To amend the Safe Drinking Water Act to reauthorize certain provisions, and for other purposes.

IN THE SENATE OF THE UNITED STATES

introduced the following bill; which was read twice and referred to the Committee on

A BILL
To amend the Safe Drinking Water Act to reauthorize certain provisions, and for other purposes.

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

SECTION 1. SHORT TITLE.
This Act may be cited as the “Drinking Water Infra-
structure Act of 2020”.

SEC. 2. HOST COMMUNITIES.
Section 1433(g) of the Safe Drinking Water Act (42 U.S.C. 300i–2(g)) is amended—
(1) in paragraph (1)—
(A) by striking the period at the end and inserting ‘‘; or’’;

(B) by striking ‘‘for the purpose of increasing’’ and inserting the following: ‘‘for the purpose of—

“(A) increasing’’; and

(C) by adding at the end the following:

“(B) increasing the capacity of the community water system to adapt to an increase in population served by the community water system that is primarily caused by a natural hazard or a malevolent act in another community or State.’’;

(2) in paragraph (5)—

(A) in the heading, by striking ‘‘SMALL’’ and inserting ‘‘SMALL, RURAL, AND DISADVANTAGED’’;

(B) by striking ‘‘a population of less than 3,300 persons’’ and inserting ‘‘disadvantaged communities or populations of fewer than 10,000 persons’’; and

(C) by striking ‘‘of this section’’; and

(3) in paragraph (6), by striking ‘‘fiscal years 2020 and 2021’’ and inserting ‘‘fiscal years 2021 and 2022’’. 
SEC. 3. TECHNICAL ASSISTANCE AND GRANTS FOR EMERGENCIES AFFECTING PUBLIC WATER SYSTEMS.

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

(1) in subsection (b), in the first sentence, by inserting “, including a threat to public health resulting from contaminants, such as, but not limited to, heightened exposure to lead in drinking water” after “public health”;

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

“(d) Authorization of Appropriations.—There is authorized to be appropriated to carry out subsection (b) $35,000,000 for each of fiscal years 2021 through 2024.”; and

(3) in subsection (e)(5), by striking “2015 through 2020” and inserting “2021 through 2024”.

SEC. 4. DRINKING WATER STATE REVOLVING LOAN FUNDS.

(a) DRINKING WATER RELIEF FOR SMALL, RURAL, AND DISADVANTAGED COMMUNITIES.—Section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by adding at the end the following:
“(II) Required subsidies for public water systems.—

“(i) In general.—Notwithstanding any other provision of this paragraph and to the extent that there are sufficient applications from public water systems, a State shall use not less than 20 percent of a capitalization grant to the State under this section to provide the additional subsidies described in clause (ii) to public water systems if the additional subsidies described in that clause are used—

“(I) as initial financing for the public water system; or

“(II) to buy, refinance, or restructure the debt obligations of the public water system, if—

“(aa) the debt obligation was incurred on or after the date of enactment of this subparagraph; or

“(bb) for a debt obligation that was incurred before the date of enactment of this subparagraph—
“(AA) the State, with the concurrence of the Administrator, determines that the additional subsidies described in clause (ii) would help the public water system address a threat to public health from heightened exposure to contaminants (including lead) in drinking water; or

“(BB) before the date of enactment of this subparagraph, a Federal or State emergency declaration has been issued due to a threat to public health, including a threat from heightened exposure to lead, in the municipal drinking water supply of the public water system.

“(ii) ADDITIONAL SUBSIDIES DESCRIBED.—The additional subsidies referred to in clause (i) are—
“(I) forgiveness of principal of loans owed to the State loan fund of the State;
“(II) negative interest loans;
“(III) grants; or
“(IV) a combination of the subsidies described in subclauses (I) through (III).”; and

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

(2) in subsection (q), by striking “2016 through 2021” and inserting “2021 through 2024”.

