TO INCREASE COMPLIANCE.—Sec-
 8 tion 1452(b)(3) of the Safe Drinking Water Act (42
 9 U.S.C. 300j–12(b)(3)), as amended, is further amended
 10 by adding at the end the following:

11 “(E) ASSISTANCE TO INCREASE COMPLI-
 12 ANCE.—A State’s intended use plan shall pro-
 13 vide that, of the funds received by the State
 14 through a capitalization grant under this sec-
 15 tion for a fiscal year, the State will, to the ex-
 16 tent that there are sufficient eligible project ap-
 17 plications, reserve not less than 6 percent to be
 18 spent on assistance under subsection (d) to
 19 public water systems included in the State’s
 20 most recent list under paragraph (2)(D).”.

21 (b) ASSISTANCE FOR DISADVANTAGED COMMU-
 22 NITIES.—Section 1452(d) of the Safe Drinking Water Act
 23 (42 U.S.C. 300j–12(d)) is amended—

1 (1) in paragraph (1), by adding at the end the
2 following: “Such additional subsidization shall di-
3 rectly and primarily benefit such community.”; and

4 (2) in paragraph (3), by inserting “, or portion
5 of a service area,” after “service area”.

6 (c) AFFORDABILITY CRITERIA.—Section 1452(d)(3)
7 of the Safe Drinking Water Act (42 U.S.C. 300j–
8 12(d)(3)) is amended by adding at the end: “Each State
9 that has entered into a capitalization agreement pursuant
10 to this section shall, in establishing affordability criteria,
11 consider, solicit public comment on, and include as appro-
12 priate—

13 “(A) the methods or criteria that the State
14 will use to identify disadvantaged communities;

15 “(B) a description of the institutional, reg-
16 ulatory, financial, tax, or legal factors at the
17 Federal, State, or local level that affect identi-
18 fied affordability criteria; and

19 “(C) a description of how the State will
20 use the authorities and resources under this
21 subsection to assist communities meeting the
22 identified criteria.”.

1 **SEC. 9. ADMINISTRATION OF STATE LOAN FUNDS.**

2 Section 1452(g) of the Safe Drinking Water Act (42
3 U.S.C. 300j–12(g)) is amended by adding at the end the
4 following new paragraph:

5 “(5) TRANSFER OF FUNDS.—

6 “(A) IN GENERAL.—The Governor of a
7 State may—

8 “(i) reserve for any fiscal year not
9 more than the lesser of—

10 “(I) 33 percent of a capitaliza-
11 tion grant made under this section; or

12 “(II) 33 percent of a capitaliza-
13 tion grant made under section 601 of
14 the Federal Water Pollution Control
15 Act; and

16 “(ii) add the funds so reserved to any
17 funds provided to the State under this sec-
18 tion or section 601 of the Federal Water
19 Pollution Control Act.

20 “(B) STATE MATCHING FUNDS.—Funds
21 reserved under this paragraph shall not be con-
22 sidered for purposes of calculating the amount
23 of a State contribution required by subsection
24 (e) of this section or section 602(b) of the Fed-
25 eral Water Pollution Control Act.”.

1 **SEC. 10. STATE REVOLVING LOAN FUNDS FOR AMERICAN**
2 **SAMOA, NORTHERN MARIANA ISLANDS,**
3 **GUAM, AND THE VIRGIN ISLANDS.**

4 Section 1452(j) of the Safe Drinking Water Act (42
5 U.S.C. 300j–12(j)) is amended by striking “0.33 percent”
6 and inserting “1.5 percent”.

7 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

8 Subsection (m) of section 1452 of the Safe Drinking
9 Water Act (42 U.S.C. 300j–12) is amended to read as
10 follows:

11 “(m) AUTHORIZATION OF APPROPRIATIONS.—

12 “(1) IN GENERAL.—There are authorized to be
13 appropriated to carry out this section—

14 “(A) \$3,600,000,000 for fiscal year 2019;

15 “(B) \$4,140,000,000 for fiscal year 2020;

16 “(C) \$4,800,000,000 for fiscal year 2021;

17 and

18 “(D) \$5,500,000,000 for fiscal year 2022.

19 “(2) AVAILABILITY.—Amounts made available
20 pursuant to this subsection shall remain available
21 until expended.

