

Union Calendar No. 555

116TH CONGRESS
2D SESSION

H. R. 5347

[Report No. 116–671, Part I]

To require the Secretary of the Interior to establish a grant program to close gaps in access to safe drinking water in disadvantaged communities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 6, 2019

Mr. COX of California (for himself, Mr. COSTA, Mr. HARDER of California, and Mr. HUFFMAN) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

DECEMBER 18, 2020

Reported from the Committee on Natural Resources with an amendment

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

DECEMBER 18, 2020

Committee on Energy and Commerce discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on December 6, 2019]

A BILL

To require the Secretary of the Interior to establish a grant program to close gaps in access to safe drinking water in disadvantaged communities, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Disadvantaged Commu-*
5 *nity Drinking Water Assistance Act”.*

6 **SEC. 2. FINDINGS.**

7 *Congress finds that—*

8 *(1) many areas in the State of California, par-*
9 *ticularly in the San Joaquin Valley region, are dis-*
10 *proportionately impacted by drought because the*
11 *areas are heavily dependent or completely reliant on*
12 *groundwater supplies to meet domestic drinking*
13 *water needs; and*

14 *(2) those communities throughout the State of*
15 *California have been impacted by the presence of nat-*
16 *urally occurring and human-caused constituents in-*
17 *cluding arsenic, 1,2,3-Trichloropropane (1,2,3-TCP),*
18 *hexavalent chromium, Dibromochloropropane*
19 *(DBCP), uranium, and nitrates in local groundwater*
20 *supplies.*

21 **SEC. 3. GRANT PROGRAM.**

22 *(a) ESTABLISHMENT.—The Secretary of the Interior*
23 *shall establish and carry out a grant program to be known*
24 *as the “Disadvantaged Community Drinking Water Assist-*
25 *ance Program” to provide financial assistance to disadvan-*

1 *taged communities that have experienced a significant de-*
 2 *cline in quantity or quality of drinking water, and to ob-*
 3 *tain or maintain adequate quantities of water that meet*
 4 *the standards set by the Federal Safe Drinking Water Act*
 5 *(42 U.S.C. 300f et seq.). Grants under this section may be*
 6 *provided to communities within a Reclamation State, as*
 7 *defined by the Reclamation Act of 1902 (43 U.S.C. 391)—*

8 (1) *that are unable to meet the primary drinking*
 9 *water quality standards under that Act; or*

10 (2) *the local private or public water supply of*
 11 *which has been lost or severely diminished due to*
 12 *drought conditions, groundwater overdraft conditions,*
 13 *or climate change conditions.*

14 (b) *ELIGIBLE COMMUNITIES.*—*Grants provided under*
 15 *this section shall be used to benefit communities—*

16 (1) *located in a city, town, or special district*
 17 *with a population of not more than 60,000 of resi-*
 18 *dents; and*

19 (2) *that have a median household income of less*
 20 *than 100 percent of the nonmetropolitan median*
 21 *household income of the State in which the commu-*
 22 *nity is located.*

23 (c) *ELIGIBLE USES.*—*Grants provided under this sec-*
 24 *tion may be used for the following:*

1 (1) *Point of use treatment and point of entry*
2 *systems.*

3 (2) *Wellhead treatment and distributed treat-*
4 *ment facilities.*

5 (3) *Blending systems in compliance with State*
6 *regulations.*

7 (4) *Costs related to the consolidation of multiple*
8 *small rural water systems or a small rural water sys-*
9 *tem with a larger system.*

10 (5) *Construction of new water source facilities*
11 *including wells and connections to existing systems.*

12 (6) *Water distribution facilities.*

13 (7) *Water capacity fees, water supply develop-*
14 *ment fees, water connections fees, and similar fees*
15 *that are assessed when a new connection is added to*
16 *an existing water system as part of a consolidation.*

17 (8) *Assistance to households to connect to water*
18 *facilities.*

19 (9) *Emergency water supplies.*

20 (10) *A combination of activities described in*
21 *paragraphs (1) through (9).*

22 (11) *Application and technical assistance costs*
23 *associated with the activities described in paragraphs*
24 *(1) through (9).*

1 (d) *PRIORITIZATION.*—*In determining priorities for*
2 *funding projects, the Secretary of the Interior shall take into*
3 *consideration—*

4 (1) *communities that are currently operating*
5 *under a notice of violation for failing to provide pota-*
6 *ble water that meets primary drinking water stand-*
7 *ards;*

8 (2) *whether the applicant has the ability to qual-*
9 *ify for alternative funding sources that do not result*
10 *in water rate increases unable to be absorbed by the*
11 *residential ratepayers;*

12 (3) *communities deemed vulnerable to water*
13 *shortage conditions because the system is located in a*
14 *critically overdrafted groundwater basin, and the sys-*
15 *tem has only a single water supply source;*

16 (4) *rural communities served by individual, on-*
17 *site domestic wells that have documented dry well*
18 *conditions or contaminated well conditions; and*

19 (5) *public water systems that desire to consoli-*
20 *date with each other, or with a larger urban system,*
21 *to increase economies-of-scale to reduce cost of service,*
22 *and increase the level and quality of water service de-*
23 *livery.*

24 (e) *MAXIMUM AMOUNT.*—*The amount of a grant pro-*
25 *vided under this section may be used to fund—*

1 (1) *not more than 100 percent of costs for activi-*
 2 *ties, including—*

3 (A) *technical assistance and other costs as-*
 4 *sociated with application for assistance through*
 5 *the Disadvantaged Community Drinking Water*
 6 *Assistance Program;*

7 (B) *initial operating costs incurred to start*
 8 *up, test, and place into service project facilities*
 9 *and components; and*

10 (C) *capital costs of construction or compo-*
 11 *nents to ensure such facilities and components*
 12 *are properly operational; and*

13 (2) *not more than 25 percent of costs for assist-*
 14 *ance with operation and maintenance costs incurred*
 15 *subsequent to placing the facilities or components into*
 16 *service to ensure service remains efficient and effec-*
 17 *tive.*

18 (f) *OPERATION AND MAINTENANCE.—Not more than*
 19 *25 percent of funds made available in any fiscal year for*
 20 *grants under this section shall be used for operations and*
 21 *maintenance costs. States may use a State circuit riding*
 22 *operations assistance team to identify applicants approved*
 23 *for operations and maintenance assistance.*

24 (g) *AUTHORIZATION OF APPROPRIATIONS.—There is*
 25 *authorized to be appropriated to the Secretary of the Inte-*

1 *rior to carry out this section \$20,000,000 for each of fiscal*
2 *years 2021 through 2025, to remain available until ex-*
3 *ended.*

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