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

(1) in subsection (a)(2)(G)—

(A) in clause (i)—

(i) by striking “only”; and

(ii) by striking the clause designation and heading and all that follows through “clause (ii),” and inserting the following:

“(i) DRINKING WATER.—
“(I) IN GENERAL.—Notwithstanding any other provision of law and subject to subclause (II),”;

(B) in clause (ii)—

(i) in subclause (I)—

(I) in the matter preceding item (aa), by striking “amounts described in clause (i)” and inserting “amounts made available to carry out this clause”; and

(II) by redesignating items (aa) and (bb) as subitems (AA) and (BB), respectively, and indenting appropriately;

(ii) in subclause (II), by striking “amounts described in clause (i)” and inserting “amounts made available to carry out this clause”; and

(iii) by redesignating subclauses (I) and (II) as items (aa) and (bb), respectively, and indenting appropriately;

(C) by redesignating clause (ii) as subclause (II) and indenting appropriately; and

(D) by inserting before clause (iii) the following:
“(ii) REMEDIATION OF CONTAMINATION OF GROUNDWATER.—

“(I) DEFINITION OF ELIGIBLE SITE.—In this clause, the term ‘eligible site’ means a site at which an emerging contaminant is present in, or has the potential to enter, a public water system or an underground source of drinking water.

“(II) GRANTS.—Notwithstanding any other provision of law and subject to subclause (III), amounts deposited under subsection (t) in a State loan fund established under this section may be used to provide grants to address contamination of groundwater at an eligible site, with a focus on perfluoroalkyl and polyfluoroalkyl substances.

“(III) REQUIREMENTS.—

“(aa) PRIORITIES.—In selecting the recipient of a grant using amounts made available to carry out this clause, a State
shall use the priorities described in subsection (b)(3)(A).

“(bb) CLEANUP STANDARDS.—Any detection, treatment, and remediation of groundwater carried out using amounts made available to carry out this clause shall be carried out in accordance with applicable State toxicity values, standards, and regulations of the State in which the detection, treatment, or remediation is being carried out.”; and

(2) in subsection (t)(2), by striking “$100,000,000 for each of fiscal years 2020” and inserting “$300,000,000 for each of fiscal years 2021”.

SEC. 5. SOURCE WATER PETITION PROGRAM.

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

(1) in subsection (a)—

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

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

(C) by adding at the end the following:

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

(2) in subsection (e), in the first sentence, by
striking “2021” and inserting “2024”.

SEC. 6. ASSISTANCE FOR SMALL AND DISADVANTAGED
COMMUNITIES.

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

(1) in subsection (b)(2)—
(A) in subparagraph (B), by striking “and” at the end;

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

(C) by adding at the end the following:

“(D) the purchase of filters for the removal of contaminants of concern;

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

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

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

“(F) entering into contracts with nonprofit organizations that have water system technical expertise, as determined by the Administrator, to assist underserved communities that are in significant noncompliance with this title with asset management and mapping activities, if those contracts use not more than 2 percent of the funds awarded by a grant under this section.”;
(2) in subsection (c), in the matter preceding paragraph (1), by striking “An eligible entity” and inserting “Except for purposes of subsection (m), an eligible entity”;

(3) in subsection (g)(1), by inserting “except as provided in subsections (j)(3) and (l)(5) and except for grants provided under subsection (m),” before “to pay”;

(4) in subsection (j), by adding at the end the following:

“(3) Federal share.—

“(A) In general.—With respect to an activity carried out using a grant under this subsection—

“(i) subsection (g)(1) shall not apply;

and

“(ii) subject to subparagraph (B), the Federal share of the cost of the activity shall be 90 percent.

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

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

“(1) $60,000,000 for fiscal year 2021; and

“(2) $100,000,000 for each of fiscal years 2022 through 2024.”; and

(6) in subsection (l)—

(A) in paragraph (2)—

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

(ii) by striking “fiscal years 2019 and 2020” and inserting “fiscal years 2021 through 2024”; 

(B) in paragraph (5), by striking “$4,000,000 for each of fiscal years 2019 and 2020” and inserting “$10,000,000 for each of fiscal years 2021 through 2024”;

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

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

“(5) Federal Share.—

“(A) In general.—With respect to a program or project carried out using a grant under


this subsection by an eligible entity that is or
serves an underserved community—

“(i) subsection (g)(1) shall not apply;

and

“(ii) subject to subparagraph (B), the
Federal share of the cost of the program
or project shall be 90 percent.