22 “(3) RESERVATION FOR NEEDS SURVEYS.—Of
23 the amount made available under paragraph (1) to
24 carry out this section for a fiscal year, the Adminis-
25 trator may reserve not more than \$1,000,000 per

1 year to pay the costs of conducting needs surveys
 2 under subsection (h).”.

3 **SEC. 12. AFFORDABILITY OF NEW STANDARDS.**

4 (a) TREATMENT TECHNOLOGIES FOR SMALL PUBLIC
 5 WATER SYSTEMS.—Clause (ii) of section 1412(b)(4)(E)
 6 of the Safe Drinking Water Act (42 U.S.C. 300g–
 7 1(b)(4)(E)) is amended by adding at the end the following:
 8 “If no technology, treatment technique, or other means
 9 is included in a list under this subparagraph for a category
 10 of small public water systems, the Administrator shall pe-
 11 riodically review the list and supplement it when new tech-
 12 nology becomes available.”.

13 (b) ASSISTANCE FOR DISADVANTAGED COMMU-
 14 NITIES.—

15 (1) IN GENERAL.—Subparagraph (E) of section
 16 1452(a)(1) of the Safe Drinking Water Act (42
 17 U.S.C. 300j–12(a)(1)) is amended—

18 (A) by striking “except that the Adminis-
 19 trator may reserve” and inserting “except
 20 that—

21 “(i) in any year in which enforcement
 22 of a new national primary drinking water
 23 regulation begins, the Administrator may
 24 use the remaining amount to make grants
 25 to States whose public water systems are

1 disproportionately affected by the new reg-
2 ulation for the provision of assistance
3 under subsection (d) to such public water
4 systems;

5 “(ii) the Administrator may reserve”;

6 and

7 (B) by striking “and none of the funds re-
8 allotted” and inserting “; and

9 “(iii) none of the funds reallocated”.

10 (2) ELIMINATION OF CERTAIN PROVISIONS.—

11 (A) Section 1412(b) of the Safe Drinking
12 Water Act (42 U.S.C. 300g–1(b)) is amended
13 by striking paragraph (15).

14 (B) Section 1415 of the Safe Drinking
15 Water Act (42 U.S.C. 300g–4) is amended by
16 striking subsection (e).

17 (3) CONFORMING AMENDMENTS.—

18 (A) Subparagraph (B) of section
19 1414(c)(1) of the Safe Drinking Water Act (42
20 U.S.C. 300g–3(c)(1)(B)) is amended by strik-
21 ing “, (a)(2), or (e)” and inserting “or (a)(2)”.

22 (B) Section 1416(b)(2) of the Safe Drink-
23 ing Water Act (42 U.S.C. 300g–5(b)(2)) is
24 amended by striking subparagraph (D).

1 (C) Section 1445(h) of the Safe Drinking
2 Water Act (42 U.S.C. 300j-4(h)) is amended—

3 (i) by striking “sections
4 1412(b)(4)(E) and 1415(e) (relating to
5 small system variance program” and in-
6 serting “section 1412(b)(4)(E)”; and

7 (ii) by striking “guidance under sec-
8 tions 1412(b)(4)(E) and 1415(e)” and in-
9 serting “guidance under section
10 1412(b)(4)(E)”.

11 **SEC. 13. FOCUS ON LIFECYCLE COSTS.**

12 Section 1412(b)(4) of the Safe Drinking Water Act
13 (42 U.S.C. 300g-1(b)(4)) is amended—

14 (1) in subparagraph (D), by striking “taking
15 cost into consideration” and inserting “taking
16 lifecycle costs, including maintenance, replacement,
17 and avoided costs, into consideration”; and

18 (2) in subparagraph (E)(ii), in the matter pre-
19 ceding subclause (I), by inserting “taking lifecycle
20 costs, including maintenance, replacement, and
21 avoided costs, into consideration,” after “as deter-
22 mined by the Administrator in consultation with the
23 States,”.

24 **SEC. 14. STREAMLINING REPORTING AND ENFORCEMENT.**

25 (a) ENFORCEMENT.—

1 (1) ADVICE AND TECHNICAL ASSISTANCE.—

2 Section 1414(a)(1) of the Safe Drinking Water Act

3 (42 U.S.C. 300g–3(a)(1)) is amended—

4 (A) in subparagraph (A), in the matter fol-

5 lowing clause (ii), by striking “and provide such

6 advice and technical assistance to such State

7 and public water system as may be appropriate

8 to bring the system into compliance with the re-

9 quirement by the earliest feasible time”; and

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

11 “(C) At any time after providing notice of a violation

12 to a State and public water system under subparagraph

13 (A), the Administrator may provide such advice and tech-

14 nical assistance to such State and public water system as

15 may be appropriate to bring the system into compliance

16 with the requirement by the earliest feasible time. In de-

17 ciding whether the provision of advice or technical assist-

18 ance is appropriate, the Administrator may consider the

19 potential for the violation to result in serious adverse ef-

20 fects to human health, whether the violation has occurred

21 continuously or frequently, and the effectiveness of past

22 technical assistance efforts.”.