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

(b) Connection to Public Water Systems.—
Section 1459A of the Safe Drinking Water Act (42 U.S.C.
300j–19a) is amended by adding at the end the following:

“(m) Connection to Public Water Systems.—

“(1) Definitions.—In this subsection:

“(A) Eligible entity.—The term ‘eligi-
ble entity’ means—

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

“(ii) a nonprofit entity that assists in-
dividuals with the costs associated with
connecting the household of the individual
to a public water system.

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

“(C) QUALIFIED INDIVIDUAL.—The term
‘qualified individual’ means a member of a
household, the members of which have a com-
bined income (for the most recent 12-month pe-
period for which information is available) equal to
not more than 50 percent of the median non-
metropolitan household income for the State in
which the household is located, according to the
most recent decennial census.

“(2) ESTABLISHMENT.—The Administrator
shall establish a competitive grant program under
which the Administrator awards grants to eligible
entities to provide funds to assist qualified individ-
uals in covering the costs incurred by the qualified
individual in connecting the household of the quali-
fied individual to a public water system.

“(3) APPLICATION.—

“(A) IN GENERAL.—An eligible entity
seeking a grant under the program shall submit
to the Administrator an application at such
time, in such manner, and containing such in-
formation as the Administrator may by regula-
tion require.

“(B) REQUIREMENT.—Not later than 90
days after the date on which the Administrator
receives an application from an eligible entity
under subparagraph (A), the Administrator
shall notify the eligible entity of whether the
Administrator will award a grant to the eligible
entity under the program.

“(4) SELECTION CRITERIA.—In selecting recipi-
ents of grants under the program, the Administrator
shall use the following criteria:

“(A) Whether the eligible entity seeking a
grant provides services to, or works directly
with, qualified individuals.

“(B) Whether the eligible entity seeking a
grant—

“(i) has an existing program to assist
qualified individuals in covering the costs
incurred by the qualified individual in con-
necting the household of the qualified indi-
vidual to a public water system; or

“(ii) seeks to create a program de-
scribed in clause (i).
“(5) REQUIREMENTS.—

“(A) VOLUNTARY CONNECTION.—Before providing funds to a qualified individual for the costs described in paragraph (2), an eligible entity shall ensure that—

“(i) the qualified individual has connected to the public water system voluntarily; and

“(ii) if the eligible entity is not the owner or operator of the public water system to which the qualified individual has connected, the public water system to which the qualified individual has connected has agreed to the connection.

“(B) REIMBURSEMENTS FROM PUBLIC WATER SYSTEMS.—An eligible entity that is an owner or operator of a public water system may reimburse a qualified individual that has already incurred the costs described in paragraph (2) by—

“(i) reducing the amount otherwise owed by the qualified individual to the owner or operator for drinking water or other services provided by the owner or operator; or
“(ii) providing a direct payment to the qualified individual.

“(6) Authorization of Appropriations.—

There is authorized to be appropriated to carry out the program $20,000,000 for each of fiscal years 2021 and 2022.”.

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

“(n) State Competitive Grants for Underserved Communities.—

“(1) In General.—In addition to amounts authorized to be appropriated under subsection (k), there is authorized to be appropriated to carry out subsections (a) through (j) $50,000,000 for each of fiscal years 2021 through 2024 in accordance with paragraph (2).

“(2) Competitive Grants.—

“(A) In General.—Notwithstanding any other provision of this section, the Administrator shall distribute amounts made available under paragraph (1) to States through a competitive grant program.
“(B) APPLICATIONS.—To seek a grant under the competitive grant program under subparagraph (A), a State shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

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

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

SEC. 7. REDUCING LEAD IN DRINKING WATER; LEAD MAPPING PILOT PROGRAM.

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

(1) in subsection (d)—
(A) by inserting “(except for subsection (d))” after “this section”; and
(B) by striking “2021” and inserting “2022”;
(2) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and
(3) by inserting after subsection (e) the following:

“(d) LEAD MAPPING GRANT PILOT PROGRAM.—

“(1) DEFINITIONS.—In this subsection:

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

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

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

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

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

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

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

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

“(5) AUTHORIZATION OF APPROPRIATIONS.—

There is authorized to be appropriated to carry out the pilot program $10,000,000, to remain available until expended.”.