23 (2) ADDITIONAL INSPECTIONS.—

1 (A) IN GENERAL.—Section 1414 of the
2 Safe Drinking Water Act (42 U.S.C. 300g-3) is
3 amended—

4 (i) by redesignating subsections (d)
5 through (i) as subsections (e) through (j),
6 respectively; and

7 (ii) by inserting after subsection (c)
8 the following:

9 “(d) ADDITIONAL INSPECTIONS FOLLOWING VIOLA-
10 TIONS.—

11 “(1) IN GENERAL.—The Administrator shall,
12 by regulation, and after consultation with the States,
13 prescribe the number, frequency, and type of addi-
14 tional inspections to follow any violation requiring
15 notice under subsection (c). Regulations under this
16 subsection shall—

17 “(A) take into account—

18 “(i) differences between violations
19 that are intermittent or infrequent and vio-
20 lations that are continuous or frequent;

21 “(ii) the seriousness of any potential
22 adverse health effects that may be in-
23 volved; and

24 “(iii) the number and severity of past
25 violations by the public water system; and

1 “(B) specify procedures for inspections fol-
 2 lowing a violation by a public water system that
 3 has the potential to have serious adverse effects
 4 on human health as a result of short-term expo-
 5 sure.

6 “(2) STATE PRIMARY ENFORCEMENT RESPONSI-
 7 BILITY.—Nothing in this subsection shall be con-
 8 strued or applied to modify the requirements of sec-
 9 tion 1413.”.

10 (B) CONFORMING AMENDMENTS.—

11 (i) Subsections (a)(1)(B), (a)(2)(A),
 12 and (b) of section 1414 of the Safe Drink-
 13 ing Water Act (42 U.S.C. 300g–3) are
 14 amended by striking “subsection (g)” each
 15 place it appears and inserting “subsection
 16 (h)”.

17 (ii) Section 1448(a) of the Safe
 18 Drinking Water Act (42 U.S.C. 300j–7(a))
 19 is amended by striking “1414(g)(3)(B)”
 20 and inserting “1414(h)(3)(B)”.

21 (b) ELECTRONIC REPORTING OF COMPLIANCE MONI-
 22 TORING DATA TO THE ADMINISTRATOR.—

23 (1) REQUIREMENT.—Section 1414 of the Safe
 24 Drinking Water Act (42 U.S.C. 300g–3), as amend-

1 ed, is further amended by adding at the end the fol-
2 lowing:

3 “(k) ELECTRONIC REPORTING OF COMPLIANCE
4 MONITORING DATA TO THE ADMINISTRATOR.—The Ad-
5 ministrator shall by rule establish requirements for—

6 “(1) electronic submission by public water sys-
7 tems of all compliance monitoring data—

8 “(A) to the Administrator; or

9 “(B) with respect to public water systems
10 in a State which has primary enforcement re-
11 sponsibility under section 1413, to such State;
12 and

13 “(2) electronic submission to the Administrator
14 by each State which has primary enforcement re-
15 sponsibility under section 1413 of all compliance
16 monitoring data submitted to such State by public
17 water systems pursuant to paragraph (1)(B).”.

18 (2) FINAL RULE.—Not later than 12 months
19 after the date of the enactment of this Act, the Ad-
20 ministrator of the Environmental Protection Agency
21 shall issue a final rule to carry out section 1414(k)
22 of the Safe Drinking Water Act, as added by para-
23 graph (1).

1 **SEC. 15. PRESENCE OF PHARMACEUTICALS AND PERSONAL**
2 **CARE PRODUCTS IN SOURCES OF DRINKING**
3 **WATER.**

4 Subsection (a) of section 1442 of the Safe Drinking
5 Water Act (42 U.S.C. 300j-1) is amended by adding at
6 the end the following:

7 “(11) PRESENCE OF PHARMACEUTICALS AND PER-
8 SONAL CARE PRODUCTS IN SOURCES OF DRINKING
9 WATER.—

10 “(A) STUDY.—The Administrator shall carry
11 out a study on the presence of pharmaceuticals and
12 personal care products in sources of drinking water,
13 which shall—

14 “(i) identify pharmaceuticals and personal
15 care products that have been detected in
16 sources of drinking water and the levels at
17 which such pharmaceuticals and personal care
18 products have been detected;

19 “(ii) identify the sources of pharma-
20 ceuticals and personal care products in sources
21 of drinking water, including point sources and
22 nonpoint sources of pharmaceutical and per-
23 sonal care products;

24 “(iii) identify the effects of such pharma-
25 ceuticals and personal care products on hu-

1 mans, the environment, and the safety of drink-
2 ing water; and

3 “(iv) identify methods to control, limit,
4 treat, or prevent the presence of such personal
5 care pharmaceuticals and products.

6 “(B) CONSULTATION.—The Administrator shall
7 conduct the study described in subparagraph (A) in
8 consultation with the Secretary of Health and
9 Human Services (acting through the Commissioner
10 of Food and Drugs), the Director of the United
11 States Geological Survey, the heads of other appro-
12 priate Federal agencies (including the National In-
13 stitute of Environmental Health Sciences), and other
14 interested stakeholders (including manufacturers of
15 pharmaceuticals and personal care products and
16 consumer groups and advocates).

17 “(C) REPORT.—Not later than 4 years after
18 the date of the enactment of this paragraph, the Ad-
19 ministrator shall submit to the Congress a report on
20 the results of the study carried out under this para-
21 graph.

22 “(D) DEFINITIONS.—In this paragraph:

23 “(i) The term ‘personal care product’ has
24 the meaning given the term ‘cosmetic’ in section

1 201 of the Federal Food, Drug, and Cosmetic
2 Act.

3 “(ii) The term ‘pharmaceutical’ has the
4 meaning given the term ‘drug’ in section 201 of
5 the Federal Food, Drug, and Cosmetic Act.”.

6 **SEC. 16. BEST PRACTICES FOR ADMINISTRATION OF STATE**
7 **REVOLVING LOAN FUND PROGRAMS.**

8 Section 1452 of the Safe Drinking Water Act (42
9 U.S.C. 300j–12) is amended by inserting after subsection
10 (r), as added by section 7(b), the following:

11 “(s) BEST PRACTICES FOR PROGRAM ADMINISTRA-
12 TION.—The Administrator shall—

13 “(1) collect information from States on admin-
14 istration of State programs with respect to State
15 loan funds, including—

16 “(A) efforts to streamline the process for
17 applying for assistance through such programs;

18 “(B) programs in place to assist with the
19 completion of application forms;

20 “(C) incentives provided to systems that
21 partner with small public water systems for the
22 application process; and

23 “(D) techniques to ensure that obligated
24 balances are liquidated in a timely fashion;

1 “(2) not later than 3 years after the date of en-
 2 actment of the Clean Water Infrastructure Act, dis-
 3 seminate to the States best practices for administra-
 4 tion of such programs, based on the information col-
 5 lected pursuant to this subsection; and

6 “(3) periodically update such best practices, as
 7 appropriate.”.

8 **SEC. 17. WATER LOSS AND LEAK CONTROL TECHNOLOGY.**

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

12 **“SEC. 1459C. WATER LOSS AND LEAK CONTROL TECH-**
 13 **NOLOGY.**

14 “The Administrator shall—

15 “(1) not later than 5 years after the date of en-
 16 actment of this section, develop criteria for effective
 17 water loss and leak control technology to be used by
 18 public water systems; and

19 “(2) implement a program through which a
 20 manufacturer of such technology may apply, on a
 21 voluntary basis, for certification of compliance with
 22 such criteria.”.