SEC. 8. OPERATIONAL SUSTAINABILITY OF SMALL PUBLIC WATER SYSTEMS.

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

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

“(a) DEFINITIONS.—In this section:

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

“(A) a municipality; or

“(B) an owner or operator of a public water system.

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

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

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

“(A) serves fewer than 10,000 people; and
“(B) is owned or operated by—

“(i) a unit of local government;
“(ii) a public corporation;
“(iii) a nonprofit corporation;
“(iv) a public trust; or
“(v) a cooperative association.

“(b) ESTABLISHMENT.—The Administrator shall es-

tablish a program to award grants to eligible entities for
the purpose of improving the operational sustainability of
1 or more small systems.

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

“(1) a proposal of the project to be carried out
using grant funds under the program;
“(2) documentation prepared by the eligible entity describing the deficiencies in operational sustainability of 1 or more small systems that are to be addressed through the proposed project;

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

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

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

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

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

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

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

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

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

“(B) global positioning system software;

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

“(4) the deployment of metering technology;
“(5) training in asset management strategies, techniques, and technologies appropriate staff employed by—

“(A) the eligible entity; or

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

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

“(e) COST SHARE.—

“(1) IN GENERAL.—Subject to paragraph (2), the Federal share of the cost of a project carried out using a grant under the program shall not exceed 90 percent of the total cost of the project.

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

“(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2021 through 2024.”.
SEC. 9. MIDSIZE DRINKING WATER SYSTEM INFRASTRUCTURE RESILIENCE AND SUSTAINABILITY PROGRAM.

Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) (as amended by section 8) is amended by adding at the end the following:

"SEC. 1459F. MIDSIZE DRINKING WATER SYSTEM INFRASTRUCTURE RESILIENCE AND SUSTAINABILITY PROGRAM.

"(a) DEFINITIONS.—In this section:

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

"(A) greater than 10,000; and

"(B) fewer than 100,000.

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

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

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

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

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

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

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

“(4) the enhancement of water supply through the use of watershed management and source water protection;
“(5) the enhancement of energy efficiency or the use and generation of renewable energy in the conveyance or treatment of drinking water; or
“(6) the development and implementation of measures to increase the resilience of the eligible entity to natural hazards.
“(d) APPLICATION.—To seek a grant under the resilience and sustainability program, an eligible entity shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require, including—
“(1) a proposal of the program or project to be planned, designed, constructed, implemented, operated, or maintained by the eligible entity;
“(2) an identification of the natural hazard risk to be addressed by the proposed program or project;
“(3) documentation prepared by a Federal, State, regional, or local government agency of the natural hazard risk to the area where the proposed program or project is to be located;
“(4) a description of any recent natural hazard events that have affected the community water system of the eligible entity;
“(5) a description of how the proposed program or project would improve the performance of the
community water system of the eligible entity under the anticipated natural hazards; and

“(6) an explanation of how the proposed program or project is expected to enhance the resilience of the community water system of the eligible entity to the anticipated natural hazards.

“(e) Authorization of Appropriations.—There is authorized to be appropriated to carry out the resilience and sustainability program $5,000,000 for each of fiscal years 2021 through 2024.”.

SEC. 10. NEEDS ASSESSMENT FOR NATIONWIDE RURAL AND URBAN LOW-INCOME COMMUNITY WATER ASSISTANCE.

Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) (as amended by section 9) is amended by adding at the end the following:

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

“(a) Definition of Low-Income Household.—In this section, the term ‘low-income household’ means a household that has an income that, as determined by the State in which the household is located, does not exceed the greater of—
“(1) an amount equal to 150 percent of the poverty level of that State; and

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

“(b) STUDY; REPORT.—

“(1) IN GENERAL.—Not later than 2 years after the date of enactment of this section, the Administrator shall conduct, and submit to Congress a report describing the results of, a study regarding the prevalence throughout the United States of low-income households that do not have access to affordable public drinking water services to meet household needs.

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

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

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

“(C) with respect to the development of the report, a consultation with all relevant stakeholders; and
“(D) a description of the results of the study with respect to low-income renters who do not receive bills for drinking water services but pay for the services indirectly through rent payments.

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

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

SEC. 11. LEAD CONTAMINATION IN SCHOOL DRINKING WATER.

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

(1) in subsection (b)—

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

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

(C) in the sixth sentence, by striking “within 100 days after the enactment of this section” and inserting “not later than 100 days after the date of enactment of the Drinking Water Infrastructure Act of 2020”; and
(2) in subsection (d)—

(A) in paragraph (2)—

(i) in subparagraph (A), by inserting “, public water systems that serve schools and child care programs under the jurisdiction of those local educational agencies, and qualified nonprofit organizations” before “in voluntary”; and

(ii) in subparagraph (B)—

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

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

(III) by adding at the end the following:

“(iii) any public water system that—

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

“(II) provides technical assistance to schools or child care programs in carrying out lead testing; or

“(IV) a qualified nonprofit organization, as determined by the Administrator.”;
(B) in paragraphs (3), (5), (6), and (7), by striking "State or local educational agency" each place it appears and inserting "State, local educational agency, public water system, or qualified nonprofit organization";

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

(D) in paragraph (6)—

(i) in the matter preceding subparagraph (A), by inserting ", public water system, or qualified nonprofit organization" after "each local educational agency"; and

(ii) in subparagraph (B)(i), by inserting "applicable" before "local educational agency"; and

(E) in paragraph (8), by striking "2020 and 2021" and inserting "2021 and 2022".

SEC. 12. INDIAN RESERVATION DRINKING WATER PROGRAM.

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

(1) in subsection (a)—
(A) in the matter preceding paragraph (1), by striking “Subject to the availability of appropriations, the Administrator of the Environmental Protection Agency” and inserting “The Administrator of the Environmental Protection Agency (referred to in this section as the ‘Administrator’)”; and

(B) by striking “to implement” in the matter preceding paragraph (1) and all that follows through the period at the end of paragraph (2) and inserting “to implement eligible projects described in subsection (b).”;

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

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

“(c) REQUIRED PROJECTS.—

“(1) IN GENERAL.—Of the funds made available to carry out this section, the Administrator shall use 50 percent to carry out—

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

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

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

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

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

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

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

“(1) $20,000,000”;

(C) in paragraph (1) (as so designated), by striking “2022.” and inserting “2020; and”; and

(D) by adding at the end the following:
“(2) $50,000,000 for each of fiscal years 2021 through 2024.”.

SEC. 13. ADVANCED DRINKING WATER TECHNOLOGIES.

(a) Study.—

(1) In general.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Environmental Protection Agency (referred to in this section as the “Administrator”) shall carry out a study that examines the state of existing and potential future technology that enhances or could enhance the treatment, monitoring, affordability, efficiency, and safety of drinking water provided by a public water system (as defined in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f)).

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

(b) Advanced Drinking Water Technology Grant Program.—

(1) Definitions.—In this subsection:
(A) **ELIGIBLE ENTITY.**—The term “eligible entity” means the owner or operator of a public water system that—

(i) serves—

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

(II) a disadvantaged community; and

(ii) has plans to identify or has identified opportunities in the operations of the public water system to employ new or emerging, yet proven, technologies, as determined by the Administrator, that enhance treatment, monitoring, affordability, efficiency, or safety of the drinking water provided by the public water system, including technologies not identified in the study conducted under subsection (a)(1).

(B) **PROGRAM.**—The term “program” means the competitive grant program established under paragraph (2).

(C) **PUBLIC WATER SYSTEM.**—The term “public water system” has the meaning given the term in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f).
(2) ESTABLISHMENT.—The Administrator shall establish a competitive grant program under which the Administrator shall award grants to eligible entities for the purpose of deploying technologies described in paragraph (1)(A)(ii).

(3) REQUIREMENTS.—

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

(B) LIMITATION.—A grant provided under the program shall be in an amount that is not more than $500,000.

(C) FEDERAL SHARE.—

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

(ii) WAIVER.—The Administrator may increase the Federal share under clause (i) to 100 percent.
(4) REPORT.—Not later than 180 days after the date on which Administrator first awards a grant under the program, and every 180 days thereafter, the Administrator shall submit to Congress a report describing—

(A) each recipient of a grant under the program during the previous 180-day period; and

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

(5) FUNDING.—

(A) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the program $10,000,000 for each of fiscal years 2021 through 2024, to remain available until expended.