1 **SEC. 18. RISKS OF DROUGHT TO DRINKING WATER.**

2 Part E of the Safe Drinking Water Act (42 U.S.C.
3 300j et seq.) is further amended by adding at the end the
4 following new section:

5 **“SEC. 1459D. DROUGHT RISK ASSESSMENT AND MANAGE-**
6 **MENT.**

7 “(a) STRATEGIC PLAN.—

8 “(1) DEVELOPMENT.—Not later than 90 days
9 after the date of enactment of this section, the Ad-
10 ministrator shall develop and submit to Congress a
11 strategic plan for assessing and managing the risks
12 of drought to drinking water provided by public
13 water systems. The strategic plan shall include steps
14 and timelines to—

15 “(A) evaluate the risks posed by drought
16 to drinking water provided by public water sys-
17 tems;

18 “(B) compile a comprehensive list of the
19 effects of drought on drinking water provided
20 by public water systems which the Adminis-
21 trator determines may have an adverse effect
22 on human health;

23 “(C) summarize—

24 “(i) the known adverse human health
25 effects resulting from the effects of

1 drought on drinking water included on the
2 list established under subparagraph (B);

3 “(ii) factors that cause drought; and

4 “(iii) factors that exacerbate the ef-
5 fects of drought on drinking water pro-
6 vided by public water systems;

7 “(D) with respect to the effects of drought
8 on drinking water included on the list compiled
9 under subparagraph (B), determine whether
10 to—

11 “(i) establish guidance regarding fea-
12 sible analytical methods to quantify such
13 effects; and

14 “(ii) establish guidance regarding the
15 frequency of monitoring necessary to de-
16 tect such effects;

17 “(E) recommend feasible treatment op-
18 tions, including procedures, equipment, and
19 source water protection practices, to mitigate
20 such effects; and

21 “(F) enter into cooperative agreements
22 with, and provide technical assistance to, af-
23 fected States and public water systems, as iden-
24 tified by the Administrator, for the purpose of

1 managing risks associated with the effects of
2 drought on drinking water.

3 “(2) UPDATES.—The Administrator shall, as
4 appropriate, update and submit to Congress the
5 strategic plan developed under paragraph (1).

6 “(b) INFORMATION COORDINATION.—In carrying out
7 this section the Administrator shall—

8 “(1) identify gaps in the Agency’s under-
9 standing of the effects of drought on drinking water
10 provided by public water systems, including—

11 “(A) the human health effects of drought;
12 and

13 “(B) methods and means of testing and
14 monitoring for the effects of drought on source
15 water of, or drinking water provided by, public
16 water systems;

17 “(2) as appropriate, consult with—

18 “(A) other Federal agencies that—

19 “(i) examine or analyze drought; or

20 “(ii) address public health concerns
21 related to drought;

22 “(B) States;

23 “(C) operators of public water systems;

24 “(D) multinational agencies;

25 “(E) foreign governments;

1 “(F) research and academic institutions;
2 and

3 “(G) companies that provide relevant
4 drinking water treatment options; and

5 “(3) assemble and publish information from
6 each Federal agency that has—

7 “(A) examined or analyzed drought; or

8 “(B) addressed public health concerns re-
9 lated to drought.

10 “(c) FEASIBLE.—For purposes of this section, the
11 term ‘feasible’ has the meaning given such term in section
12 1412(b)(4)(D).”.

13 **SEC. 19. REDUCING LEAD IN DRINKING WATER.**

14 Section 1459B(d) of the Safe Drinking Water Act
15 (42 U.S.C. 300j–19b(d)) is amended by striking
16 “\$60,000,000 for each of fiscal years 2017 through 2021”
17 and inserting “\$100,000,000 for each of fiscal years 2019
18 through 2023”.

19 **SEC. 20. SENSE OF CONGRESS.**

20 It is the sense of Congress that—

21 (1) “persistent poverty counties” are those that
22 have had 19.5 percent or more of their population
23 living in poverty over the past 30 years, as measured
24 by the 1990, 2000, and 2010 decennial censuses;

1 (2) persistent poverty in a given community sig-
2 nificantly and adversely affects many community
3 members' health, safety, educational, and economic
4 opportunities, and countless other factors that influ-
5 ence quality of life;

6 (3) status as a persistent poverty county is
7 often determined by forces beyond a given commu-
8 nity's ability to control, including State or Federal
9 under-investment in public goods, historical or ongo-
10 ing social, economic, or environmental injustices, and
11 long-term economic trends;

12 (4) water systems in many persistent poverty
13 counties are aging, unsafe, or otherwise in urgent
14 need of new investment; and

15 (5) with respect to new investments in existing
16 water systems authorized by this Act (including the
17 amendments made by this Act) and the Safe Drink-
18 ing Water Act, discretionary Federal decision-mak-
19 ing should prioritize the needs of persistent poverty
20 counties to the extent reconcilable with applicable
21 laws and regulations, the need to make maximally
22 effective use of taxpayer funds, and the public inter-
23 est generally.

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