(B) ADMINISTRATIVE COSTS.—Not more than 2 percent of the amount made available for a fiscal year under subparagraph (A) to carry out the program may be used by the Administrator for the administrative costs of carrying out the program.
SEC. 14. DRINKING WATER INFRASTRUCTURE DISCRETIONARY GRANT PROGRAM.

(a) Establishment.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Environmental Protection Agency (referred to in this section as the “Administrator”) shall establish a drinking water discretionary grant program (referred to in this section as the “program”) to provide grants, on a competitive basis, to eligible entities described in subsection (b) for investments in drinking water infrastructure projects.

(b) Eligible Entities.—An entity eligible to receive a grant under the program is—

(1) a State, interstate, intermunicipal, or local governmental entity, agency, or instrumentality;

(2) a Tribal government or consortium of Tribal governments;

(3) a State infrastructure financing authority; and

(4) a community water system or nonprofit noncommunity water system (as those terms are defined in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f)).

(c) Eligible Projects.—

(1) In general.—A project eligible to be carried out with funds under the program includes—
(A) 1 or more activities described in sub-paragraphs (B) through (E) of section 1452(a)(2) of the Safe Drinking Water Act (42 U.S.C. 300j–12(a)(2)); and

(B) any other drinking water infrastructure project that the Administrator determines to appropriate.

(2) OTHER FEDERAL FUNDS.—Notwithstanding any other provision of law, a project otherwise eligible under paragraph (1) shall not be ineligible for funding because the project also received assistance—

(A) from a State drinking water treatment revolving loan fund established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12);

(B) from a State water pollution control revolving fund established under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.); or

(C) under the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.).

(d) APPLICATION.—
(1) IN GENERAL.—To be eligible to receive a grant under the program, an eligible entity shall submit to the Administrator an application in such manner and containing such information as the Administrator may require.

(2) BUNDLING OF PROJECTS.—An eligible entity may include more than 1 project in a single application.

(3) DEADLINE.—An application shall be submitted to the Administrator not later than 180 days after the date on which the notice of funding opportunity and the selection criteria are issued under subsection (c)(1)(B).

(e) SELECTION.—

(1) CRITERIA.—

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

(B) PUBLICATION.—Not later than 90 days after the date on which funds are made available to carry out the program for each fiscal year, the Administrator shall—

(i) issue a notice of funding opportunity for the program; and
(ii) include in the notice the selection criteria established under subparagraph (A).

(2) PRIORITY.—In selecting projects to receive a grant under the program, the Administrator shall give priority to projects—

(A) for which a Federal grant would assist in completing an overall financing package for the project; and

(B) that would help bring public water systems (as defined in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f)) into compliance with the Safe Drinking Water Act (42 U.S.C. 300f et seq.).

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

(A) on an equitable geographical basis; and

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

(4) DEADLINE.—Not later than 18 months after the date on which funds are made available to carry out the program for each fiscal year, the Ad-
ministrator shall select projects to receive grants under the program.

(f) REQUIREMENTS.—

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

(2) NON-FEDERAL SHARE.—

(A) IN GENERAL.—The non-Federal share of the cost of a project carried out with a grant under the program shall be not less than 20 percent.

(B) OTHER FEDERAL SOURCES.—An eligible entity receiving a grant under the program may use funds provided from other Federal sources to meet the non-Federal share requirement under subparagraph (A).

(g) REGULATIONS.—The Administrator may promulgate such regulations as may be necessary to carry out this section.

(h) LABOR STANDARDS.—Notwithstanding any other provision of law, the Administrator may not provide a grant under the program for a project unless the project
meets the requirements described in section 1450(e) of the Safe Drinking Water Act (42 U.S.C. 300j–9(e)).

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

(j) Funding.—

(1) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section $50,000,000 for each of fiscal years 2022 through 2024.

(2) Availability.—Funds made available to carry out this section shall be available until expended.

(3) Administrative Costs.—Not more than 2 percent of the amount made available for a fiscal year under paragraph (1) may be used by the Administrator for the administrative costs of carrying out the program.

The Committee continues to review the PFAS language that passed both the Committee and the full Senate in 2019 but failed to be enacted into law for inclusion in a managers’ amendment to the bill when the bill is considered.